

**“At Large”: Women’s Lives and Offending in  
Victorian Liverpool and London**

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## **Abstract**

This thesis focuses on serious female offenders living in Liverpool and London during the Victorian period. In contrast to much existing historical research on women and crime, the interest here is not solely on the offences women committed, nor their offending patterns; but instead on their lives, experiences, and identities. One of the key objectives of this research is to add new information on women and offending to a historiography which continues to be dominated by the male offender and the male experience or crime. Similarly, this research moves away from histories of female offenders as shoplifters, prostitutes, and child-killers, and considers the wider involvement of women in crimes of theft and violence in Victorian cities. The findings demonstrate that female offences were diverse, and patterns of offending were heavily influenced by local, environmental, and personal factors. Analysis of women's experiences shows that limited opportunities for employment, difficult living conditions, and poor prospects for social mobility and stability all impacted upon the probability of offending. The research also shows that women who were part of the lowest sections of the working class, members of an ethnic minority, the oldest female child in their families, and unmarried, were most likely to become serious female offenders. Local differences in employment opportunities, housing patterns, and policing practices could impact upon the kind of crimes undertaken by women, the period of the life-cycle in which offending was most likely to begin, the length of offending careers, and the number of convictions women gained. Yet the biggest contribution to serious female offending was made by experiences which transcended both location and environment, namely the issues of poverty, and social and economic exclusion.

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## Introduction

Then there were the women: Some with the last lingering tinge of their early freshness, almost fading as you looked: Others with every mark and stamp of their sex utterly beaten out, and presenting but one lithesome bank of profligacy and crime; some mere girls, but others young women, and none past the prime of life; [they] formed the darkest and saddest portion of this dreary picture. . .The miserable companion of thieves and ruffians, the fallen outcast of low haunts, the associates of the scouring's of the jails and hulks living within the shadow of the gallows itself.<sup>1</sup>

Charles Dickens, *Oliver Twist*.

It was in 1871 that the *London City Press* announced with little ceremony that 'nearly 4000 female criminals are at large with Ticket-of-leave'.<sup>2</sup> Further papers noted that the problem of reconviction amongst offenders like these was much greater among females than among their male counterparts.<sup>3</sup> Yet for all the concern that surrounded the idea of paroled convicts 'at large' in the city, and the notion that crowds of thieves, prostitutes, and murderers, lurked somewhere in the capital, very little was done to find out who these women were, and how they had come to be there. Throughout the Victorian period, there was almost no recognition that for the most part, these women were not the deviants of Dickensian fiction, nor the tragic heroines of music hall ballads. They were instead poor and somewhat ordinary women.

The figure of the female offender has been a subject of grim fascination for her contemporaries, and her historians, since even before Defoe's *Moll Flanders* terrorised eighteenth century England with her cunning, audacity, and charm, or Dickens' tragic Nancy reaped the rewards of vice by having her life cut short by the dastardly Bill Sykes. Fictional criminals dreamt up by celebrated authors of centuries past, like Moll

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<sup>1</sup> C. Dickens, *Oliver Twist; Or, The Parish Boy's Progress* (London: Richard Bentley, 1839).

<sup>2</sup> *London City Press*, 29 July 1871.

<sup>3</sup> *Dublin Evening Mail*, 26 July 1871.

and Nancy, and sensationalised reports of real life murderesses which have endured over generations, such as Florence Maybrick, Constance Kent, or Amelia Dyer, have captured the imagination, and solidified the female offender's place in the history books.

Commentators on crime in the nineteenth century viewed female offenders as 'the manifestation of fatal perversity', and late-century feminist sympathisers perceived them as 'somewhat pathetic victims of social structures, personal circumstance, or of men's brutality'.<sup>4</sup> Representations of the female offender, and female deviants more widely, as depraved, degraded, and unfeminine abominations to their sex, have influenced both popular and historical ideas about women who committed crime in the nineteenth century, from contemporary accounts right through to present day fiction and scholarship. When many people think of the deviant Victorian woman they perceive a somewhat contradictory being: lascivious, immoral, scheming, lazy and dishonest – yet at the same time almost a victim, a weak and passive creature corrupted and invariably led into vice by her iniquitous male companion. The nineteenth century female offender is all too often represented as either the tragic heroine, or dastardly villain, of her own story. However, these melodramatic roles are very rarely ones occupied by *real* people navigating everyday life.

For all the interest in female offenders and female offending, both in the nineteenth century and today, little is known about who such women were, where they came from, or how they ended up in the penal institutions of Victorian England. Without acknowledging the events, relationships and environments which defined the life experience of Victorian female offenders, it remains impossible to fully understand

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<sup>4</sup> L. Zedner, *Women, Crime and Custody in Victorian England* (Oxford: Oxford University Press, 1992), pp. 46 – 74.

their patterns of offending, or their offences. Historians have only recently begun to address these issues. In fact, attention given to crime and those who commit it has traditionally (and overwhelmingly) been focused on men. In the few histories of crime in which women have been the primary consideration, scholars have chosen to focus on particular kinds of offending felt to be predominantly female, such as prostitution, infanticide, or shoplifting.<sup>5</sup> Even in those instances where women have been written into more general histories of crime, it is always the offending, rather than the offender, that takes centre stage.<sup>6</sup>

The following study attempts to address this issue. It makes an original contribution to the history of female offenders and female offending by using extensive archival research to profile the lives, experiences, and offences of one hundred serious offenders from two major cities in Victorian England - Liverpool and London. The intention of this work is to recognise that, although convicted of a range of crimes, the female offenders of Victorian England were also family members, friends and workers. They were individual people with hopes, ambitions and plans. They were active agents in their own lives, their own offences, and their own stories. This study seeks to create what Ballinger termed a 'bridge of understanding' between the life experiences of the women profiled and the crimes they committed.<sup>7</sup> This thesis produces a detailed picture of the patterns of female offending in Liverpool and London at this time, and examines the lives and experiences of the women who became offenders. This makes

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<sup>5</sup> J. Walkowitz, *Prostitution and Victorian Society: Women, Class and the State* (Cambridge: Cambridge University Press, 1980). P. Bartley, *Prostitution: Prevention and Reform in England 1860-1914* (London: Routledge, 1999). M. Jackson (ed.) *Infanticide: Historical perspectives on child murder and concealment 1500-2000* (Aldershot: Ashgate, 2002). E. S. Abelson, *When Ladies Go A-Thieving: Middle-Class Shoplifters in the Victorian Department Store* (New York: Oxford University Press, 1989).

<sup>6</sup> *Ibid.*

<sup>7</sup> A. Ballinger, *Dead Women Walking: Executed Women In England and Wales 1900-1950* (Aldershot: Ashgate Publishing, 2000), p. 4.

it possible to assess the primary causes of, and contributing factors to, women's offending.

The data collected on the women from Liverpool and London will provide a new perspective on the lives and offending of women in urban Victorian England. The offenders profiled for this study were born between 1811 and 1865. They died between 1883 and 1938. As such, on occasion, the narrative of an individual can stretch outside the chronological confines of the Victorian period (1837 -1901). However, very few of the women offended outside of this time period, with the majority of offences occurring between 1850 and 1900. A significant proportion of the collected data traces their lives between the late 1830s and the advent of the First World War, and thus this study remains very much an exploration of the activities and experiences of Victorian women.

The information in this thesis is organised in order to answer three questions about the lives and crimes of female offenders. The first chapters detail the types of crimes that women most often undertook, the common patterns of female offending, as well as locating crime within different stages of the female life-cycle. The following four chapters ascertain the collective identities of female offenders, outlining what kinds of women were likely to become serious offenders, and why. The last three chapters discuss how crime interplayed with a range of other experiences in women's lives.

Chapter One provides an overview of the existing literature for both the history of crime and the history of women and crime, identifying the need for more comprehensive histories of female offenders. The chapter also details the methodology essential for constructing social histories of women and offending, and outlines the parameters of the current study. Chapter Two presents a profile of the

types of offences most often carried out by women in the Victorian city, detailing the range of violent and property crimes common amongst women. Chapter Three explores the common experiences and patterns of offending for women at both the summary and indictment level and the different stages in the life-cycle at which women might have recourse to crime, and why.

Chapter Four considers the socio-economic class of offenders, challenging the contemporary perception of a 'criminal class'. This chapter evaluates the key differences in pathways to offending and in the offences committed by women of differing social classes. Chapter Five examines the ethnic background and nationality of the female offenders, finding that those from 'outcast' ethnicities make up a disproportionate amount of the sampled women. Chapter Six investigates the family structure and background of female offenders, and considers theories of the intergenerational transmission of offending. Chapter Seven discusses the impact that personal relationships, marriage, and illegitimate children had on a woman's likelihood of offending.

Chapter Eight charts the employments most commonly undertaken by female offenders, and shows how offending was frequently linked to their patterns of paid employment, rather than forming a 'career' in itself. Chapter Nine describes several of the experiences of disadvantage and deprivation found to be common amongst the sampled women and suggests how issues such as alcoholism, health, housing, and literacy related to female offending. Chapter Ten considers the key similarities and differences between women from the two cohort cities. This chapter considers which elements of offending were influenced by specific urban environment, and which

experiences and patterns of offending seem to have been uniform amongst women across the two geographical cohorts.



## Chapter One: Exploring Female Criminal Careers Using Historical Data

This chapter reviews the current and existing historiography in the history of crime. It outlines key studies and issues in the recent development of the field, and assesses current knowledge of women and crime in the Victorian period. The chapter reviews current historiography, which is not as complete as desirable, and identifies the need for a more comprehensive inclusion of women in the history of offending. This chapter will also establish how new methodologies drawing on historical, criminological, and sociological practices can be utilised to construct a history that examines not just female offending, but female offenders.

### A history of crime, a history of criminals

In the forty years or so that have passed since crime first became a staple element of social history, scholars have striven to uncover the particulars of how and why crime was undertaken and understood in the past. From the early modern period up to the twentieth century, the English criminal justice system drew into prison a diverse range of the populace 'from a 7-year-old English boy, to an 89-year-old woman who had been born at sea'.<sup>8</sup> It is precisely the 'breadth of this net's coverage' that makes those who offended, and served time in prison such a diverse and useful group of individuals for social historians to study.<sup>9</sup> Historians and criminologists alike have come to recognise that the study of crime and those who commit it provides a 'nexus for issues

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<sup>8</sup> S. Horrell, D. Meredith, and D. Oxley, 'Measuring Misery: Body Mass, Ageing and Gender Inequality in Victorian London' in *Explorations in Economic History*, 24 (2009), p.99.

<sup>9</sup> *Ibid.*

of identity, deprivation, rights, justice, and power'.<sup>10</sup> Generally, the explorations of these issues through histories of crime have been achieved by using two main approaches. In many cases scholars of the early modern period onwards have examined the multifaceted structures of the criminal justice system by compiling statistical data in order to quantify the rates of prosecuted crime and outcomes of such trials. These works offer a few key particulars of those who perpetrated crime in any given place or period, such as sex and location. Beattie's seminal work on the function and experience of courts in the long eighteenth century remains a compelling example of this.<sup>11</sup> Other historians such as Pearson and Walkowitz have sought to use accounts of contemporary social investigation and the popular press to explore the social perceptions and cultural constructions of crime and punishment.<sup>12</sup> In the past two decades, developments in the history of crime have come to mirror those in the wider areas of social and cultural history, examining beyond experiences of life recorded by statisticians and institutions, towards a better understanding of life from a personal level, and in particular a working-class level.<sup>13</sup>

When Hitchcock, King and Sharpe stated in the opening chapter of *Chronicling Poverty* that 'Historians have been frequently led by the ready availability of sources to look exclusively at the attitudes of the rich towards the poor . . . [There is a] need to deepen our understanding of labouring men's and women's experiences', they could just as well have been speaking of crime (an area in which they have all widely published) as

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<sup>10</sup> W. Meier, *Property Crime in London 1850 – Present* (Basingstoke: Palgrave Macmillan, 2011), p.12.

<sup>11</sup> J. Beattie, *Crime and the Courts in England 1660-1800* (New Jersey: Princeton University Press, 1986). See also L. Radzinowicz and R. Hood, *A History of English Criminal Law and its Administration from 1750 Vol 5*. (Oxford: Clarendon Press, 1990).

<sup>12</sup> G. Pearson, *Hooligan: A history of Respectable Fears* (Basingstoke: MacMillan, 1983). See also J. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late Victorian London* (Chicago: University of Chicago Press, 1992).

<sup>13</sup> S. D'Cruze, 'A Decent-Looking Woman': Violence Against Nineteenth Century Working Women and the Social History of Crime' in A Gallagher, C. Lubelska, L. Ryan (eds), *Re-Presenting the Past: Women and History* (Harlow: Pearson Education Limited, 2001), p. 67.

of poverty.<sup>14</sup> In essence this work highlighted the need to investigate the strategies ordinary people invoked to navigate life, as well as the external and institutional factors that affected them, in order to develop a better understanding of the life experience of individuals. The worthy scholarly attention that has been given to the perception that social elites held of the poor or deviant is invaluable for revealing a class and cultural prejudice which at times plagued the lives of the most vulnerable in society. Yet as many academics have found, crucially, this line of investigation is not able to reveal how those individuals navigated the difficult landscape of life outside of elite discussions of pity, suspicion and expectation.

In terms of histories of crime and deviance, many studies have been limited by the availability of sources, or have chosen to focus outside of the individual experience. Until relatively recently, such histories mainly delivered a crime-centric and institutionally dominated narrative of offending and offenders.<sup>15</sup> Such works have allowed us to see offenders in the court room, they have allowed us to see offenders through the eyes of newspaper reporters, and also through the lens of social investigation. These accounts show us how offenders may have experienced prison and sometimes these accounts even allow us to follow our subject all the way to the gallows.<sup>16</sup> The study of offenders before they appear in court has proved a challenge to modern historians. Developing an understanding of the lives and experiences of such individuals prior to their convictions has been more difficult still. Philips' work on crime

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<sup>14</sup> T. Hitchcock, P. King, P. Sharpe, 'Introduction' in T. Hitchcock, P. King, P. Sharpe (eds), *Chronicling Poverty: The Voices and Strategies of the English Poor 1640-1840* (Basingstoke: McMillan Press, 1997), pp 2-6.

<sup>15</sup> V. A. C. Gatrell *The Hanging Tree* (Oxford: Oxford University Press, 1994). D. Taylor, *Crime, Policing and Punishment in England, 1750-1914* (New York: St Martin's Press, 1998). R. Sindall, *Street Violence in the Nineteenth Century: Media Panic or Real Danger?* (Leicester: Leicester University Press, 1990). D. Hay, P. Linebaugh, J. Rule, E. P. Thompson, C. Winslow, *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (London: Lane, 1975).

<sup>16</sup> P. Linebaugh, *The London Hanged: Crime and Civil Society in the Eighteenth Century* Second Edition (London: Verso, 2006).

in the Black Country in the nineteenth century was one of the first to try to profile the characteristics of a group of offenders, and to offer information of their lives outside prison or the courtroom. Philips investigated, amongst other issues, rates of employment and education amongst offenders. However, due to the primarily quantitative data used, Philips' work did not offer an examination of the causes and longer-term experiences of offending.<sup>17</sup>

A few historians from the late twentieth century onwards have begun to turn their attention to constructing histories able to explore more deeply the causes and experiences of offending. One such example is White's exploration of the residents of Campbell Road in Islington, North London during the inter-war period.<sup>18</sup> This book focused upon a small geographical location and gathered oral history testimonies from past and present residents. In his study White produced a very effective microhistory of Campbell Road and its residents which offered a detailed 'analysis of apparently insignificant events, objects and/or persons in order to understand the complex relations tying individuals into the fabric of a society'.<sup>19</sup> White not only builds upon a picture of an area, but is able to enter into a deep narrative of the economic, social, cultural, and personal experiences of those living in North London between the wars. With his study, White achieved the goal elusive to many historians both before and since, in his ability to 'gain insight into the social structures and processes determining everyday social life'.<sup>20</sup>

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<sup>17</sup> D. Philips, *Crime and Authority in Victorian England: The Black Country, 1835-60* (London: Croom Helm, 1977), pp. 144-176.

<sup>18</sup> J. White, *The Worst Street in North London: Campbell Bunk, Islington, Between the Wars* (London: Routledge & Kegan Paul, 1986).

<sup>19</sup> M Carlier, J. Dumolyn and K. Verboven, 'A Short Manual to the Art of Prosopography', in K.S.B Keats-Rohan (eds), *Prosopography Approaches and Applications. A Handbook* (Oxford: Unit for Prosopographical Research, University of Oxford, 2007), p. 41.

<sup>20</sup> *Ibid.*

White's investigation of life in Campbell Road was comprehensive. Whilst providing analysis on key issues such as class, politics, and employment, he was also able to explore some of the most intimate facets of individual life experience, including domestic violence, and juvenile delinquency. *The Worst Street in North London* built upon traditional scholarly understanding of these subjects, as well as many others. For example, White found that domestic abuse and corporal punishment of children in the area was far above the national average. Through his qualitative and reconstructive approach, White was able to offer not only information impossible to obtain from criminal statistics (unavailable at a street by street level, but also unlikely to record accurate rates of domestic violence or any rates of legal corporal punishment of children by parents), but also to provide a deeper analysis than statistically driven histories, offering not rates of crime and violence amongst residents in the area, but asking vital questions of the trend such as 'why should this have been so'.<sup>21</sup> Even more importantly the approach saw White well placed to answer such questions by using illustrative personal examples of ordinary people responsible for such offending, for example 'Jack Duncan . . . "Who broke his wife's ribs and pulled her around by the hair", could merely use his considerable social skills to scrape a living by street singing or confidence tricking or so on . . . exercising physical power over family dependents might have been one way of recovering a sense of value which such men felt was their due, but was denied them everywhere outside the bunk'.<sup>22</sup>

Thus White's work was able to offer an explanation for a local culture of violence, which rested upon detailed knowledge of the economic and social position of residents in a particular area. White's arguments were illustrated with detailed and personal

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<sup>21</sup> White, *The Worst Street in North London*, p. 155.

<sup>22</sup> *Ibid*, p. 141.

examples that took his discussion from the abstract into the tangible. In two chapters White deals separately with young men and young women, in each detailing the life story and experience of three individuals. The details of life, and everyday living arrangements, for these men and women is used to both confirm and dismiss more generalised assumptions about life for the urban working-class in the inter war period. Their stories are used to highlight the unique and distinctive impact that life in Campbell Road could have on an individual's life course, decision making, and recourse to crime. For instance, the life histories of male residents are used to illustrate how it was not only the economic and class disadvantages that these young men suffered which determined their life experiences and offending. White shows that the local 'tradition of rejecting the labour market and its dull demeaning wage in favour of economic individualism' alongside the creation of a 'hierarchy of masculine self-esteem based on physical strength, courage and daring rather than on work culture' also played a vital role.<sup>23</sup> By contrast, by the later 1930s 'the delinquent career held far fewer attractions for young women than for young men' (with only a minority of young women becoming involved in crime and prostitution) on account of the new social and labour opportunities becoming available to such individuals.<sup>24</sup> Through his analysis, White was able to illustrate clearly that events and decisions 'reached by young men and women . . . were not randomly ordered'.<sup>25</sup>

Although criminal activity by, and prosecution of, residents forms only a small part of the discussion offered of life in Campbell Road, *The Worst Street in North London* offers a significant example of the many benefits of reconstructive life histories. White's work suggests that instead of gathering what we know about experiences of

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<sup>23</sup> *Ibid*, p. 186.

<sup>24</sup> *Ibid*, p. 194.

<sup>25</sup> *Ibid*, p. 161.

crime, employment, and family relations solely from individual's brief encounters and appearances in institutional records – crime statistics, school board meetings or the workhouse register - we might find more by looking at individuals' lives themselves. Whilst oral history is not a possibility for academic enquiry outside of the twentieth and twenty-first centuries, the crux of White's investigation is an early example of the reconstructive possibilities of social and cultural histories of crime.

It is this reconstructive approach to histories that for a further decade or more after White's work was lacking in the vast majority of work on the history of crime. Before mainstream mass digitisation of sources essential to social history there was much difficulty in exploring the life experience of ordinary individuals before their arrest or courtroom appearance. There was likewise immense difficulty in gathering details of the path that led an individual into crime or saw them reform and leave offending behind. The opportunity to consider offenders as people who had a home or working life was scarce. Constructing a history of offenders as individuals who had friends to interact with, complicated family circumstances, or employments was immensely challenging, and in many cases not possible. Placing these individuals in time and space a year before their convictions has proved perplexing enough, let alone navigating the childhood an offender might have experienced, or being able to provide evidence of a troubled adolescence.

There have of course been a small number of notable exceptions to this, the most impressive example being that of Samuel's history of the life and offending of Arthur Harding. Samuel was able to exhaustively detail the life experiences of Harding, illustrating the complex interplay that employment opportunities, family obligations,

and relationships with the police played in his offending.<sup>26</sup> The biography of Arthur Harding is both fascinating and valuable to historians of crime. However, as it is based on a set of oral interviews conducted over a period of years, the potential for expansion or replication are clearly restricted. *East End Underworld* remains the exception, rather than the rule of what previous crime histories have been able to achieve. Ultimately, the range of difficulties outlined above have meant that comprehensive investigations into the lives of offenders have been limited.

In recent years there have been more forceful attempts to reconstruct the holistic experience of those who commit crime. Despite the difficult nature of their undertaking, scholars such as Shore, and Davies have pushed to understand historical crime through a different means than the words or deeds of social elites.<sup>27</sup> Histories like these have moved away from uncovering the memoirs or remembrances of the famous or exceptional offender in order to extrapolate some generalised experience of the Victorian criminal justice system. Instead of the traditional approaches to studying crime, histories such as Davies', and Shore's have sought to illuminate the kind of individuals and groups that became immersed in the criminal justice structures of the nineteenth century through piecing together the fragmented imprints their lives and offending left behind. Unfortunately, constructing these histories was not without some difficulties. Shore on the subject of juvenile criminals lamented how the personal accounts of offenders in existence are few and far between. What is available to the historian is all too often left by the exceptional subject - such as the highly educated detainee or the borderline folktales of highway men or local rogues like Dick

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<sup>26</sup> R. Samuel, *East End Underworld: Chapters in the Life of Arthur Harding* (London: Routledge & Keegan Paul, 1981).

<sup>27</sup> A. Davies, *The Gangs of Manchester* (Preston: Milo, 2008). H. Shore, *Artful Dodgers: Youth Crime in Early Nineteenth Century London* (Woodbridge: Boydell Press, 1999).



Turpin or Jack Sheppard.<sup>28</sup> Shore writes that in many instances it is 'impossible to glimpse into the lives of ordinary criminals, most of whom were working people – apprentices, servants, washerwomen, artisans, and not inclined to leave records of their activities.'<sup>29</sup>

The work of Godfrey, Cox and Farrall, particularly their 2007 book *Criminal Lives*, has been most important in developing an understanding of how considerations of life experience are vital in tackling a history of crime and offending. Broadly speaking, their study profiled those considered ordinary, but persistent or habitual, offenders in the Cheshire town of Crewe roughly between 1880 and 1940. Their study sought to overview the factors that most led to persistence and desistance in crime, and importantly to investigate the profile of the persistent offender in Crewe.<sup>30</sup> Godfrey *et al* use two cohorts in order to examine these concepts, consisting of just over 300 individuals of varying ages.<sup>31</sup> *Criminal Lives* studied individuals selected from the historical personnel and work records from the London and North Western Railway Company based at Crewe. The company records were then combined with petty sessions accounts, census data, and extensive use of local papers in order to track the progression of life and offending for members of both cohorts, ultimately to detail life narratives for each offender.<sup>32</sup> The evidence collected from these sources was then quantitatively analysed so that conclusions as to the common patterns in offending, and in offenders' lives, could be considered and compared. This approach made it possible for Godfrey, Cox and Farrall to illustrate trends in the lives of offenders in

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<sup>28</sup> J. Sharpe, *Dick Turpin: The Myth of the English Highwayman* (London: Profile Books, 2004).

<sup>29</sup> Shore. H, ' "An old offender tho' so young in years": The criminal Careers of Juvenile offenders in Middlesex in the 1830s ' In Hitchcock, King and Sharpe *Chronicling Poverty*, p. 192.

<sup>30</sup> B. Godfrey, D. Cox and S. Farrall, *Criminal Lives: Family Life, Employment and Offending* (Oxford: Oxford University Press, 2007), p. 35

<sup>31</sup> *Ibid*, pp. 39 -54.

<sup>32</sup> *Ibid*, pp.44-48. Godfrey, Cox and Farrall's pioneering 'life-grid' methodology had been key to the development of several subsequent studies, including this thesis, and will be discussed in detail further on in this chapter.

nineteenth and twentieth century Crewe such as age on first offence, age at last offence, inter-relation of offenders, and how aspects such as work and 'life crises' impacted upon offending. The result of their study, and their second work *Serious Offenders*, published in 2012, has been to draw some new and convincing conclusions about persistence in, and desistance from crime, as well as the common (or not so common) attributes of those who committed crime in the past. This is an area little explored by previous historians.

Using this innovative approach, the study found that amongst and between cohorts of offenders there were more 'differences than similarities' in life experience, and thus was able to debunk the contemporary perception of a 'criminal class' existing at this time in Crewe.<sup>33</sup> The study also contradicted contemporary beliefs that persistent offending ran in families. A heavier emphasis was placed by these historians on factors contributing to desistance from crime than initial persistence, but through this line of enquiry they were able to ascertain that the two experiences in life most likely to affect desistance were marriage and/or the birth of children, or steady employment.<sup>34</sup>

The pioneering approach of *Criminal Lives* made it for the first time realistically possible to consider crime from a personal level for a large number of offenders rather than an institutional or popular perspective. This study offered new and useful information on offending. However, there remain many aspects of offenders' lives and crimes that need to be explored.

For all of their ground-breaking work on the lives and experiences of offenders, both *Criminal Lives* and *Serious Offenders* are based on samples of offenders that are overwhelmingly male. In these studies, only a little is revealed about the offending

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<sup>33</sup> *Ibid*, p.73.

<sup>34</sup> *Ibid*. P. 167.

patterns of the women in this area during the selected period. As a result of this, the conclusions drawn as to the effects of marriage and employment on the persisting and desisting path of offenders reflected the male experience of life and crime, rather than the female one. In this sense, the studies reflect a prevailing historiographical trend to focus on the crime and punishment of men. From the earliest historical explorations of crime, courts, and prisons, to the more recent studies of violence, juvenile delinquency, gangs, and property crime, women have always been found to constitute only a minority of those who commit crimes of theft and violence. As a result of this, Kermode and Walker have suggest that in histories of crime in the early modern period, right up to the twentieth century, women are 'duly counted and then discounted' from mainstream discussions of crime and deviance.<sup>35</sup> In her study of female juvenile delinquency in the twentieth century, Cox noted that many of the most celebrated works of recent decades in the history of crime, 'from street arabs, garotters, hooligans, motor-bandits, bag-snatchers, to teds, mods and rockers – have been overwhelmingly male'.<sup>36</sup> Practically, the examination of the female experience for all historians, not just those of crime and deviance, has proved a difficult pursuit. For wealthy, influential, and even middle-class women, letters, diaries, and memoirs can tell us a great deal about the lives and experiences of such individuals in their own words. The literature on this kind of women's history is vast and continues to grow. Their crimes too have been readily explored. However, for their poorer and more marginal counterparts (those social histories of crime tell us were most often likely face prosecution) the problem remains that 'women's voices are hard to hear in history. They are on the whole, only faint echoes of reality and straining to understand

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<sup>35</sup> J. Kermode and G. Walker (eds), *Women, Crime and the Courts in Early Modern England* (London: Routledge, 2004), p.4.

<sup>36</sup> P. Cox, *Gender, Justice and Welfare: Bad girls in Britain, 1900 - 1950* (Basingstoke: Palgrave Macmillan, 2003), p. 8.

the thoughts and feelings that gave them meaning is rather like eavesdropping on whispers and half heard conversations'.<sup>37</sup> The difficulty in uncovering the accounts and experiences of working-class women, and the prevailing historiographical trend of scholars to focus on male criminality have both contributed to the marginalisation of female experience within this field. Yet with a growing number of sources and methodologies available for the study of offenders, new investigations have the opportunity to contribute to the continuing effort of scholars to place women more firmly within narratives of history and crime.

### History of women and offending

Whilst poststructuralists have argued that the category of 'woman' is neither unifying nor helpful as an analytical group, feminist historians have continued to populate a diverse range of histories with the voices of previously marginalised women.<sup>38</sup> Theorists have encouraged Women's histories to represent an ever greater range of the diverse spectrum of womanhood, be that along class or racial lines, and in turn scholars have for the most part contended that 'theory cannot be totally divorced from experience, and empirical enquiry will continue to form the basis of theoretical work'.<sup>39</sup> This thesis presents an empirical study, which whilst recognising the difference of women, as well as diversity amongst women, uses periodisation and geographic location to group the experiences of individual women and meaningfully construct them into a historical narrative.

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<sup>37</sup> M. Tebbutt, 'Women's talk? Gossip and 'women's words' in working-class communities, 1880-1939' in A. Davies and S. Fielding (eds), *Workers' Worlds: Cultures and Communities in Manchester and Salford 1880-1939* (Manchester: Manchester University Press, 1992), p.50.

<sup>38</sup> G. Holloway, 'Writing Women In: The Development of Feminist Approaches to Women's History' in W. Lamont (ed.), *Historical Controversies* (London: University College London Press, 1998), p. 184.

<sup>39</sup> *Ibid*, p. 184.

Emsley observed in *Crime and Society* that 'statistics of crime and statements about criminals and criminality in the eighteenth and nineteenth centuries suggests that crime then, as now, was broadly an activity of young men'. He continues, 'the concentration on male offenders . . . has led to theories of criminality becoming focussed almost entirely on male criminality'.<sup>40</sup> Studies of female criminality and female criminals constitute a minority of the historiography of crime and justice. Nonetheless it remains true that 'the social history of crime has certainly provided much published work of interest to feminist historians'.<sup>41</sup> Examinations of women and crime have been dominated primarily by studies of those crimes recognised as being 'female'. As Feeley and Little commented 'women's involvement in the criminal process has not always been marginal. Yet historians and criminologists have placed it at the periphery of study, highlighting distinctly female crimes or slight shifts in low rates of female criminal activity.'<sup>42</sup> The conceptualisation of crime (both historically and contemporaneously) as a male pursuit, and the low rate of prosecution amongst women, has indeed meant that the history of women and crime for most periods has primarily focused on crime, not as a general activity or recourse of women, but on particular individual crimes for which women were most often or exclusively prosecuted, such as kleptomania, witchcraft, infanticide, and prostitution.<sup>43</sup> Otherwise, studies of female offenders have largely constituted attempts to articulate the minor roles that women played in established male histories of offending, such as youth violence, or rights and custom crimes like food riots.

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<sup>40</sup> C. Emsley, *Crime and Society in England 1750 -1900 Fourth Edition* (Harlow: Pearson Education Limited: 2010), p. 96.

<sup>41</sup> D'Cruze, "'A Decent-Looking Woman" ', p. 80.

<sup>42</sup> M. Feeley and D. Little, 'The Vanishing Female: The Decline of Women in the Criminal Process, 1687-1912' in *Law and Society Review* 25, 4 (1991), p. 720.

<sup>43</sup> Feeley and Little, 'The Vanishing Female, p. 721. See also T. Whitlock, *Crime, Gender, and Consumer Culture in Nineteenth Century England* (Surrey: Ashgate Publishing, 2005), p. 5. Here Whitlock argues that Women were not just shoppers, but also 'retail criminals' who acquired goods without purchasing them.

Some of the forms of female offending that have received the most attention from scholars are those offences related to prostitution.<sup>44</sup> A range of works have examined prostitution from both a social and institutional level, whether that is Bartley's focus on the changing criminal justice responses to prostitution in the latter half of the nineteenth century, or Finnegan's examination of prostitution in Victorian York. Making the most of the limited sources available, histories of prostitution have informed scholars of crime, and scholars of women, about the construction of deviant sexualities and femininities, the strict policing of women's bodies, and at the same time they have raised important questions about the experience of prostitution for women in urban England. Cox makes clear the important scholarly contribution of this literature, whilst also lamenting that such scholarly focus on 'girls' sexual delinquency' has often seen historians underplay 'their involvement in other kinds of crime'.<sup>45</sup>

Press fascination with murders committed by women, and the highly gendered representations of the female murderess have been topics of considerable interest to historians.<sup>46</sup> In particular, the crime of infanticide has been a special focus for those interested in women and crime. Child murder, and the representation of this crime and those who commit it in the press, have been found by scholars to play a central role in the perception and treatment of violent female offenders.<sup>47</sup> Examining many of the same themes as histories of prostitution, work on infanticide has also profiled

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<sup>44</sup> Walkowitz, *Prostitution*. P. Bartley, *Prostitution: Prevention and Reform in England 1860–1914* (London: Routledge, 1999). F. Finnegan, *Poverty and Prostitution: A Study of Victorian Prostitutes in York* (Cambridge: Cambridge University Press, 1979). S. E. Grace, 'Female Criminality in York and Hull, 1830-1870' (Unpublished D.Phil. thesis University of York 1998).

<sup>45</sup> Cox, *Gender, Justice and Welfare*, p. 9.

<sup>46</sup> J. Knelman, *Twisting in the Wind: The Murderess and the English Press* (Toronto: University of Toronto Press, 1998). See also M. Hartman, *Victorian Murderesses: A True History of Thirteen Respectable French and English Women Accused of Unspeakable Crimes* (London: Robson Books, 1985).

<sup>47</sup> Infanticide has constituted perhaps the most popular topic concerning women and crime with notable works including Jackson, *Infanticide*. P. Hoffer and N. Hull *Murdering Mothers: Infanticide in England and New England 1558-1803* (New York: New York University Press, 1981). H. Marland, *Dangerous Motherhood: Insanity and Childbirth in Victorian Britain* (Basingstoke: Palgrave MacMillan, 2004).

rates of crime amongst women, popular representations of those responsible, and the social, political, and legal debates surrounding what should become of such culprits. Individually focused close explorations of those responsible for such offences are few and far between, those that are recounted in depth tend to have been famous, exceptional, or fictional cases.

Both prostitution and infanticide are fascinating examples of how the history of women and crime has been approached. However, their special status as predominantly female crimes excludes these histories from informing us about the experience of women committing other property and violent crimes, or the role women played in the wider criminal landscape of Victorian towns and cities. There have been some notable attempts to write histories of women as victims of violent crime. The work of Ross, Tomes, and D'Cruze in particular has contributed much through the examination of instances of domestic and sexual violence.<sup>48</sup> However, when it comes to the history of women and violent crime, these pieces include women primarily as victims of violent crime, and only marginal perpetrators in these kinds of offences.

Zedner's 1991 monograph *Women, Crime and Custody in Victorian England* represents a crucial development in social and cultural histories of female offending. Using many of the traditional sources and methods familiar to historians of crime, Zedner produced a study which interlinked dominant contemporary perceptions of gender and criminality, with the experience of imprisonment for women in the Victorian period. In this work Zedner argues that although there were fewer recorded incidents

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<sup>48</sup> E. Ross, "Fierce Questions and Taunts": Married Life in Working-Class London, 1870-1914, in *Feminist Studies*, 8, 3 (1982), pp. 575-602. N. Tomes, A "Torrent of Abuse": Crimes of Violence between Working-Class Men and Women in London, 1840-1875, in *Journal of Social History*, 11, 3 (1978), pp. 328-345. See also S. D'Cruze, *Crimes of Outrage: Sex, Violence and Victorian Working Women* (London: UCL Press, 1998).

of female offending in the nineteenth century than of male offending, the spectre of the female offender became an object of grim fascination to the press, social reformers, and penal theorists of the period. The women who committed crime became in many ways the antithesis to idealised femininity, and a threat to the very bedrock of Victorian gender ideology.<sup>49</sup> Contemporary notions and constructions of femininity were indivisible to how society understood and represented female offenders. At the same time, the restrictions and disadvantages of Victorian femininity and the repercussions for those who defied this code, could also be used to explain high rates of recidivism amongst women.<sup>50</sup> *Women, Crime and Custody* examines not just the popular representations of the female criminality, but contemporary debates as to its causes – be they moral, medical, or environmental.

Zedner's work contributed to one of the biggest historiographical debates concerning women and crime. That is, the treatment of women by the criminal justice system and the impact of gender, on the experience of prosecution and punishment. Zedner and others, like Ballinger, have argued that 'those who step furthest beyond the boundary of acceptable female conduct and behaviour also receive the harshest form of punishment'.<sup>51</sup> Criminal women were guilty of 'double deviancy', they transgressed not just the law, but against nineteenth and even twentieth century ideals of femininity. Conversely, there scholars such as Martin Wiener who have argued that in many circumstances male offenders received more severe treatment, contending that the gender construction of women in the period could see female offenders receive

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<sup>49</sup> Zedner, *Women*, pp. 1-8.

<sup>50</sup> *Ibid*, pp. 11-18.

<sup>51</sup> Ballinger, *Dead Women Walking*, p. 330.



'chivalrous sentencing' or leniency in the courtroom.<sup>52</sup> Although this controversy is far from resolved, the subsequent flurry of works examining female experience of prosecution and punishment has greatly expanded our knowledge of women in this area. There is now a 'considerable body of work on female offenders and their treatment by the criminal justice system'.<sup>53</sup>

As well as contributing significantly to this debate, *Women, Crime and Custody* provides an exploration of the lived experience of incarceration for women, including daily routine, labour expectations, education, and moral and religious wellbeing.<sup>54</sup> This work makes a large contribution to knowledge of female offenders by detailing and comparing the commonalities and differences amongst female offenders admitted to local or convict prisons. Zedner's findings include examining the age of women in local prisons, and observing a low (and steadily decreasing) number of prostitutes being admitted to local prisons in the metropolis during the Victorian period. Zedner also records the high level of drunk and disorderly convictions and repeat offenders amongst women incarcerated there.<sup>55</sup>

Undoubtedly, Zedner's work remains one of the most comprehensive examinations of women and crime to date. Yet her study is constrained in a few notable ways. Zedner tirelessly documents the changing representation of female offenders in this period, and demonstrates the central importance that dominant concepts of femininity played in women's experiences of prosecution and punishment during the period. Zedner also offers an overview of the penal theory and practical reform that governed women's

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<sup>52</sup> M. Wiener, *Men of Blood: Violence, Manliness, and Criminal Justice in Victorian England* (Cambridge: University of Cambridge Press, 2004). See also B. Godfrey, S. Farrall and S. Karstedt, 'Explaining gendered sentencing patterns for violent men and women in the late-Victorian and Edwardian period' in *British Journal of Criminology*, 53, 3 (2005).

<sup>53</sup> Godfrey, Farrall and Karstedt, 'Explaining gendered sentencing', p.699.

<sup>54</sup> Zedner, *Women*, pp. 138-148.

<sup>55</sup> *Ibid*, 153-159.

imprisonment. However, personal information on the individuals imprisoned in this period or their wider life experiences is scarce in Zedner's account; the focus of her work was clearly not intended to investigate such issues. Nonetheless, Zedner's frustration with the limiting nature of court and penal records is evident. She contended, 'It is difficult to say anything with certainty about the lives of the prisoners at Tothill Fields prior to conviction. . . To build up a more coherent picture of the types of women who became prisoners in local prisons one would need better evidence of their previous life histories, at work and whilst unemployed.'<sup>56</sup> Not only at the local level is Zedner's desire to investigate pathways women took to prison thwarted. On the subject of convict prisoners she writes 'before going on to attempt to reconstruct the inmate's experience of life in prison it would be useful to determine who these women were. Unfortunately details of their social and occupational background or even their lives before coming into the convict system are far more scarce than for local prisoners.'<sup>57</sup> Thus whilst Zedner offers a highly informative discussion of the perception and treatment of female offenders, a sense of such women (particularly those in convict prisons) as living and acting outside of institutions is lost, as is a sense of their individual identity. The firm foundation of knowledge produced by Zedner's work has provided inspiration, and a clear opportunity for a more comprehensive history of crime committed by women, and female criminals.

Since the publication of Zedner's work more than two decades ago, there have been a number of subsequent studies that looked at women's offending in more detail. Several historians, looking at the perpetrators and types of violent crime in Victorian England, have included chapters on women which have added significantly to

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<sup>56</sup> *Ibid*, p. 153.

<sup>57</sup> *Ibid*, p. 202

historians' understanding of women and crime. Davies charted the auxiliary roles played by young women in the escalating violence between the Manchester scuttlers in the 1880s, and their reception and treatment by local magistrates.<sup>58</sup> Archer provided a profile of the most common kinds of violence committed by women in Victorian Liverpool.<sup>59</sup> Likewise, in her work on the twentieth century, *Dead Woman Walking*, Ballinger presented a challenge to both the historic portrayal of female offenders by their contemporaries, and the historiographical tendency to leave individual female actors missing from discussions of the representation, rates, or experience of crime.<sup>60</sup> Studies such as these illustrated the nature of such activities with accounts from the press and elsewhere, yet also populated them with detailed examples of identified individuals. Works such as these have helped to flesh out the history of offending women, producing narratives of individuals that were not mad, or bad, nor passive and gentle vessels controlled by men, instead they uncover the reality of female offending, and the realities of the women responsible. Histories like this have begun to illustrate Ann Jones' claim that the narrative of women who committed crime is very simply 'the story of women'. Most subjects of such investigation did not undergo a different experience to their law-abiding female counterparts, but one in which the same struggles of many women in the period were intensified.<sup>61</sup>

However, fifteen years since Holloway was able to state that women's history was 'firmly on the agenda' contributing a 'vibrant and controversial area of research', the scope for a more detailed picture of ordinary female offenders, their pathways to

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<sup>58</sup> A. Davies, "These viragoes are no less cruel than the lads": Young women, gangs, and violence in late Victorian Manchester and Salford', in *British Journal of Criminology*, 39, 1 (1999), pp. 72-89.

<sup>59</sup> J. Archer, *The Monster Evil: Policing and Violence in Victorian Liverpool* (Liverpool: University of Liverpool Press, 2011), pp. 118- 139

<sup>60</sup> Ballinger, *Dead Women Walking*.

<sup>61</sup> A. Jones, *Women who kill* (New York: Feminist Press 2009), p. 24.

crime, and their activities, still remains.<sup>62</sup> Crone, in her 2010 study of literacy in Victorian England for example, called for 'a much more comprehensive study of the characteristics of female offenders across the whole of England'.<sup>63</sup> In the last ten years a revolution in digitization and thus in the availability and accessibility of records popular with social and cultural historians has made it newly possible to amass just this kind of personal detail about a group of historical subjects still clouded in uncertainty. The opportunity presented by the firm foundation of academic work surrounding women and crime, and the advanced accessibility of appropriate records, is clearly to engage with the emerging scholarly trend to illuminate the lives of historical subjects as well as their crimes. In short, we can compile a fresh history of female offending which achieves some of the long sought after aims outlined by previous scholars. A history such as this has the potential to offer the scope and depth of information that already exists for histories of male offenders, and produce a history of female offending which relates to family circumstance, social interactions and employment patterns – a history of female crime that relates to the experience of life. Examining the approaches used by recent scholarly works in this area, and combining them with the practices and consideration of previous historians and theorists allows for the identification of a methodology which makes such work, and the achievement of these aims, possible.

### Methodology

As explored by the theoretical work of Michel DeCerteau, nineteenth century women, particularly working-class women, could be considered individuals interacting on an unequal social and cultural landscape, imposed and organised by the rule of a 'foreign'

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<sup>62</sup> Holloway, 'Writing Women In', p. 18

<sup>63</sup> R. Crone, 'Reappraising Victorian Literacy Through Prison Records' in *Journal of Victorian Culture*, 15, 1 (2010), p. 27.

power. This was a system not designed for their own promotion, inclusion or benefit. As such, these women navigated life through a series of blow by blow actions, taking advantage of opportunities presented at any given moment, and in many instances, depended on such opportunities to survive.<sup>64</sup> To understand the convictions of women it is essential to discover and analyse the events and processes that saw them take these actions, and to understand how and why such activities were utilised. By seeking to reconstruct a life experience and in analysing how offending fits into this, it is possible to understand how crime was affected by the different facets and intricacies of life for the female offender. The developing practice of social historians of crime has in recent years developed significantly, and tested new methodologies which make the construction of such a history possible.

The methodology for this thesis follows very closely that of two studies conducted by Godfrey, Cox, and Farrall; *Criminal Lives*, and *Serious Offenders*. This methodology hinges upon using a cross-record approach to trace selected groups of individuals over long periods of time, constructing detailed narratives of their movements and life events. These life narratives are then analysed, both quantitatively and qualitatively, to produce histories of the common factors and experiences present in the lives of those who offended.<sup>65</sup> This approach uses a mix of methodologies from History and Criminology, and draws partly from the practice of both biography and prosopography, alongside more traditional historical methods.

Prosopography offers a 'method of collecting and displaying information concerning groups of individuals, while constantly linking them back to community or "whole" to

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<sup>64</sup> M. DeCerteau, *The Practice of Everyday Life* (Berkeley: University of California Press, 1984), p. 37.

<sup>65</sup> B. Godfrey, D. Cox and S. Farrall, *Serious Offenders: A Historical Study of Habitual Criminals* (Oxford: Oxford University Press: 2012), pp 35 -48

which they belong'.<sup>66</sup> At their root, studies like this seek to explain how different groups of individuals operated with, and upon, the social, economic, and institutional landscapes of their time.<sup>67</sup> Like many more recent social histories of crime and offending, prosopographies are not concerned with the unique or exceptional individual, but the average, and general life histories of a more or less large number of individuals.<sup>68</sup> Although primarily a tool used by medieval and early modern historians, like the methodology used by Godfrey, Cox and Farrall, prosopography uses elements of statistical analysis whilst at the same time, ensuring that the individuality of each agent is preserved.<sup>69</sup>

Prosopography, then, is the study of biographical detail about individuals in aggregate. However, the methodology demonstrated in *Criminal Lives* and *Serious Offenders*, and utilised for my own study, stretches further than the strict boundaries of traditional prosopographies. Whereas prosopography targets the 'common aspects of people's lives, not their individual histories', the methodology implemented here recognises the necessity of allowing the narrative and experience of the individual to speak through, in order to represent the diversity of the sample.<sup>70</sup> In this respect, strong elements of methodology for a documentary biography are adapted. As early modern historian John Neale observed 'we cannot fully understand the nature and functioning and of a human group without knowing about the individuals who compose it. This knowledge

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<sup>66</sup> K.S.B. Keats-Rohan, 'Biography, Identity and Names: Understanding the Pursuit of the Individual in Prosopography' in K.S.B Keats-Rohan (ed.) *Prosopography Approaches and Applications. A Handbook* (Oxford: Unit for Prosopographical Research, University of Oxford, 2007), p.140.

<sup>67</sup> *Ibid*, p. 141.

<sup>68</sup> M. Carlier, J. Dumolyn and K. Verboven, 'A Short Manual to the Art of Prosopography', in K.S.B Keats-Rohan (eds), *Prosopography Approaches and Applications. A Handbook* (Unit for Prosopographical Research, University of Oxford: Oxford, 2007), p. 37.

<sup>69</sup> P. Magdalino, 'The contribution of prosopography: the Byzantine Empire or why prosopography? A Question of Identity', in A. Cameron (ed.) *Fifty Years of Prosopography. The Later Roman Empire, Byzantium and Beyond* (Oxford: Proceedings of The British Academy, 2003), pp. 42-3.

<sup>70</sup> Carlier, Dumolyn and Verboven, *A Short Manual*, p. 41.

must come from a series of biographies'.<sup>71</sup> Whilst still understanding any sampled group as a collective, the individual actors within it and their experience are preserved. Only through taking this approach, which explores the diverse narratives of individuals, is it possible to understand the commonalities or differences that are most striking within the whole. Nonetheless, it is essential to preserve the distinction between group biography and the methodology practiced in this thesis. Whilst this methodology allows for the common factors in women's lives and in their offending to be compared, and for causal relationships between the two to be proposed. There is no suggestion that information collected and collated on the life of an individual makes it possible to understand an individual personality, or to retrospectively psycho-analyse individual decisions. Instead, this study proposes explanations for why and how women offended by offering causal inferences based on the environmental, personal, and familial experiences of the sampled individuals.

The sample for this study is 100 Victorian female offenders, split into two geographic cohorts. Fifty women were indicted and convicted as offenders in London, and the other fifty were indicted and convicted in Liverpool. All of these women served time in London's convict prisons before being issued with a ticket-of-leave.<sup>72</sup> As with most group historical studies, particularly those relating to crime, the primary sources that provide the foundation for this thesis are those 'generated by political, social, legal and other institutions entrusted with the task of assessing certain populations, usually with the purpose of supervising, treating, punishing, servicing and/or reforming individuals

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<sup>71</sup> J. E. Neale, *Essays in Elizabethan History* (New York: J. Cape, 1958), pp. 229-34.

<sup>72</sup> Ticket-of Leave was a common colloquialism for a licence for parole. This document granted liberty, although not total freedom to convicts before the expiration of their full sentence. A convict with a ticket-of-leave would be reincarnated if they failed to report regularly to the police, or if they committed a further offence. See B. Godfrey, *Crime in England 1880-1945* (Oxford: Routledge, 2013), pp. 3-5.

or groups deemed in some ways deviants or victims'.<sup>73</sup> In this case, the main body of sources used are the *Home Office and Prison Commission: Female Licences (PCOM4)*. These national archive documents cover the period 1853 to 1887.<sup>74</sup> The very earliest of these records often contain little other than documentation surrounding the parole process, but those produced from the 1870s onwards contain not only parole documents, but also a range of personal and institutional detail about each individual. The later series of licences contain a comprehensive list of an offenders convictions to that date, alongside details of their age and place of birth, next of kin, appearance and physical description, religion (and on occasion religious background), and known employments. The licences contain detailed medical records for each inmate, which give an overview of the convict's overall health, appearance and weight upon arrival at prison, whilst also continuing to record any specific health problems the individual experienced in prison. Lastly, the licences offer several indicators of the convict's life outside of prison: they chart who they wrote to, and who wrote to them, as well as storing police information on known relatives and associates, and enquiries made on behalf of inmates about their spouses, parents, siblings, and children. In some cases the files also retain suppressed letters written by the offender themselves. For the purposes of this study, only the later series of licences are used, specifically those issued in the five years between 1882-1887. The increased detail and uniformity of content in these records makes data collection much more even throughout the sample. Confining sample selection to five years rather than thirty-four also ensures that all the licence holders selected for study are contemporaries, allowing more comprehensive conclusions about lifestyle and environment to be reached. The

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<sup>73</sup> F. Iacovetta, and W. Mitchinson, 'Introduction' in F. Iacovetta, and W. Mitchinson (eds), *On The Case: Explorations in Social History* (Toronto: University of Toronto Press, 1998), p. 3.

<sup>74</sup> The majority of the licences from 1870s are classified as 'missing', and thus available licences cover the period roughly from 1853-1869 and 1882-1887.



selected paroled offenders all served time in prison during the same decade, and they all lived and offended in their cohort city during a similar time period. With few exceptions, women selected from the licence records were born between 1840 and 1860, they all resided at some point in their cohort city, even if they were not a native of that location. All were categorised as serious offenders, having spent time in a convict prison.

Paroled offenders were selected randomly from the total number of licences available in the defined locations for the selected time period. For the Liverpool cohort, fifty offenders were selected from the eighty-one available licences of women who had been convicted at the assize court in Liverpool and were granted parole between 1882 and 1887. During the nineteenth century, London had two main courts at which indictment trials were held, the Middlesex Sessions held in Clerkenwell, and the Central Criminal Court – the Old Bailey. Thus for the London cohort, fifty women were selected from a total of 102 available licences of women tried at either the Old Bailey or the Middlesex Sessions and subsequently paroled between 1882 and 1887. The selection of women at random from the available licences was accomplished by sampling every other licence from a list of licences from the relevant location organised in alphabetical order. If at the bottom of this list the sample was incomplete, it would be repeated from the top of the list until the requisite number of licences were sampled. The sampled women constitute just over half of all women tried in Liverpool and London and then paroled between these dates and thus those profiled can be considered, broadly speaking, representative of the diversity of the wider female population imprisoned and paroled from these locations during this period.

The licences provide a firm foundation of information which made it possible to produce an analysis of women and offending in this period. Home Office Criminal Registers (HO26/HO27) were also used to supplement the offending histories, locations, and previous sentences of each individual, as was the Old Bailey Online database containing trial transcripts for a number of those convicted in London. However, as previous studies of crime and offending have lamented, records produced by the criminal justice system alone are not particularly conducive to answering questions about the lived experience of offenders.<sup>75</sup> To produce a more comprehensive exploration of offending, and particularly to produce a clearer picture of these women's lives outside of prison, the use of a number of subsequent records was necessary. These included the census returns for England and Wales between 1841 – 1911 which provide information every ten years of each woman's location, type of residence, family structure, and occupation. Likewise, birth, marriage and death indices, alongside comprehensive parish records for both locations offered information about individual's location, personal relationships, family size and child mortality, and place and year of death. The final group of sources consulted were a range of nineteenth century newspapers available from digitized repositories, namely *19th Century Newspapers Online*, *The Times Digital Archive*, and *The British Newspaper Archive*. Newspaper reports of crime often saw journalists 'apparently directly reproduce large sections of witnesses' evidence' producing highly subjective, melodramatic and sensational accounts.<sup>76</sup> Whilst it is necessary to remember the artistic and editorial licence taken with reports, they can prove essential for providing detail about offenders and offences impossible to ascertain through other sources.

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<sup>75</sup> D'Cruze, "A Decent-Looking Woman", p. 70.

<sup>76</sup> *Ibid*, p. 74.

Contemporary news reports which came daily from the police courts, and those that came more infrequently from the larger Sessions and Assize trials in which individuals were involved, can provide a great deal of information about the practice of crime, the offenders themselves, or the circumstances which led to crime.

The combination of these sources allows for the layering of information to be achieved, not just of a list of an individual's offences, but also the progression of their offending, other employments, periods of incarceration, personal background, changing family structure, and significant life events. The diverse nature of the sources used means that for all of the sampled individuals, at the very least, some information supplementary to the parole files could be found. Using this range of sources it is possible to glimpse into the lives of our subjects, through what DeBaecque described as 'intermittent flashes of lightning'.<sup>77</sup> These are moments of an individual's existence briefly illuminated through historical records such as the census. Records like this offer an opportunity to see the individuals in the sample at both standardised and random points in their lives. Perhaps once every ten years it is possible to glimpse them at a residential address with their evolving family and occupational status. Regularly or sporadically they can be found in court papers and crime indexes. Prison records will show us how they spent months or years of their lives in confinement. Infrequently details of the circumstances of their offences, and of their personal lives – such as fractious personal relationships, enduring poverty, or landmark life events – might appear in a newspaper. Records offer the opportunity to see them born, and die, and once or twice we might glimpse them on their wedding day or at the birth of their

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<sup>77</sup> A. DeBaecque, *Glory and Terror: Seven Deaths Under the French Revolution*, Trans. Charlotte Mandel (New York: Routledge, 2003), p. 10.

children. The task here is to turn these glimpses, these brief 'windows' into the lives of those in the past, into something more meaningful - a narrative of life experience.

Of course, it must be recognised that it is not a single document, but a collection of them – analysed and evaluated - which produce a life narrative for each individual. These narratives are based upon available and recoded information, not all information. There will, of course, have been events, people, and interactions which contributed to the life-course of any individual, but for which no records remain – or were ever made. Interpretation, based on both available evidence, and knowledge of relevant social and economic histories passed down from previous scholars are key elements in the construction of each narrative.

In *Writing History, Writing Trauma* LaCapra tells us that there are two approaches to writing a history such as this. The first is what he terms the 'documentary or self-sufficient research model'.<sup>78</sup> This is a process based on gathering evidence and communicating 'truth claims' based almost entirely on that evidence. The second approach falls somewhere between traditional historiography and literature, which LaCapra terms 'radical constructivism'.<sup>79</sup> In this approach the historian's use of 'truth claims' based on apparent evidence are of somewhat marginal importance. Taking their place are 'performative . . . rhetorical, ideological and political factors' that play a vital role in projecting 'structures' through 'stories . . . arguments, interpretations, explanations', from which referential statements to evidence 'derive all their meaning and significance'.<sup>80</sup> The historical narratives produced in this thesis rely most closely on the 'documentary research model' whilst acknowledging the interpretive element

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<sup>78</sup>D. LaCapra, *Writing History, Writing Trauma* (Baltimore: Johns Hopkins University Press, 2001), P. 1

<sup>79</sup> *Ibid.*

<sup>80</sup> *Ibid.*, P. 196.

necessary to constructing life histories. The available source material is such that the 'truth claims' offered here cannot be based on evidence alone, but must also draw substance from arguments, interpretations and assumptions based upon relevant examples and historiographies. In this sense, as Iacovetta and Mitchinson contended, 'the historians craft is comparable to a detective "on the case"'. We examine diverse and fragmented evidence, revise theories or common sense assumptions against the material gathered, while aiming to reach a resolution'.<sup>81</sup>

The fragmentary nature of the recorded past is a problem long recognised and worked around by historians of every kind. One of the major advantages to the relatively new methodology utilised in this thesis is the combination of qualitative and quantitative analysis. By quantifying the fragmentary documentary evidence left by those who committed crime, it is possible to more accurately see what information exists for everyone, or for hardly anyone, and thus it enables a clear assessment and articulation of missing information. The mix of qualitative and quantitative analysis also makes it possible to evaluate common factors, if not definitive narratives, of experiences shared by the women sampled. In this way, the experiences of the well evidenced many, can inform the narratives of the scarcely documented few.

The qualitative information collected to form each of the life narratives has been entered into a database for quantitative analysis.<sup>82</sup> The qualitative information collected from a range of sources was coded and entered into 252 separate fields of enquiry. The database essentially acts like a detailed questionnaire for each offender, answers for which are drawn from available qualitative information. Simple frequencies and cross-tabulations have been run to answer a number of inquiries

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<sup>81</sup> Iacovetta and Mitchinson, *On the Case*, p. 3.

<sup>82</sup> The programme *SPSS 20*, designed for the social sciences was used for this dataset.

about the selected individuals in aggregate, such as predominant 'types' of crime committed by women, ethnic background of offenders, age at first offence, or, for example, to enquire whether the use of aliases varied between cohorts.<sup>83</sup> Much like the those engaged in constructing prosopography, the aim of this approach is to 'examine the interplay of a set of variables in order to understand certain historical processes, not to create some sort of composite individual to represent the whole'.<sup>84</sup> Such a small sample size means that the quantitative analysis produced is in no way claiming to prove statistical significance. The counts produced by quantitative analysis do however make it possible to assess the typicality of certain experiences within the sample. The frequencies and comparisons produced can be suggestive of certain patterns of criminal activity and existence common amongst female offenders in these locations during the Victorian period.

The available resources with which to chart the life and activities of each individual varied hugely. For example, some offenders were possible to trace almost year on year for the majority of their lives, whereas a minority could only be traced during the few years of their offending. With this in mind, the database fields were designed to capture as much of the basic information for every individual as possible, creating a set of core questions that could be answered for everyone. The unequal spread of information across individuals in the sample illustrates again why the kind of analysis produced is dependent upon a mixture of both qualitative and quantitative methodologies. As DeCerteau describes, statistics can tell us much about the end result, about imposed structures and cultural processes of any given time and place.<sup>85</sup>

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<sup>83</sup> Keats-Rohan, *Biography, Identity and Names*, p.150

<sup>84</sup> *Ibid*, p. 141.

<sup>85</sup> DeCerteau, *The Practice of Everyday Life*, p. 34.

However, statistics alone can tell us ‘virtually nothing’ about the forces influencing the ways in which individuals chose to navigate said structures, ‘what becomes counted’ is what has been done, not the ways in which it has been done.<sup>86</sup> Combining both quantitative and qualitative examination aids the successful navigation of such limitations. Those for whom a good level of personal information could not be obtained remained a small group. In these instances, the detail derived from much more comprehensive case studies based on the qualitative material collected could then be used to infer a similarity in experience with those for whom basic information and patterns of offending were the same, but for whom some personal details were absent.<sup>87</sup> This approach allowed for analysis to take place both at the individual and group level, and represents another key benefit of this methodology.

The ethical considerations for life-narrative research are less urgent, but also less clear that those for scholars engaged in research concerning live participants, such as oral history.<sup>88</sup> Whilst guidelines for ethics and consent, and the laws of defamation protect living subjects of history, what of those who never realised they would be the subject of scholarly enquiry? In his recent work on crime in England, Godfrey asked ‘do dead people have rights?’<sup>89</sup> Written sources are not the same as transcripts of oral interviews, nor is the process of their interpretation the same. However, this does not mean that the use of such material is free from ethical considerations. Some of the information utilised in this study was freely given by the individuals it concerns. Information such as criminal records, or medical details were not made with the individuals consent at the time, likewise, they were also not created with knowledge or

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<sup>86</sup> *Ibid*, P. 35.

<sup>87</sup> Godfrey, Cox and Farrall, *Serious Offenders*, pp. 43-44.

<sup>88</sup> J. Richardson and B. Godfrey, ‘Towards ethical practice in the use of archived transcribed interviews’ in *International Journal of Social Research Methodology*, 6, 4 (2003), p. 348.

<sup>89</sup> Godfrey, *Crime in England*, p. 64.

consent from the subject that they might be shared with others in the future. The one hundred year embargo placed on such material exists in an effort to protect the well-being of those the records concern, and to serve as a pre-imposed ethical guideline to those who use them. Other information such as names and occupations from the census or the marriage register, testimony given in court, or petitions made whilst in prison was given more freely.

Yet had such individuals known that every detail they unthinkingly committed to paper would be collected, combined and analysed to create a life narrative for them, might what they chose to put down have been more truthful, less truthful, or in some cases, tactically left blank. Unfortunately, my study does not have the capacity to sufficiently investigate such a complex issue. Nonetheless, such questions seem both important and highly interesting to raise at a time when digitisation and new methodologies allow historical investigations to find out so much about so many like never before. Although some previous works undertaking a similar methodology have chosen to take the precaution of anonymising their subjects, none of the individuals in this study have had their names, or other personal details, changed.<sup>90</sup> Whilst those using oral histories, or information collected from living subjects rightly feel 'there is a need to keep identities private', the records used in the creation of histories of the nineteenth century concern only those long since deceased.<sup>91</sup> These are uniformly based on documents which have passed into the public domain. Moreover, the digitisation of almost all of the documents used in the collation of life narratives in this thesis – particularly the more sensitive documents such as parole licences or criminal registers - means that any historian, student, genealogist, or individual with a casual

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<sup>90</sup> J. Turner 'Offending Women in Stafford, 1880-1905: Punishment, reform, and re-integration' (Unpublished PhD Thesis Keele University, 2009). See Also; Godfrey, Cox, and Farrall, *Criminal Lives*.

<sup>91</sup> Richardson and Godfrey, 'Towards ethical practice' p. 351



interest, who had access to a computer, could obtain the same material and thus the identity of those concerned.

Lastly, a key concern of this thesis is to make a substantial contribution to the history of women, offering an account of the lives and activities of those who until relatively recently were written out of the historical narrative of crime. Similarly, this work represents a concerted effort to restore agency to women who offended, rather than casting them as victims of psychological or biological malady. Some feminist historians have considered 'the erasing of (women's) names as compounding their removal from history'.<sup>92</sup> In this sense, the clear and truthful identification of these women, and an effort to plainly link them to their own experiences, would seem of great importance to this study.

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<sup>92</sup> *Ibid*, p.325.

## Chapter Two: The Crimes of Victorian Women

Although gruesome murders, fiendish assaults, and gang clashes most often captured the headlines of the nineteenth century press (and remain some on the most popular images of crime in the period today), the majority of recorded crime taking place in the Victorian city was property crime. Alongside Henry Mayhew's exhaustive categorisation of 'those who will not work', several histories of crime have sought to represent the breadth and depth of property offending carried out by those in the past. From Chesney's street thieving 'Gonophs' 'Cracksmen' 'Magsmen' and 'Shofulmen' to Macilwee's more recent investigation of 'crimps', burglars, and poachers, historians have provided a rich tapestry of offending for others to work with.<sup>93</sup> Many such works have also striven to include women as part of the narrative of offending in the nineteenth century. In doing so, the figure of the female offender had become synonymous with one of three roles; the polite lady shoplifter, the thieving prostitute, or the gutsy moll - who played an auxiliary role in the male world of crime.

There are many well evidenced cases of women gravitating towards these activities. In my sample more than half of all the women traced as working as prostitutes carried out at least one kind of property crime. These were very often small and spur of the moment offences like Jane Colebrook's robbery of two shillings and eight pence from the pocket of a distracted passer-by, or Bridget McCormack's theft of a watch and chain from her customer Patrick McMullen.<sup>94</sup> There were also those women who have

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<sup>93</sup> H. Mayhew, *London Labour and the London Poor*, Vol 4 (London 1861), K. Chesney, *The Victorian Underworld* (London: Temple Smith, 1970), pp.128 -160, 229-266 see also M. Macilwee, *The Liverpool Underworld: Crime in the City 1750-1900* (Liverpool: Liverpool University Press), pp. 137-211.

<sup>94</sup> *Liverpool Mercury*, 19 August 1879 and *Liverpool Mercury*, 12 January 1870.

been shown to have offended at the behest of a male counterpart. As Chesney remarked, the 'most useful accomplices of street thieves were their women.'<sup>95</sup> However, to assume that the majority of female offending fell within these three typical roles is to overlook some of the clear control these women exhibited in deciding how, and when, to offend. In both locations the sampled women were not just low-level street thieves and accomplices, but also active agents in their own right, defining and contributing heavily to the landscape of crime in their cities. Women committed a range of violent crimes on a daily basis, and the activities of the sampled women indicate that female offenders carried out an array of property crimes just as interesting and diverse as their male counterparts. Many of the most ordinary offences –like theft and burglary – were made notable by the resourceful and complex ways in which the women carried them out. This chapter will explore the character and scope of offences perpetrated by women and the commonalities of female offending in Victorian cities

The offences committed by the sampled women from Liverpool and London prove no exception to the wealth of historiography which has identified property crime as the single most common type of offending.<sup>96</sup> Categorised by the predominant type of their offending – the crimes they committed most often - eighty-one (81%) of the women are categorised as property offenders. The next most common was violent offenders, and eighteen of the women (18%) primarily convicted for this (although, overall, twenty-eight women (28%) could be considered dangerous offenders). When split by cohort for the type of crimes, the proportion of property and violent offenders are

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<sup>95</sup> Macilwee, *Liverpool Underworld*, pp. 160-163 see also Chesney, *Victorian Underworld*, p. 133.

<sup>96</sup> Zedner, *Women*, p. 312.

virtually identical, although the kind of crimes and how they perpetrated them show some marked differences between cohorts.

**Table 1.**

Primary Category of Offences	Frequency	Per cent
Other	1	1.0
Property	81	81.0
Violent	18	18.0
Total	100	100.0

In the entire sample, there was just one woman who did not fit into either of these categories. Liverpool resident Maria Cain's offence was a legal infraction - she was convicted of committing perjury. Born in County Leitrim in Ireland, in 1843, Maria moved to Liverpool with her mother Catherine and father Thomas McGuire, a coffin maker, in the late 1840s to escape the famine.<sup>97</sup> Maria married Patrick Cain, a fellow Irish immigrant, and labourer in a chemical works, in 1864 when she was twenty-one.<sup>98</sup> The couple's first child, Patrick, was born shortly afterwards. In the next five years the Cains had three more children, and little other record of them can be found. Although they lived in some of the more notorious streets of the north end of the city – such as Stockdale and Midgehall Street – both Maria and Patrick lived apparently ordinary and law-abiding lives. In 1875 however, Maria was sentenced to two seven year sentences (to run consecutively) for 'conspiring to hang a man'.<sup>99</sup>

<sup>97</sup> *Census Returns of England and Wales, 1851*. Class: HO107; Piece: 2180; Folio: 61; Page: 34; GSU roll: 87179-87180.

<sup>98</sup> *Liber Matrimoniorum*; Ref: 282 HIG/2/3. LRO.

<sup>99</sup> *Liverpool Mercury*, 17 December 1875.

In the afternoon of Sunday 25 April 1875, a woman named Winifred McCabe, the twenty-two year old wife of a sailor, was brought to the local dispensary suffering from a serious wound to the head – inflicted with a meat cleaver. Winifred lay in the dispensary until she died from her wounds almost a month later on 18 May.<sup>100</sup> Witnesses, including Maria Cain, testified that Winifred had been standing with them and her brother in Maynard Street when a labourer, named Jerimiah Cash, came down the street, pointed to Winifred and stated ‘that’s the \_\_\_\_\_ who insulted me last night’ (omission original).<sup>101</sup> The witnesses testified that Cash began an argument with Winifred and her brother, before ducking inside of his house and returning with a cleaver. It was said that he first threw a brick at Winifred, knocking her to the ground, and as she got up, he hit the front of her head with the cleaver.<sup>102</sup> On the testimony of the witnesses, Cash was arrested and charged first with dangerously wounding, and later with the wilful murder of Winifred McCabe.<sup>103</sup> If found guilty, Cash could have been required to pay with his life. Yet when the case came to trial there were some discrepancies in the evidence. Whilst Cain had testified that Cash was responsible for the assault, several new witnesses (not to mention Cash’s own testimony) argued that he had, in fact, been set upon by a group of men and women – Winifred McCabe among them - and that in the confusion Maria Cain had entered her own house and brought out the cleaver in the folds of her dress.<sup>104</sup> A further witness, Thomas Ford, testified that he had later heard Cain and two other women sat in a public house agreeing to tell the police that the cleaver belonged to Cash.<sup>105</sup>

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<sup>100</sup> *Liverpool Mercury*, 22 May 1875.

<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*

<sup>103</sup> *England & Wales, Criminal Registers*, August 1875, Class: HO 27; Piece: 171; Page: 77.

<sup>104</sup> *Liverpool Mercury*, 17 December 1875.

<sup>105</sup> *Ibid.*

The reality of what took place in Maynard Street on 25 April is impossible to ascertain. In court evidence came down to the word of Maria Cain, and Winifred's mother and brother, against Jerimiah Cash and his friends. Maria's evidence was called into question enough that Cash was acquitted, with the judge stating 'at all events a man who, innocent or guilty, [is] entitled only to have fair and legitimate evidence brought against him'.<sup>106</sup> Maria Cain was subsequently put on trial for perjury and found guilty.<sup>107</sup> In total Cain was set to serve fourteen years in prison. This was a sentence heavier than an offender was likely to get for most property crimes, serious violent crimes, or even manslaughter. It seems that Cain's offence was felt to be so serious by the judge as 'there is hardly any mode by which human life can be more dangerously affected than by perjury – false swearing in the witness-box sapping the very vitals of justice . . . I can hardly think of any crime more wicked'.<sup>108</sup>

The person responsible for the death of Winifred McCabe was never brought to justice, but Maria Cain did serve eleven years in a convict prison before returning to Liverpool.<sup>109</sup> Patrick died shortly after her release, and unable to resume her old life in the city, Maria moved elsewhere in Lancashire.<sup>110</sup> In the years leading up to the First World War Maria was a patient in the county Lunatic Asylum near Preston, where she died in 1916.<sup>111</sup> The lengthy sentence handed down to Maria was no doubt intended to send a message to the wider population of working-class men and women in Liverpool. This message was intended to protect the sanctity of the courtroom and

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<sup>106</sup> *Ibid.*

<sup>107</sup> *England & Wales Criminal Registers*, December 1875, Class: HO 27; Piece: 171; Page: 103.

<sup>108</sup> *Liverpool Mercury*, 17 December 1875.

<sup>109</sup> Maria Cain was originally released after her first seven year sentence, but was unable to resume a normal life. She was caught committing a property crime just three months later and returned to prison where she served a further three years of her original sentence. See: Home Office and Prison Commission: Female Licences; Class: PCOM4; Piece: 70; Item: 3; P: 2.

<sup>110</sup> *Census Returns of England and Wales, 1901*, Class: RG13; Piece: 3513; Folio: 48; Page: 39.

<sup>111</sup> *Census Returns of England and Wales, 1911*, Class: RG14; Piece: 25366; Page: 23.

witness box, and to indicate that justice was not a tool to be manipulated and used against neighbours or associates for an individual's own ends, rather that it was a tool by which the state could uphold the law. Although Maria's offence is the only one of its kind in the entire sample, it does begin to indicate just how diverse the profile of offences and offending carried out by female offenders could be.

### Property crime

The property crime committed by the sampled female offenders did in some ways resemble very closely the offences of their male counterparts. Numerous women were responsible for picking pockets, a few for burglary, and several had convictions for workplace thefts.<sup>112</sup> There was even a case of robbery with violence by a woman, despite its identification as primarily a male offence.<sup>113</sup> However, contrary to popular nineteenth century perceptions that female offenders were little more than 'the miserable companion of thieves and ruffians', the mere unfortunate tools of their more cunning and wicked male companions, very few of the women could be ascertained to be acting on the instruction of a man.<sup>114</sup> Certainly, no examples of women enjoying 'an abundance of jewellery' and 'living in high style' on the profits of gangs of expert burglars and 'cracksmen', as Thomas suggested, existed in the sample.<sup>115</sup> Instead of constituting a selection of hapless molls, the sampled women were independent agents who for the most part contrived and controlled their own offences, utilising the period's highly gendered expectation of women in order to perpetrate a diverse range of specialist crimes.

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<sup>112</sup> See chapter 8.

<sup>113</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 20 September 2013), April 1879, trial of CATHERINE CLARKE (27) (t18790428-478).

<sup>114</sup> Dickens, *Oliver Twist*, p. 539.

<sup>115</sup> D. Thomas, *The Victorian Underworld* (London: John Murray, 1998), p. 72.

### *Crimes of Theft*

Several types of property crime carried out by the women, whilst resulting in convictions for larceny, or larceny from the person, played upon Victorian constructions of gender, and were made possible only by each woman's exploitation of the common social expectations of femininity and womanhood. The offences of Elizabeth Manning, seemingly very modern in nature, present an initial example of this.

Born in London in 1844, very little is evident about the early life of Elizabeth Manning. In part that is because even though she spent eight separate periods of her life in prison, Elizabeth was a woman who worked hard to keep her true identity as hidden as possible. At various times she employed the aliases of Bagwell, or Bedwell.<sup>116</sup> With no traceable history of paid employment, Elizabeth seems to have subsisted mainly on the profits of her offending. Elizabeth gained a few summary convictions from the age of seventeen, for assaulting a policeman, for stealing a watch, and then for uttering counterfeit coin, earning her one month, three months', and six months' hard labour respectively.<sup>117</sup> After this point we must assume that Elizabeth began looking for a safer way of conducting property crime – one with a lower rate of detection and conviction. By the age of nineteen it appears that Elizabeth had found such an opportunity, and was working as a 'Hocusser'. Eric Partridge's *Dictionary of Underworld Slang* defined the act of performing a hocus on a man as "to put something in his drink, on the sly, of a sleepy stupefying quality which renders him unfit for action".<sup>118</sup> Professional thieves such as Elizabeth would employ this tactic to

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<sup>116</sup> PCOM4; Piece: 53; Item: 16; P: 1.

<sup>117</sup> *Ibid.*

<sup>118</sup> E. Partridge, *Dictionary of Underworld Slang* (London: Routledge, 1961), p. 336



render a prospective victim less troublesome.<sup>119</sup> This method of working had several advantages. Firstly, it far reduced the likelihood of being caught either in the act of theft, or immediately after it. Secondly, it enabled Elizabeth to commit much more thorough crimes, taking items of high value from a person or their dwelling, in a way that a swift pocket-pick might have struggled to achieve. Lastly, due to the intimate nature of the crime, and the familiarity required between perpetrator and victim, many victims may have been too embarrassed or concerned for their reputations to come forward. Examples of this can be seen in several of the offences committed by Elizabeth.

In 1863, at the age of nineteen, Elizabeth 'hocussed' a young medical student, seducing him into taking her back to his lodgings, where she stole a £20 note and left him in bed.<sup>120</sup> Rather surprisingly, on this occasion no charges were pressed, most likely to preserve the aspiring doctor's reputation. In the same year Elizabeth had obtained £100 worth of jewellery from a sailor, and she was on that occasion able to produce a 'certificate of marriage by special licence' between herself and the midshipman. It was reported that 'this was greatly to the astonishment of the midshipman, who stated that it was the first time he had heard he was a married man'.<sup>121</sup> Once again, no charges were pressed, and instead 'his friends got him a ship; he went to sea, and has not since been heard of'.<sup>122</sup> It is impossible to know how many like offences Elizabeth had carried out during these first one or two years, but it is fair to suggest that it is likely to have been more, for which she was never identified, never caught, or not charged.

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<sup>119</sup> *Ibid.*

<sup>120</sup> *Royal Cornwall Gazette*, 12 March 1870.

<sup>121</sup> *Ibid.*

<sup>122</sup> *Ibid.*

Elizabeth's first conviction for hocking was in 1864 when she robbed a cab driver named James Rintoul. According to James, one evening Elizabeth had hailed his cab and requested that he drive her to the bottom of Baker Street, from there she asked him to wait for ten minutes, and then returned and asked him to drive to Regent-circus, and then to Haymarket to a café where she stayed 'for some time', after this she asked to be driven home to Edgware Road.<sup>123</sup> On exiting the cab she asked James if he would return later to collect the fare, as she had not enough change to cover the large charge (having been driven so far). James claimed that he then returned home and got changed into his best clothes in order to meet his wife later than evening. On his way, he stopped off at Elizabeth's lodgings for his money, and was invited in. He entered the sitting room and then lent Elizabeth a shilling to send for some gin before her money arrived. James took some gin which he claimed 'burned his mouth' and then lost consciousness for 'several minutes'.<sup>124</sup> When he awoke, his silver watch, chain, and twenty-three shillings were missing – and so was Elizabeth.<sup>125</sup> James eventually located her and handed her into custody a few days later. Elizabeth's version of events were slightly different – that he willingly came home with her, and gave her the items. In all probability, actual events probably lay somewhere between the two. Nonetheless, with a respectable explanation for being at her lodgings at night, James was eager to prosecute, and Elizabeth was given seven years in prison.<sup>126</sup>

Paroled in 1869, Elizabeth returned to her former mode of life almost immediately, and she was sentenced to a further ten years penal servitude in February 1870.<sup>127</sup> She was released from prison eight years later, once more under heavy police supervision.

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<sup>123</sup> *Liverpool Mercury*, 26 December 1864.

<sup>124</sup> *Ibid*

<sup>125</sup> *Ibid*.

<sup>126</sup> *England & Wales Criminal Registers*, January 1865, Class: HO 27; Piece: 141; Page: 176.

<sup>127</sup> *England & Wales Criminal Registers*, February 1870, Class: HO 27; Piece: 156; Page: 169.

It took just nine months for Elizabeth to be convicted again. This time, Elizabeth had stolen a watch and a chain, and she was sentenced to five years penal servitude.<sup>128</sup> For either personal or professional reasons, whilst in prison for this latest offence Elizabeth made arrangements via a religious organisation to emigrate from England.<sup>129</sup> Her request was approved and she left England on expiration of her sentence, arriving in New York on 4 December 1883.<sup>130</sup> Once there, Elizabeth disappeared from all records, either having utilised the opportunity for a new beginning, or in an attempt to capitalise once more on her trade in a fresh city, with renewed anonymity.

The success of Elizabeth's offences hinged upon widely held notions of female sexual passivity and male control. Many of Elizabeth's victims felt safe and at ease enough to go home with her (no doubt suspecting that their encounters would lead to a different ending), in a way that a male offender may have found difficult to achieve with an affluent female victim. Elizabeth also played on notions of female respectability and honesty, both inherently linked to ideal femininity. It is hard to imagine a male offender prying on 'respectable' women in the same way, or being able to manipulate a male medical student, sailor, or cab driver as Elizabeth did. Like those of Elizabeth Manning, a number of the offences carried out by women in the sample either saw the women capitalise upon popular notions of femininity, or saw them perpetrate crimes that were in keeping with traditional functions and roles associated with women, such as childcare and household management.

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<sup>128</sup> *England & Wales Criminal Registers*, July 1880, Class: HO 27; Piece: 186; Page: 209.

<sup>129</sup> Similar opportunities became available to 'deviant' women, particularly prostitutes, in Liverpool in later decades. Such schemes aimed to support personal reform, but also to very practically reduce numbers of offenders in the towns and cities of England. See: K. Chamberlain, "'Hardened Offenders', 'Respectable Prostitutes' and 'Good-time Girls': The Regulation, Representation and Experience of Prostitution in Interwar Liverpool' (Unpublished PhD Thesis, Keele University, 2012).

<sup>130</sup> *Passenger Lists of Vessels Arriving at New York, New York, 1820-1897*. National Archives at Washington, D.C. Microfilm Serial: M237; Microfilm Roll: 472; Line: 47; List Number: 1526.

Several historians have already come across the phenomenon of female ‘skinners’ or child strippers.<sup>131</sup> These women, described unfavourably by Mayhew as ‘old debauched drunken hags’, used the trust afforded them by social and cultural constructions of woman as innately maternal and nurturing to prey upon some of the more vulnerable members of Victorian Society.<sup>132</sup> Recent research has uncovered that child stripping was practiced by both young and old female offenders, all of whom could expect to receive fervent condemnation if caught.<sup>133</sup> Women engaged in the ‘infamous system of stripping children’ would usually work from neighbourhood to neighbourhood, robbing a number of children each day.<sup>134</sup> Emma Sadler, it was reported, would ‘select little children who were respectably dressed’ and typically between the ages of four to eight, when they were travelling in the street alone, on the way to school or on an errand for a parent.<sup>135</sup> The children would be enticed away to a side road, park, or alleyway on the grounds that their parents had instructed it or on the promise of treats, whereupon their boots, jackets, or shawls would be taken from them. The children would then be made to wait whilst the women made a swift getaway. Sadler, for example, instructed her victims ‘you sit here my dears, till I come back’, which of course she never did.<sup>136</sup> Another variant on this offence was to select a child carrying a bundle or goods on an errand, and intercept the items before the child could arrive at their destination.<sup>137</sup> These crimes were most particular to women, as a woman ‘could usually get a child’s confidence better than a man’.<sup>138</sup> But it was more than just obtaining children’s confidence that saw women ideally placed to perpetrate

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<sup>131</sup> Chesney, *Victorian Underworld*, p. 133.

<sup>132</sup> Mayhew, *London Labour*, p. 281.

<sup>133</sup> D. Macrailld and F. Neal ‘Child-stripping in the Victorian city’, in *Urban History*, 39, 3 (2012), p. 435.

<sup>134</sup> *Lloyds Weekly Newspaper*, 14 February 1869.

<sup>135</sup> *Standard*, 18 June 1874

<sup>136</sup> *Ibid.*

<sup>137</sup> Mayhew, *London Labour*, p. 281.

<sup>138</sup> Chesney, *Victorian Underworld*, p. 133.

these crimes. The items they stole from children were either sold or pawned. A woman, particularly one of mothering age, was likely to attract much less attention from a shopkeeper or policeman when disposing of children's clothes. These type of items would not only more commonly be assumed to belong to the woman's own child, but it was also far more common place for woman to appear in pawnbrokers attempting to raise money with household and family items in order to balance the family budget.<sup>139</sup> Such a violation of both law and social expectation was not without firm retribution. When Elizabeth Ann Hedderick of Liverpool stole the boots and pinafore of child Mary Jane Evans in 1881 it was only her third offence, but she was sentenced to ten years penal servitude.<sup>140</sup>

The theft of children's clothing was only one aspect of the unlawful economy used by women in this period. As Whitlock observed 'for both buyer and seller, the uninhibited flow of goods in English retail trade encouraged morally dubious as well as respectable profit making'.<sup>141</sup> Whitlock found that in many cases, it was women taking the lead in supplying and utilising the market for illicit goods, buying and selling stolen wares. An offence that has received relatively little attention by historians, and one which seems to be a particularly female offence, is the theft for resale of large amounts of food. Elizabeth Kennedy the 'habitual butter stealer' who was known to associate with an underground network of butter thieves, and gained multiple convictions, is but one example.<sup>142</sup> Catherine Murphy – the most prolific thief in the entire sample - was apprehended by a policeman with 'a number of cucumbers and bunches of herbs'

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<sup>139</sup> M. Tebbutt, *Making Ends Meet: Pawnbroking and Working-Class Credit* (New York: St. Martin's Press, 1983), pp37-67. See also: A. Miller, *Poverty Deserved? Relieving the Poor in Victorian Liverpool* (Liver Press, Birkenhead, 1988), pp. 29-30.

<sup>140</sup> *Liverpool Mercury*, 20 January 1881.

<sup>141</sup> Whitlock, *Crime, Gender, and Consumer Culture*, p. 3

<sup>142</sup> *Liverpool Mercury*, 9 October 1878. See chapter 7.

found on her person 'for which she could not satisfactorily account'.<sup>143</sup> Likewise, Catherine Gardiner received eighteen months in prison for stealing a shoulder of mutton.<sup>144</sup> Yet these women were just a few from a number in the sample who appear to have been supplying, if not running, a black market in perishable goods. Other similar offenders include Cecelia Tierney, the Liverpool-born daughter of Irish immigrants, and mother of one illegitimate child, who was arrested on separate occasions for the theft of an entire wheel of cheese, a firkin (40 litre container) of margarine, and a basket of pears.<sup>145</sup> Likewise Mary Ann Lappin was convicted on separate occasions of stealing eleven pounds of beef, thirty-one pounds of mutton, and a ham, and Sarah Keefe stole, amongst other things, five pounds of fat.<sup>146</sup>

Three common elements link these examples and all of the other food thefts in the sample. Firstly, each of the individual offences involved stealing a large quantity of food. In most cases, this was too much for one woman or one family to eat before the produce went off. Secondly, each of the women appear to have stolen one kind of food in particular – for example fats and dairy, or fruit and vegetables, or meat. Only a few women mixed these food groups. Lastly, all of the women convicted of this kind of offence worked at some time or other in their lives as hawkers, giving them both the opportunity and venue in which to sell their wares, and the opportunity to barter and exchange their illegal goods with other traders, without raising too much suspicion. Each of these factors would suggest that the women were not stealing with the aim of consuming the goods themselves. For example several pounds of fat, or forty litres of

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<sup>143</sup> *Liverpool Mercury*, 4 September 1869. See chapter 3.

<sup>144</sup> *Liverpool Mercury*, 10 February 1886. See chapter 8.

<sup>145</sup> *Liverpool Mercury*, 12 August 1882. See also *Liverpool Mercury* 28 October 1890, and *Liverpool Mercury* 25 August 1891.

<sup>146</sup> *England & Wales Criminal Registers*, February 1870, Class: HO 27; Piece: 155; Page: 56. See also, Apr 1879, Class: HO 27; Piece: 180; Page: 47. *Liverpool Mercury*, 6 January 1885. *Liverpool Mercury*, 22 August 1871. See also: *Liverpool Mercury*, 22 August 1871.

margarine, could not provide adequate nutrition to feed a family, and a basket of pears was likely to spoil before they could all be consumed. Small and regular thefts of a diverse range of foods would have been a more effective way of acquiring food to eat, and judging by the lack of cases of that kind in the sample, it may also have been a less detectable method too.

The theft of large amounts of one kind of food provided the women with something to sell on that would raise enough money for them to pay to feed their families and more. Once again, as the most common managers of the household budget, it was women who were responsible for stretching their family income, and sourcing daily necessities from the shops and markets near their homes.<sup>147</sup> Women in possession of perishable goods were much better placed to utilise informal networks of female shoppers than their male counterparts. As the most common food purchasers, women were not only familiar with this form of commerce, but also, if seen from a distance with a basket, or even apprehended with not too big of a hoard food, a woman presented a less suspicious figure than a man. This offence may have been popular amongst women for precisely these reasons. Furthermore, once broken up, sold on, or consumed, perishable goods would have been virtually impossible to identify or trace, making it in many respects a much safer trade in stolen goods than items such as clothing. In both Liverpool and London, venues existed for the purpose of offloading, buying, or exchanging stolen property, be they markets, 'dolly shops', common lodging houses, or

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<sup>147</sup> The 'hidden economy' in Liverpool with which many poor women were involved in order to feed and clothe their families, and to raise money for rent and other necessities, often without the knowledge of their family or neighbours, was still clearly important as a means of survival (particularly in the North end of the city) as evidenced by Pat Ayers work on women in the interwar period. See: P. Ayers, 'The Hidden Economy of dockland Families: Liverpool in the 1930s', in P. Hudson and W. R. Lee (eds), *Women's work and the family economy in historical perspective* (Manchester University Press, 1990), pp. 271 – 288.

brothels.<sup>148</sup> Mostly taking place in private, the details of those responsible for the crime of receiving and selling on stolen goods remain largely unknown.

There are a few examples of female offenders in the sample who played a key role in receiving and passing on stolen goods, as well as providing a venue for a range of other crimes. A small number of the women sampled ran businesses that doubled as a homes. These lodging houses, brothels, and unlicensed pubs, not only saw them tread a fine line between legal and illegal activity, but also provided a venue in which other men and women could commit offences. The case of Minnie Wright provides example of how a brothel could double as venue in which stolen goods could be received and exchanged.<sup>149</sup> There are also three or four other women in the sample responsible for similar operations. Winifred Davies, or Curran as she was also known, was charged on multiple occasions for a range of offences, including keeping a house of ill fame, allowing drunkenness, and selling beer without a licence.<sup>150</sup> Curran also found herself in court as a witness or suspect in cases involving the violence, stolen property, or inebriation of others – said to have taken place at her premises. Curran’s business was also identified as one in which young women were procured and sold for the purposes of prostitution.<sup>151</sup> Margaret Shertlock was similarly found, amongst other offences, to be procuring girls for the purpose of prostitution at her lodging house.<sup>152</sup> Lastly, Margaret Gray was likewise found to run a disorderly house which allowed not only prostitution, but also the receiving and pawning of illicit goods, and violence.<sup>153</sup>

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<sup>148</sup> Mayhew, *London Labour*, p. 373. See chapter 9.

<sup>149</sup> *Liverpool Mercury*, 18 May 1883; See chapter 6.

<sup>150</sup> *Liverpool Mercury*, 9 January 1869; *Liverpool Mercury* 18 September 1858; *Liverpool Mercury* 28 September 1878.

<sup>151</sup> *Liverpool Mercury*, 28 September 1878.

<sup>152</sup> *England & Wales Criminal Registers*, October 1872, Class: HO 27; Piece: 162; Page: 89. See also: July 1892 Class: HO 27; Piece: 222; Page: 90.

<sup>153</sup> *Liverpool Echo*, 15 January 1884.



The women responsible for businesses such as these were all from the Liverpool cohort. None of the women from London was similarly charged. Thomas suggested that 'the majority of the Manchester and Liverpool brothels were run by women'.<sup>154</sup> Thus we could expect them to constitute a larger number of this cohort. However, further to this, there is evidence to suggest that in Liverpool, brothels and other locations perceived by the authorities to be dens of vice were tolerated by the police and courts as long as they were contained within a specific area of the city. The conviction of women like Minnie Wright and Winifred Curran indicates that this was not a tacit acceptance of such activities, but a pragmatic recognition that establishments of this kind would endure regardless of legal sanction. Brothels, illegal drinking venues, and notorious lodging houses were allowed to remain, rather than risking an 'aggravation of the evil' by the attempt to shut down, and thus scatter such establishments elsewhere in the city.<sup>155</sup> In London, no such tactic seems to have been adopted. The size and scale of the city saw dens of vice exist in every locality, there was very little public order to be preserved by allowing them to stand undisturbed. The absence of women who ran brothels, lodging houses, or pubs in London, as well as an absence of those responsible for receiving or selling stolen goods, or procuring women for prostitution, would suggest that perhaps these trades were more male dominated in the capital.<sup>156</sup> This is one of several local differences in the type of property crime that women in the sample carried out. For example, whilst the running of the establishments discussed above was unique to women in the Liverpool cohort, as was the theft of perishable goods, in London, child stripping, coining, and work-place appropriation were far more common amongst the women.

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<sup>154</sup> Thomas, *Victorian Underworld*, p. 88.

<sup>155</sup> *Liverpool Mercury*, 2 January 1890.

<sup>156</sup> *Pall Mall Gazette*, 6 7 8 10 July 1885.

### *Currency Offences*

The last offence which seems to have been a popular activity amongst the sampled women was that of engaging with counterfeit money. Heather Shore's examination of coining offences at the Old Bailey in the nineteenth century reveals that, despite a lack of scholarly interest in coining offences which took place after the eighteenth century, Victorian London actually saw a sharp increase in coining prosecutions.<sup>157</sup> 'Coining', a problem felt to be particularly rife in England's capital, was used to refer to a wide range of offences. This could be anything from possessing the moulds to make false currency, to producing fake coins, being found in possession of false currency, or attempting to distribute such money or purchase goods with them. Coining offences often involved multiple persons at each stage, with 'girls of thirteen years of age sometimes assist[ing] in making it' and, as Mayhew found 'in nine cases out of ten, men and women are employed in it together'.<sup>158</sup> Indeed this tradition of female involvement in the counterfeit currency industry stretched as far back as the eighteenth century, when 'coinage gangs' like that run by John Howell in Birmingham 'employed mainly female labour'.<sup>159</sup>

In the context of the Victorian city, Shore found that uttering was the most common of coining offences to be tried at the Old Bailey, her study suggesting that uttering offences constituted three-quarters of all coining convictions by the close of the nineteenth century.<sup>160</sup> The activities of the sampled women reflect this finding, with the majority of those involved in the coining trade having convictions for 'uttering' low denomination of base coins. Shillings and half-crowns were particularly popular.

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<sup>157</sup> H. Shore, ' "A Biography of a Bad Shilling": Coining and the Royal Mint in Victorian London', p. 10

<sup>158</sup> Mayhew, *London Labour*, p. 378. The production of counterfeit currency was the most industrial scale crime that the sampled women were regularly involved in. The complex procedure and sourcing of various chemicals and acids essential for the coin making process rendered this offence both highly laborious, and dangerous.

<sup>159</sup> J. Powell, 'The Birmingham Coiners 1770-1816' in *History Today* (1993), p. 55.

<sup>160</sup> Shore, " "A Biography of a Bad Shilling", p. 13.

Interestingly, the utterers of false currency tended to carry out solely this offence. Unlike the women involved in some other forms of crime who would turn their hand to several offences, currency offenders would not mix uttering coins with other crimes such as general larceny, or receiving stolen goods. It is most likely that successful dissemination of base coins provided a continuous and stable source of income for those involved, negating the need for a more diverse repertoire of crime. For example Mary Brett from Liverpool, the most active of the sample's coiners, had five convictions for uttering counterfeit coins (mostly shillings) in the twenty year period from 1853 to 1873.<sup>161</sup> During this period we can assume that Mary carried out many similar offences for which she was never caught, because although she worked at some times as a housekeeper, she was not continuously employed, yet obtained enough money to support herself and her three illegitimate children.

With the exception of Mary Brett, those in the sample convicted of coining offences all hailed from London. The utterers of false currency were described by Mayhew as the 'agents' of coiners, women who frequented 'different public houses to dispose of their counterfeit coin . . . [whilst] some of them stand in the street to sell it'.<sup>162</sup> The experiences of the sampled women involved in coining offences correspond very closely to this description. All of the women convicted of uttering had five or fewer convictions. The similarities in their offences, and routine way in which they carried them out would suggest that they indulged in these activities far more regularly than they were ever caught. Women seem to have ceased uttering when they became too notorious to pass off coins without being recognised.

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<sup>161</sup> PCOM4; Piece: 52; Item: 2; P: 2.

<sup>162</sup> Mayhew, *London Labour*, p. 379.

Each of Charlotte Ennifer's three convictions came after she was apprehended exchanging bad coins for consumable goods. In 1876 Charlotte was at a pub in Kent with an associate named George Warren. Warren was first to the bar, and he ordered a pint of ale for the price of sixpence. He tendered a bad shilling for this, and received his drink and change, repeating this transaction around twenty minutes later. Charlotte then went to the bar and asked for half a pint of ale, and paid with a bad shilling. She was given her drink and just over ten pence in change. When she returned to the bar for another half of ale, instead of paying with her pennies she tendered another shilling, at which the barmaid became suspicious. Testing the strength of the coin, she bit down on it with her teeth, and found it to be soft. She detained both George and Charlotte until the police arrived.<sup>163</sup> Charlotte was convicted again in 1880 for committing a very similar offence, this time in a public house in West Ham, where she tendered a bad half-crown for four pence worth of drinks, and then several other half-crowns at local coffee shops on the same day, once again in conjunction with a male counterpart.<sup>164</sup> Mary Ann Heard was prosecuted for a like offence, uttering a bad half crown in a pub near Euston station, prior to which she had been seen outside on the street in the company of three men who were handing her the coins.<sup>165</sup> Utterers like Taylor and Heard often worked with accomplices, or as part of a wider network of men and women, clearly in some instances liaising with those who produced the coins and then uttering them for a share of the profits.

The female utterers amongst the sample acted as junior partners or members in coining operations, undertaking much of the risk at the behest of the men and women

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<sup>163</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 25 September 2013), December 1876, trial of GEORGE WARREN (64) ELIZABETH ENNERTON (49) (t18761211-140).

<sup>164</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 25 September 2013), March 1883, trial of ELIZABETH HENEFER (55) (t18830319-413).

<sup>165</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 25 September 2013), April 1884, trial of MARY ANN JOHNSON (24) (t18840421-724).

responsible for creating false coins. Convictions for uttering far outweigh those for other coining offences, and the dearth of examples of female coin makers in the sample perhaps suggest that this was an occupation either carried out less frequently by women, or perhaps one that led less frequently to conviction. The case of Bridget Regan is the only example amongst the sampled women that provides insight into the role women took in the production of counterfeit coins. Bridget married notorious coiner Benjamin Mortlock in 1863, at the age of twenty. Together, the couple were engaged in producing counterfeit coins on an almost industrial scale. In 1866, when Bridget was twenty three, special detectives employed by the Mint raided Bridget's lodgings in Camberwell, whereupon they found 'two moulds for making florins, five double moulds for making shillings, and one treble mould for making sixpences'.<sup>166</sup> Officers also found a quantity of false currency that had already been cast from the moulds sitting on the mantelpiece. Further to this, officers seized an assortment of paraphernalia used in the production of both coins and coin moulds – tin bands, galvanic batteries containing diluted acid, wires, plaster of Paris, and a file.<sup>167</sup> There was also sufficient evidence to link Bridget and Benjamin to a 'large seizure' of counterfeit currency, and coin moulds made earlier that same morning at another location.<sup>168</sup> Bridget was acquitted on account of the jury feeling she had acted under her husband's control. Benjamin was convicted, it being noted in court that the pair 'had always been connected to the manufacture of base coin and also putting it into circulation'.<sup>169</sup> A similar trial was held against the pair in 1882, with an identical

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<sup>166</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 25 September 2013), July 1866, trial of BENJAMIN MORTLOCK (26) LOUISA BRIDGET MORTLOCK (23) (t18660709-652).

<sup>167</sup> *Ibid.*

<sup>168</sup> *Ibid.*

<sup>169</sup> *Standard*, 10 July 1866.

result.<sup>170</sup> No employment for either Bridget or her husband is recorded in the period from their marriage up until Bridget's death in 1886 shortly after her release from prison.<sup>171</sup> It would seem that their connections within the coining industry were such that they were able to recover the relevant materials and remake coining moulds after each seizure, and carry on their work where they left off. Bridget's last indictment was in 1883 when she was found not with moulds, but attempting to pass on counterfeit coins whilst purchasing soap and lead. Despite her claims that witnesses were 'false swearing villains' and her attempt to throw her shoe at the judge, her record spoke against her, and she was found guilty and sentenced to seven years penal servitude.<sup>172</sup> After her death, Benjamin continued to make and distribute counterfeit coins.<sup>173</sup> Newspapers reported that the Mortlocks belonged to a group (both of family members and friends) of coiners that were employed for decades at every level of the trade. This group was responsible for making and distributing moulds to other coiners, producing fake coins, and distributing them – both in person, and through others. Despite the fact that the courts acquitted Bridget under the legal principle of 'femme covert', all evidence suggests that she was as active in the trade as her husband.

Higher up the scale of fraudulent currency offences were the creation and dissemination of counterfeit cheques and bank notes. Whilst the 'misapplied genius' of professional gentlemen swindlers dealing in these items was a well-recognised feature of crime in the Victorian popular imagination, it does not seem to have been a common trade amongst female offenders.<sup>174</sup> Just three women in the sample were convicted of the forgery of bank notes or cashing fraudulent cheques. The most

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<sup>170</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 25 September 2013), February 1882, trial of BENJAMIN MORTLOCK (42) BRIDGET MORTLOCK (37) (t18820227-374).

<sup>171</sup> *PCOM4*; Piece: 61; Item: 14; P: 6.

<sup>172</sup> *Morning Post*, 21 March 1883.

<sup>173</sup> *Standard*, 28 October 1891.

<sup>174</sup> Thomas, *Victorian Underworld*, pp. 204-250.

notable of these cases was that of Marie Josephine Wheeler. She was born in Paris, in 1845, the daughter of Marie Mitre, a French milliner, and James Wheeler, a gardener. The family moved to the island of Jersey whilst Marie was a child.<sup>175</sup> By her early twenties, Marie had moved to England, and was living as the wife of Charles Peal – the assistant of a ‘registered Chemist’. Life for the Peal’s was a comfortable one, Charles’ wage providing enough for their lodgings and material needs. During this time, Marie did not work.<sup>176</sup> Charles died unexpectedly at the age of thirty in 1873. As Marie was not legally his wife, she was left with little but the clothes she owned and the veneer of respectability that Charles’ name and association had given her. Accustomed to a higher standard of living than she could now afford, Marie engaged the help of a man named Thomas Goldsmith to help rejuvenate her finances. Goldsmith left his wife and began living with Marie, posing as the deceased Charles Peal’s cousin. Marie’s appearance and lingering respectability as a chemist’s wife enabled her to provide good character references so that Thomas and she were able engage a legitimate London broker to conduct business on their behalf. Through this firm, Marie entered negotiations to purchase a house worth £7,500.<sup>177</sup> The owner of the house was given a false bill of exchange for £500, and a forged personal cheque of £10 for the deposit. Thomas Peal then borrowed small amounts of the deposit back, in total around £50 in cash, for what he claimed was a shortfall on his part whilst the larger sums were being processed.<sup>178</sup> After several days of waiting for the money to appear, it became clear the cheques and the bill of exchange were false, and that there was no money forthcoming. The whole endeavour was revealed to be a scam for the purpose of

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<sup>175</sup> *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 2527; Folio: 55; Page: 16; GSU roll: 105976-105977.

<sup>176</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 201; Folio: 65; Page: 38; GSU roll: 824591.

<sup>177</sup> *Reynold’s Newspaper*, 3 April 1881.

<sup>178</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 03 July 2013), May 1881, trial of THOMAS PEAL (49) MARIE JOSEPHINE PEAL (31) (t18810502-482).

obtaining trust and eliciting money from suitably wealthy persons. Thomas and Marie were eventually apprehended and sentenced to five years penal servitude each, with the court making note that both prisoners had been committing like frauds over a number of years.<sup>179</sup>

Crimes like that of Marie Peal did offer several benefits to cash strapped offenders. Frauds and forgeries such as this had the potential to garner much larger sums than ordinary thefts, or dealing in counterfeit coins. For example, domestic servant Mary Ann Reid was able to obtain goods and change from a £50 note by forging the endorsement of an associate of her employer, and Sarah Williams was able to do likewise with two payment requests of £5 each.<sup>180</sup> Dealing with forged paper was also in some ways safer than the coin equivalent. Base crowns and shillings could be spotted almost immediately, whereas it usually took several days for a shop owner, landlady, or tradesman to be informed of a forgery at a bank, which allowed the perpetrators to make a swift getaway before their crime was even detected. However, this was not an occupation open to all offenders. Bar the very small number of women of independent means in the sample, most of the women from Liverpool and London would have raised immediate suspicions had they attempted to deal in large amounts of money.<sup>181</sup> Not only were financially solvent women who carried out their own transactions a rarity, but most importantly, to carry off this crime a female offender would have to look and play the part of a wealthy individual convincingly. This undertaking was something which could require time and effort, and not insubstantial cost to begin with. Whilst Gatrell argued that so-called white collar crimes such as

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<sup>179</sup> *Ibid.*

<sup>180</sup> *Standard*, 2 March 1870, see also: Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 25 September 2013), June 1880, trial of SARAH KERSLEY\*\* (39) (t18800628-457).

<sup>181</sup> Mayhew, *London Labour*, p. 381.



fraud and forgery were probably increasing in real terms, rather than just in prosecution figures, it would seem that crimes of this kind were not particularly practical for most women in the sample, who resorted to fairly petty property crime as a means of staving off destitution.<sup>182</sup> Thus, unless women started offending from a relatively privileged position, like that of Marie Peal, they were unlikely to find themselves presented with a realistic opportunity to carry out crimes such as fraud and forgery.

Other offences thought to be prevalent amongst women who committed crime were not as prominent in the sample as might be expected. The best example of this was workplace thefts. Godfrey's findings on workplace appropriation in West Yorkshire textile factories found that women were only a minority of those identified as carrying out such offences. Godfrey's study found that not only did women account for a small proportion of workplace appropriations, but that also, in most contexts, women were less likely to be prosecuted for such offences.<sup>183</sup> With this in mind, it is unsurprising that workplace appropriation amongst the sampled women in London working as domestic servants and factory operatives was similarly low. The women sampled from Liverpool also held few convictions for this offence, but this is perhaps a reflection of the very limited opportunities for paid employment at a designated workplace available to women in this location. Overall then, the female offenders faced a reduced opportunity to commit such offences, or else they managed through a variety of means to escape prosecution.<sup>184</sup> The examples of workplace offending that do exist within the sample such as domestic servant's larceny from an employer's home, or a

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<sup>182</sup> V. Gatrell, 'The Decline in Theft and Violence in Victorian and Edwardian England', in V. Gatrell, B. Lenman and G. Parker (eds), *Crime and the Law: The Social History of Crime in Western Europe since 1500* (London: Europa, 1980), p.

<sup>183</sup> B. Godfrey, 'Workplace appropriation and the gendering of factory "law": West Yorkshire 1840 – 1880', in M. Arnot (ed.), *Gender and Crime in Modern Europe* (London: UCL Press, 1999), p. 139.

<sup>184</sup> *Ibid* pp. 146-147.

prostitute's theft of her client's money or belongings, are in the minority. As discussed in later chapters, the majority of offending carried out by women took place not whilst they found themselves in paid employment, but during periods when paid employment was lacking – periods of financial hardship.<sup>185</sup> Whilst some of the women did commit offences to bolster their income whilst employed, these offences tended to take place outside the workplace in an effort to ensure that the individual did not risk more than needs be for their crimes.

### Violent Offences

The violent offences that the women carried out tended to be less diverse, and more formulaic, than their property offences. The violent crimes committed by the women can be broadly described as falling into two categories. First were the violent offences against children, the five cases (four from the London cohort) which are described in detail later in this thesis.<sup>186</sup> Crimes of this kind were committed by only five of the thirty- one women convicted of any violent offence (5% sample / 16% violent offenders). This is indicative both of the relative rarity of this kind of offence as well as the problems in defining and prosecuting such offences during the nineteenth century.<sup>187</sup> All of the other women with convictions for violence committed offences which fell into the second category – that of violence against other adults. There were a number of scenarios that most commonly saw the women in the sample commit violent offences, and a number of categories into which their offences fell.

Unlike the evidence produced in recent histories of male violence, there is little to suggest that any of the violence perpetrated by the selected women was part of a

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<sup>185</sup> See chapter 8.

<sup>186</sup> See chapter 7.

<sup>187</sup> Archer, *Monster Evil*, p. 118.

defined gang culture amongst women in these locations. There is certainly nothing that mirrors the male gang culture found in studies such as Davies' examination of the Manchester scuttlers, or the female involvement in these incidents of gang violence.<sup>188</sup> Historians have in general struggled to find much evidence of either 'all-girl gangs' or even the mainstream involvement of women in male gang culture.<sup>189</sup> However, what does seem to be apparent from the experience of the women from Liverpool and London is that, young women in particular were certainly members of informal social groups which could lead them to perpetrating violent offences. Such groups consisted of both males and females similar to each other in religious, ethnic, or simply geographic terms. Whilst not particularly infamous for clashing with other young men and women, these groups were often responsible for drunken and disorderly behaviour, fighting, or damage to property.<sup>190</sup>

Of the thirty-one women convicted of violent offences (31% sample), only ten of them (10% of sample / 33% of violent offenders) were responsible for fatal attacks. Three women were responsible for the death of a child, or children, and the remaining seven were responsible for the murder or manslaughter of another adult. Interestingly, all of the offences in which an adult was killed were group offences, perpetrated by two or more persons. In terms of the sample, of the seven women involved in a fatal offence, six of them offended with other convicts in the sample, and one offended with other members of her extended family. Margaret Gray, a brothel owner discussed above, and Kate Warner, a prostitute with whom she often worked, caused the death of a

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<sup>188</sup> Davies, "These viragoes", pp. 72-89.

<sup>189</sup> B. Godfrey, 'Rough Girls 1880 -1930: The "Recent" History of Violent Young Women', in C. Adler and A. Worrall (eds), *Girls Violence: Myths and Realities* (New York: State University of New York Press, 2004), p.24.

<sup>190</sup> *Liverpool Mercury*, 9 July 1877.

customer – naval pensioner Richard Russell – in order to steal his coat.<sup>191</sup> They were convicted of larceny and manslaughter respectively. Mother and daughter Eliza and Elizabeth McDermott were responsible for killing son and brother John McDermott in a drunken row.<sup>192</sup> Eliza McIntosh and Mary McCrave were convicted of the manslaughter of their neighbour John Talbot.<sup>193</sup> All of these women were part of the Liverpool cohort. The only like offence in the London cohort was committed by Elizabeth Staunton, who along with her sister, husband and brother-in-law, were convicted of the wilful murder of her sister-in-law through neglect.<sup>194</sup> It is worth noting that each of these incidents involved prolonged physical interaction between perpetrator and victim. As Archer suggests, physical violence was much more common than the use of poison by women, despite popular contemporary perceptions.<sup>195</sup> Ultimately, fatal attacks by women were not a common form of violent crime, and not something that the women seem to have attempted alone. Indeed, where a death was caused by the violent actions of two or more women, it may have been the case that had they been working alone, the injuries they caused would have been tantamount to serious assault rather than a fatal injury. As Archer asserts, in many cases killings resulted from arguments or other activities spiralling out of control, ‘the result of drunken rows with fellow house lodgers and immediate neighbours over mundane, but important matters such as money, debt, petty jealousies and even noise’.<sup>196</sup>

Most of the violent offences that women committed were non-fatal assaults of various kinds. The kind of assaults that women committed ranged in severity from Bridget Lacking’s frequent hitting or kicking of fellow prostitutes, to the stabbing or partial

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<sup>191</sup> *Liverpool Echo*, 12 February 1884

<sup>192</sup> See chapter 9

<sup>193</sup> See chapter 5.

<sup>194</sup> See chapter 4

<sup>195</sup> Archer, *Monster Evil*, p. 128.

<sup>196</sup> *Ibid*, p. 129.

blinding of an adversary. Historians and Victorian commentators alike have suggested that the crowded and materially deprived circumstances that women like those in the sample lived could commonly lead to violent outbursts. John Carter Wood suggests that 'overcrowding would have stoked festering hatreds' producing more circumstances in which violence could arise.<sup>197</sup> Contemporary social reformer Octavia Hill similarly observed that 'deadly quarrels spring up and deepen and widen between families compelled to live very near one another'.<sup>198</sup> In the slums, lodging houses, and backstreets which almost all violent offenders lived in, violence became a normalised strategy with which to 'settle disputes or to punish deviants'.<sup>199</sup> Although Godfrey, Farrall and Karstedt found 'violence can contain elements of ritual, symbolism or indeed pointlessness', most of the offences committed by the sampled women appeared to have served a real, or at least perceived, practical purpose by those who carried them out.<sup>200</sup> Violence took place over disputes about money, the ownership of household goods, access to communal facilities, or in order to address neighbourly slights or insults, and even to resolve quarrels over affairs of the heart.

Catherine Cronin, for example, a resident of 'a most horrible den' on London's notorious Ratcliffe Highway, was charged with committing 'a murderous assault' on her friend Mary Andrews.<sup>201</sup> On Boxing-day in 1870, Catherine and Mary were quarrelling over the attention of a 'jack tar', who it was said 'preferred the company of Andrews'.<sup>202</sup> Upset by both her rejection by the visiting sailor, and the disloyalty of her friend, Catherine 'broke' a brass candle stick over Mary's head. She then picked up a

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<sup>197</sup> *Ibid*, p. 129.

<sup>198</sup> O. Hill *Homes of the London Poor: Four Years Management of a London Court* (London 1883), p. 20.

<sup>199</sup> J. Carter Wood, *Violence and Crime in Nineteenth Century England* (London: Routledge, 2004), p. 48. See chapters 5 & 9.

<sup>200</sup> Godfrey, Farrall and Karstedt, 'Explaining gendered sentencing', p 703.

<sup>201</sup> *Standard*, 28 December 1870.

<sup>202</sup> *Ibid*.

picture, and hit Mary in the face with it, severing her lip. Mary Andrews' wounds were treated by a surgeon, and Catherine was sentenced to six months' hard labour, the police berating her for picking up 'the first article that came to hand [to] wreak her vengeance on her unlucky opponent'.<sup>203</sup> Catherine's extreme violence over rivalry for a man's affection is just one example of how violence was for many a first recourse in assuring that honour was satisfied. Mary Ashton underwent six months hard labour for fracturing the ribs of her lover Peter Wilson's mother, by jumping on her, and throwing a teapot at her head, after Peter and his mother had a disagreement.<sup>204</sup> Lucy Brent spent five years in prison for 'feloniously cutting and wounding' Mary Ann McCarthy. After the two had quarrelled, Lucy 'took up a knife' and stabbed Mary Ann in the arm. In court, her defence was that she had been 'greatly aggravated' by the victim.<sup>205</sup> Almost two thirds of the violent offences committed by the sampled women were the result of such disputes. In these cases violence seems to have been perceived as a fast and legitimate way to resolve issues of ownership, but more often and importantly issues of disloyalty, wounded pride, and the preservation of reputation. The most serious of these attacks involved 'interfering or threatening witnesses in court cases' which Archer found was a particularly common, and a particularly female crime throughout the Victorian era.<sup>206</sup>

Only ten of the thirty-one violent offenders in the sample (10% sample / 33% violent offenders). In the few where a recognised dangerous weapon, such as a knife, was used, there is evidence that prior planning had gone into the offence. For example Mary Palmer's near fatal attack on her infant daughter with a penknife was an action

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<sup>203</sup> *Ibid.*

<sup>204</sup> *Liverpool Mercury*, 2 September, 1857.

<sup>205</sup> *Standard*, 27 March 1883.

<sup>206</sup> Archer, *Monster Evil*, p. 136. See chapter 5.

that Mary seemed to have been contemplating for some hours before the attack took place.<sup>207</sup> When Margaret Muldoon armed herself with a knife, she went out into the streets looking for Anne Hines with the specific intention of wounding her.<sup>208</sup> However, most of the offences that included the use of a weapon, even knives, seem to have been incidences where an offender committed the act on the spur of the moment, picking up whatever item came to hand.<sup>209</sup> Most commonly for women these would be domestic items, such as Catherine Cronin's candle stick, or perhaps a fire poker – which Mary Garrity used assault widow Bridget Ready, a fellow resident of 10 Court, Fox Street, when the pair quarrelled over the ownership of a household item.<sup>210</sup> Thus, two-thirds of violent offences in the sample were those that saw women commit assaults with little more than their fists and feet.

A less common violent offence amongst women, but still one of note was assaults on the police. Only five of the female offenders – four of them from London – had a conviction for this. Incidents of assault on the police commonly arose from poor relations between officers, and those living in the impoverished and heavily policed areas within each city. Assaults on a constable might happen following weeks, months, or even years of bad relations between an individual and a particular constable, especially where that individual felt that they were being victimised. Alternatively, a charge for assaulting a constable could arise somewhat accidentally, if an apprehension for petty offences, particularly those involving alcohol such as drunken and disorderly behaviour or wilful damage, was poorly handled.<sup>211</sup> Assaults on police

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<sup>207</sup> *Morning Post*, 4 August 1881

<sup>208</sup> See chapter 5.

<sup>209</sup> Archer, *Monster Evil*, p. 134.

<sup>210</sup> *Liverpool Mercury*, 2 April 1878.

<sup>211</sup> J. Klein, *Invisible Men: The Secret Lives of Police Constables in Liverpool, Manchester, and Birmingham, 1900-1939* (Liverpool: Liverpool University Press, 2010), pp. 167 – 174.

could occur on occasions when attempts at 'resisting' arrest were particularly spirited.<sup>212</sup> There were also other instances when a policeman might try to intervene in a violent interaction between two women and was subsequently hit accidentally.

A very rare form of violent conviction for the sampled women were those relating to domestic – and in particular spousal – violence. Although there were several incidents of parental abuse or neglect, and one case of the abuse of a relative, these were almost all singular fatal episodes, rather than indicative of continued domestic violence. Just one woman in the entire sample was recorded as perpetrating domestic abuse against her spouse. Catherine Murphy was indicted for wounding, and sentenced to five years penal servitude, for launching a number of plates and other household items at her husband John's head some hours after he had gone to bed that evening, severely injuring him.<sup>213</sup> Whilst few details about this event are evident, it is likely that Catherine's attack on John was fairly severe. The prosecution of wives for assault on their husbands was not a common occurrence in Victorian courts of law.<sup>214</sup> The fact there was very little evidence to suggest spousal abuse by women is not necessarily indicative of the fact that the problem did not exist. In the same sense that very few of the women in the sample could be definitively identified as victims of domestic violence, perhaps very few of the women could be identified as perpetrators of domestic violence for similar reasons. Nancy Tomes asserted that, 'battles between husbands and wives were not invariably one-sided'.<sup>215</sup> It is not inconceivable to suggest that some of the women who were violent offenders may also have been violent in a domestic setting. However, the problem of tracing domestic violence

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<sup>212</sup> Macilwee, *Liverpool Underworld*, p. 21

<sup>213</sup> *Liverpool Mercury*, 23 March 1881.

<sup>214</sup> Ross, "Fierce Questions", pp. 575-602.

<sup>215</sup> Tomes, 'A "Torrent of abuse, p. 333.



perpetrated by both women and men, is that the offence is largely a hidden one. The difficulty for victims of coming forward and seeking legal redress was not only a problem for many Victorian wives, but must also have been a particular barrier to Victorian men on account of the context of both working-class social norms, and the wider Victorian notions of masculinity.<sup>216</sup>

As previous explorations of female violence have found, the violent offences carried out and behaviour exhibited by the sampled women were virtually indistinguishable from most of the violent crimes carried out by their male counterparts.<sup>217</sup> Carter Wood argued that ‘among the “rough”, fighting remained important, indeed perhaps central, to definitions of manliness and power.’<sup>218</sup> However, the actions and offences of the sampled female offenders would suggest that violence was not only a key tool for men in establishing and maintaining power, but for women also. Male violence could be about little more than the construction or assertion of a young man’s burgeoning masculinity, a way for him to enhance his reputation and gain prestige amongst his peers, whereas violent behaviour in women was the antithesis of femininity rather than the ideal. However, the practical purposes of violence seem to have been virtually the same for both women and men.<sup>219</sup> Certainly, the examples of female violence here indicate that physical aggression and violent remonstrations with peers provided the same mechanisms for asserting dominance and authority as it did for men. In many cases, such as disputes over money and possessions, violence allowed women to maintain control over their interactions and disputes with others in a time when resorting to legal means did not. Much of the violence carried out by women assisted

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<sup>216</sup> *Ibid.*

<sup>217</sup> Archer, *Monster Evil*, p. 139.

<sup>218</sup> Carter Wood, *Violence and Crime*, p. 90

<sup>219</sup> Godfrey, ‘Rough Girls’, p. 34.

them in constructing themselves as powerful agents within their communities, and protected both reputation and social position. Finally, just as it did for men, violence seems to have been a tool deployed by women to reinforce the idea of rights and responsibilities for individuals within their communities.

### Conclusions

Serious female offenders in the cities of Victorian England were mostly convicted of property offences. Many of their offences involved exploiting the trust society placed in them as women. It was not uncommon for women to develop and practice a specialised form of property crime, and practice such either predominantly or exclusively. These offences involved not just stealing, but deceiving, whether that was circulating counterfeit money, tricking children out of their clothes, or even drugging unsuspecting acquaintances. The majority of property crimes were of relatively low value: pence and shillings at most. These were the offences that women repeated time and time again.

Violent offences, though less common, did contribute to the landscape of crimes that women were committed for. Women fought quite literally tooth and nail over disputes about property and money, and about insults offered and received, in the crowded and deprived courts and lodgings of the city. When women used weapons they were as likely to be household objects that came readily to hand as they were deadly weapons such as knives. Occasionally such violence would result in a fatality, but this was rare, and it appears, seldom planned. Violence was about settling disputes, protecting reputations, and teaching lessons.

## Chapter Three: Victorian Women and Offending

### Indictable offences

There are several ways of categorising the offences that the women from London and Liverpool committed. On account of being selected from the PCOM6 female licence records, all of the women have at least one traceable indictment, most have more. These offences were tried the Assize or Sessions of each city, where each of the women received at least one sentence of penal servitude. Some of the indictments that women received were for offences that were of a very serious type, such as murder, or serious assault. In other cases, the offences differed little from their previous lower-level property crimes but since the woman concerned had been registered as a habitual criminal, they received a harder sentence than if the same action had been a first offence. Eliza Kenney, for example, stole a mantel in 1864, and was sentenced to four months in prison. The next year she was charged with 'frequenting with intent' and sentenced to three months. Almost ten years later, Eliza was caught stealing a dress, and sentenced to eighteen months in prison. Two years later she stole a skirt (which can have been no more valuable than the dress in 1874) and was sentenced to spend seven years in penal servitude.<sup>220</sup>

The sampled women had between one and ten indictments each, with the majority having under five but more than one. The average across the sample being three or four indictments each. The relatively low levels of indictable offending amongst the women is due in part to the effectiveness of the parole system, but also to a large

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<sup>220</sup> PCOM4; Piece: 65; Item: 12; P: 16.

extent, due to the length of penal servitude sentences. Serving anywhere between three years to life for any one offence, most sentences were five or seven years in length, the average offenders lifetime and offending career only feasibly had time to contain a small number of these convictions. The offences that women were indicted for were in most cases the type of crimes that they most often committed. The categorisation of the women's indictments thus looks very similar to the overall primary categories of women's offending.

**Table 2.**

		Primary category of indictments			Total
		Other	Property	Violent	
Cohort	Liverpool	1	40	9	50
	London	0	42	8	50
Total		1	82	17	100

### Summary Convictions

The occasions on which women were indicted were far less common than the occasions on which women were tried in the police courts. For most of the female offenders examined, their indictable crimes were only part of the overall story of their offending. Most of the women, although not all, also had summary convictions. These offences were perceived as less serious, tried by local magistrates, and resulted in

lesser punishments: days, weeks or months of hard labour in a local gaol, or fines. Seventy-two (72%) of the women could be traced as having at least one summary conviction. Yet the majority of these women (63% of sample / 87% of those with summary convictions) were more likely to have several summary convictions over their lifetime than just one. Most of the women had between two and ten summary convictions, but some had a large number: Bridget O'Donnell, for example, had fifty summary convictions, Margaret Hutton fifty-two, and Catherine Kenny sixty-six. The seventy-two (72%) women that had summary offences recorded against them had on average eleven convictions each. These lower level convictions give a much better indication of the type and frequency of offending for women in these locations. By examining the number and kind of summary offences, rather than solely their most notable crimes (indictments), a much more accurate representation of how women offended becomes apparent. By taking into account all offences, it is possible to assess the complexity and breadth of women's offending careers, and see how women might resort to a combination of different types of crime throughout their lives.

The summary convictions that the women received were in many cases for similar offences as their indictments – property offences and violent offences. There were however, a range of other offences that were only ever tried at summary level. These can be referred to as 'public order offences'. Most commonly, these offences were for activities such as drunkenness, disorderly and obscene conduct, vagrancy, or sexual misconduct – such as soliciting as a prostitute or brothel owning.<sup>221</sup> Definitions of what constituted these offences were very fluid, and in many ways enabled police to apprehend and control the activities of working-class men and women as they saw fit.

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<sup>221</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p.41

Public order offences tended to be among the most numerous of women's convictions.<sup>222</sup> This was partly due to the ease of committing one of these minor transgressions, but also due to the fact that such offences would usually only lead to days or a few weeks in prison, thus in the average lifetime or offending career of a woman, there was scope for multiple offences of this kind.

Thirty-Six of the women sampled (36% sample / 50% of those with summary convictions) had at least one summary conviction for a public order offence. More often than not women held more than one such conviction. Public order offenders would also commonly hold convictions for a range of public order offences such as drunk and disorderly conduct, and vagrancy, and obscenity. Elizabeth Cunningham, for example, had only one indictment for larceny from the person, for which she was sentenced to five years penal servitude, but prior to this she had amassed seventeen summary convictions. Eight of these were for drunkenness, three for prostitution, one for the neglect of her family, one for threatening behaviour, one for assault, one for aggravated assault, one for wilful damage, and one for felonious intent. Elizabeth also had four further charges on which she was acquitted.<sup>223</sup> Likewise, between 1870 and 1882, Bridget Lacking had one indictment for theft, two summary convictions for theft, but also thirteen convictions for assault, thirteen for being drunk, eight for causing damage, and one for being drunk and causing damage.<sup>224</sup>

A high level of summary convictions seems to have been something particular to the lives and offending patterns of those from the Liverpool cohort. In the entire sample, one fifth of women (20% sample) were traced as having over ten summary convictions

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<sup>222</sup> J. Davis, 'A poor man's system of justice: The London police courts in the second half of the nineteenth century', in *The Historical Journal*, 27, 2 (1984), p. 319.

<sup>223</sup> PCOM4; Piece: 68; Item: 11; P:1.

<sup>224</sup> PCOM4; Piece: 72; Item: 5; P:1.

over their lifetime, alongside at least one indictable offence. Eighteen of these women (18%) came from Liverpool (36% cohort). A large number of summary convictions seems to have been symptomatic of a period of life spent largely in public spaces – the streets and lodging houses of a city – where a female offender would come into regular contact with other people and property, whilst at the same time as coming under suspicion from local police. Eleven of the women with over ten summary convictions worked at one time or another as prostitutes, this accounted for over half of all known prostitutes in the sample. Through their work as prostitutes, these women already came under close scrutiny, and occasionally victimisation from the police.<sup>225</sup> They were also likely to be arrested for obscene or disorderly conduct, and they were also more likely to be drunk in public spaces or involved in disputes with fellow prostitutes, disgruntled customers, or residents of the areas in which they worked. As a police constable from Liverpool between the wars succinctly testified ‘if they made a nuisance of themselves, they would be arrested’.<sup>226</sup>

The high rate of arrest and conviction for summary public order and violent offences was not limited to prostitutes. The other nine women who had over ten summary convictions were hawkers, another occupation that saw women spend large amounts of their time in public spaces, and could also draw the attention of the police to them. For example, refusal to move from a current pitch could be interpreted as tantamount to disorderly behaviour. A high level of summary convictions seems, then, to have been indicative of a lifestyle that saw women more often brought into conflict with the people and places around them. At the same time, this way of life was also one which rendered women more vulnerable to repeated arrest and conviction by local

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<sup>225</sup> M. Brogden, *On the Mersey Beat: Policing Liverpool Between the Wars* (Oxford: Oxford University Press, 1991), pp. 125-127.

<sup>226</sup> *Ibid*, p. 124.

authorities for behaviours which many of their peers were likely carrying out, but whose way of life more effectively sheltered them from prosecution.

### Recidivism

Whether they were indicted multiple times, or repeatedly hauled to the police court, whether their convictions numbered over fifty, or just two, the sampled female offenders were almost all recidivists. Zedner concluded that the tendency of female offenders towards recidivism was greater for women than for men, largely due to the stigmatisation of female offenders by wider society, which hindered their opportunities and attempts at reform.<sup>227</sup> There were ten women (10%) for whom the only conviction that could be traced was a single indictment. Nine were women who had a single conviction for a violent crime. This includes the four women that harmed their own children, as well as baby-farmer Sophia Todd, the two women who killed members of their own family, and Margaret Grey and Kate Williams, the brothel owner and prostitute who killed a customer in a robbery-gone-wrong. The final woman was Minnie Holman, persuaded by her common-law husband to commit arson. What links these women (with perhaps the exception of Sophia Todd, who committed multiple infanticides, but only faced trial for one), is that almost uniformly, a single lapse of judgement or violent outburst saw them offend, but was not otherwise reflective of their lives. With the exception of Minnie Holman, whose crime occupies the odd arsonist hinterland between violent and property crime, all of the one occasion offenders were responsible for violent crimes. Those with just one conviction for a single violent offences constituted 29% of all women with any kind of violent crime traced to them. By contrast, women were likely to have multiple convictions for

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<sup>227</sup> Zedner, *Women*, pp.43-46. Key to this process, Zedner argues, was that unlike male labour, most female paid employment such as domestic and factory work required proof of a 'good character', which previous offenders were unable to produce. In such circumstances, a return to property crime, or to prostitution was not uncommon.



property crime. This offence does not appear to have been something women committed just once. Of the eighty-seven women to commit any kind of property crime, Minnie Holman was the only one instance offender.

Ninety (90%) of the sampled women were repeat offenders. They were women that committed two or more offences during their lifetime, most often three or more. In terms of both violent and property crime, the women of the sample were more likely to be habitual recidivists than not. As a group of recidivist women, the average number of offences over a lifetime was between twelve and thirteen each, which is higher than the average for Godfrey, Cox and Farrall's predominantly male *Serious Offenders* study.<sup>228</sup> However, as they rightly point out, female recidivism was much higher than that of males, usually on account of the social and financial destitution female offenders contended with.<sup>229</sup> Whilst Jennifer Davis has cautioned 'it would be a mistake . . . to overestimate that extent to which a brush with the police or an appearance before a magistrate was sufficient alone to tarnish a reputation for respectability', she acknowledged that crime was likely to have been 'perceived as both deviant and undesirable by a majority of the working-class'.<sup>230</sup> This is more certain in the case of female recidivists, who might go on to have a longer period of offending, a greater number of offences, or a harder time reforming due, as Zedner suggests, to the role of 'stigma in denying her any chance to regain her reputation, or secure honest employment or even her lodgings'.<sup>231</sup>

The ninety recidivist women had experiences of offending that range dramatically. To talk of an average number of offences does not accurately represent just how diverse

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<sup>228</sup> Godfrey, Cox and Farrall, *Serious Offenders*, p. 119. The 'typical' offender in the study was 'a male who never married, had no children, and was (at least in some stage during their Lives) employed in manual work'.

<sup>229</sup> *Ibid.*

<sup>230</sup> Davis, 'A Poor Man's System of Justice', p. 334.

<sup>231</sup> Zedner, *Women*, p. 46.

offending patterns could be. The number of offences that each recidivist woman carried out could be anywhere between three and seventy offences each. Recidivists committing primarily violent crimes tended to be more prolific offenders than those for whom offending was primarily property related: the average number of offences committed by women in these categories was eighteen offences and twelve offences respectively. It seems, then, whilst female property offenders were more likely to be habitual offenders than violent offenders, violent offenders were more prolific than their property offending counterparts.

There was no uniform pattern when it came to the offending careers of the recidivist women. The duration for which the women were involved in crime could last from two, to thirty-nine years. But a longer duration of criminal activity did not necessarily mean a higher number of convictions. For example, Fanny Beaton's three property offences between 1880 and 1882, when she was aged eighteen and twenty, saw her serve a combined total of four years and three months in penal institution before her parole in 1885 and desistance from crime.<sup>232</sup> Margaret Hutton was one of the most prolific offenders: she managed to commit fifty-four offences in a twenty-six year period.<sup>233</sup> Yet Mary McAvoy's criminal activity saw her offend from the age of twenty-eight in 1839, to when she was sixty-four in 1878 – an offending career of thirty-nine years, which saw her sentenced to a combined total of just over thirty-seven years imprisonment. However, Mary McAvoy only committed a total of eleven offences.<sup>234</sup>

The length and intensity of offending in a woman's life seem to indicate both the kind of offending a woman was perpetrating, and perhaps why. Those with short offending

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<sup>232</sup> *PCOM4*; Piece: 61; Item: 13; Pp: 1-2.

<sup>233</sup> *PCOM4*; Piece: 70; Item: 22; Pp: 1-2.

<sup>234</sup> *PCOM4*; Piece: 49; Item: 23; Pp: 1-2.

careers with a number of offences taking place seem to have been reacting to immediate crisis. Those with both a short offending career and small number of offences seem to have been exploring the viability of using crime to provide earnings, but ultimately appear to have assessed the risk and repercussions as too great, soon desisting. Those who undertook offending over a long duration were often grouped together in the collective consciousness of the police and courts, but in reality could have drastically different experiences. There were those women like Catherine Gardiner, Catherine Kenny, or Margaret Hutton, who seemed to subsist through their crimes for a prolonged period of their lives.<sup>235</sup> Alternately, there were women who returned to crime at intermittent periods of their lives, with months, years, and even decades between offences.

Esther Hinton was born in rural Gloucestershire in 1833. She was the daughter of William Hinton, a painter, and his wife Ruth.<sup>236</sup> Esther moved to London in search of work in her late teens, and once there, she met and married George Pullinger, who did not have a particular trade, and so worked a range of different jobs over the course of his life.<sup>237</sup> The family lived for the next fifteen to twenty years around Marylebone, and then Westminster. The Pullingers had five surviving children.<sup>238</sup> However, in 1873, George lost his job as a messenger and the family were struggling for money. In May of that year, Esther, and her sister Sarah Hinton appeared in court. Sarah Hinton, it appeared, had been working as a servant in a house in Belgravia, when her employers had decided to leave for the continent. Although they kept on the housekeeper, they discharged Sarah with relatively little notice. Upon returning to the house, they found

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<sup>235</sup> *PCOM4*; Piece: 70; Item: 22; P: 1.

<sup>236</sup> *Census Returns of England and Wales, 1841*, Class: *HO107*; Piece: 352; Book: 7; Civil Parish: *Fairford*; County: *Gloucestershire*; Enumeration District: 10; Folio: 10; Page: 6; Line: 7; GSU roll: 288765.

<sup>237</sup> Christ Church, Saint Marylebone, Register of banns of marriage, P89/CTC, Item 093. London Metropolitan Archives.

<sup>238</sup> *Census Returns of England and Wales, 1871*, Class: *RG10*; Piece: 124; Folio: 53; Page: 49; GSU roll: 838770.

it 'completely stripped' of anything of value.<sup>239</sup> Sarah was arrested sometime later as she left Dover Gaol, and upon her they found seventy-four pawn tickets.<sup>240</sup> Esther and her son George, short of money, had been sent an affidavit by Sarah which allowed them to redeem one of the stolen pieces – a bronze statuette – from a pawnbroker. Esther was arrested as she attempted to do this, and despite some uncertainty as to whether she had knowingly broken the law, she was sentenced to one month in prison.<sup>241</sup> Several months later Esther and her son were again convicted, this time for receiving more of her sister's stolen property, and she was sentenced to one year in prison, George was sentenced to five years in a reformatory.<sup>242</sup> Two years later, Esther herself was working as a servant, and was convicted of stealing from her employer.<sup>243</sup> After her release, Esther was under a period of four years police supervision. For over the next five years, there was no reported criminal activity for Esther. Her finances had evidently improved as all but one of her children left home, and her husband George was working as a labourer.<sup>244</sup> Casual labouring jobs were not reliable sources of income, and by the summer of 1881, Esther had taken up charring at several houses. Whilst at these houses, Esther used her sister's name and stole several dessert plates, which she gave to her son George to pawn. The court deciding 'evidence as to her guilt being conclusive', Esther was sentenced to five years penal servitude.<sup>245</sup> After her release in 1884, her husband George found employment as a road sweeper, and Esther ceased to offend.<sup>246</sup> Even after George's death, with no more children or grandchildren to support, Esther submitted herself to the workhouse, rather than returning to

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<sup>239</sup> *Lloyd's Weekly Newspaper*, 4 May 1873.

<sup>240</sup> *Ibid.*

<sup>241</sup> *Morning Post*, 9 May 1873.

<sup>242</sup> *England & Wales Criminal Registers*, December 1873, Class: HO 27; Piece: 165; Page: 244.

<sup>243</sup> *England & Wales Criminal Registers*, September 1875, Class: HO 27; Piece: 171; Page: 196.

<sup>244</sup> *Census Returns of England and Wales, 1881*, Class: RG11; Piece: 17; Folio: 120; Page: 30; GSU roll: 1341004.

<sup>245</sup> *Morning Post*, 10 August 1881.

<sup>246</sup> *Census Returns of England and Wales, 1891*, Class: RG12; Piece: 98; Folio: 148; Page: 33; GSU Roll: 6095208.

offending.<sup>247</sup> Esther's criminal career consisted of four offences over a space of eight years. However, three of her offences were committed within one initial eighteen month long crisis period, and after that period, Esther had five years where she was neither in prison, nor offending. She then committed one final offence, before she desisted. The offending of several women in the sample mirrored this pattern of a seemingly lengthy 'offending career', which can be more accurately be described as two or more separate short periods of offending, within a lifetime. In this way, there is a clear distinction between offenders like Esther Pullinger, and those like Catherine Gardiner, who exhibited almost an unbroken string of offending from the ages of fourteen to at least her mid-fifties.<sup>248</sup>

#### Offending, the life cycle, and age at first conviction

Gathering and analysing information on the age of offenders has always provided historians with a particularly difficult task, the study of the Victorian period proves no exception. Age was not uniformly required in the creation of records kept by the criminal justice system, and where a record of age was required, the estimation of a clerk, or perhaps the claim of an offender was often prone to adulteration. For example, the artificial inflation of their own age could see some offenders avoid lengthy sentences in a reformatory. However, where historians have been able to examine crime and those who commit it in relation to age, a wealth of information has been uncovered on the shifting trends in the age profile of offenders. When analysing twenty-five years of indictment committals in the Black Country, Phillips found that the peak age for offending was between eighteen and twenty-three years. Phillips found that up to thirty-five per cent of all offenders each year of the period fell within this

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<sup>247</sup> *Census Returns of England and Wales, 1901, Class: RG13; Piece: 109; Folio: 79; Page: 8.*

<sup>248</sup> See chapter 8.

age bracket, and a further thirty-five to forty per cent of all offenders were listed as aged between twenty-four and forty years old.<sup>249</sup> Phillips also expressed considerable surprise at the lack of any substantial juvenile offender population in the records.<sup>250</sup>

More recently, scholars of crime in the nineteenth century and beyond have sought to profile and explain the trends in age and conviction in a similar way. These works have added much to the discussion of age and crime by considering the age of offenders in relation to the onset of criminal activity as well as the average age of any given criminal population. In their study of late nineteenth century Crewe, Godfrey Farrall and Cox found that over three quarters of their sampled offenders were first convicted after the age of twenty, with only a minority traced as offending before this.<sup>251</sup> King's work on female property offenders in late eighteenth century London is one of only a few works to primarily consider women in this way. King found that the peak age of women at the onset of their offending in the period was at around the age of nineteen to twenty-one. He also claimed that this figure rose to between twenty-two and twenty-three years of age by the first few decades of the nineteenth century, echoing very closely the findings of Phillips' work on the Black Country.<sup>252</sup> King discerned that despite female criminals numbering a minority of the offenders to go through the London courts in this period, female offenders still constituted thirty per cent of all offenders aged twenty-five to forty years old, suggesting that this age bracket too represented a particular crisis period in which women in England were vulnerable to committing an offence.<sup>253</sup> King argued;

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<sup>249</sup> Phillips, *Crime and Authority*, p. 161.

<sup>250</sup> *Ibid*, p. 164.

<sup>251</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 38

<sup>252</sup> P. King, 'Female offenders, work and life-cycle change in late-eighteenth-century London', *Continuity and Change*, 11, 1 (1996), p. 65.

<sup>253</sup> *Ibid*, p. 65.

For both sexes, the often highly mobile period between the usual age of leaving home (mid-teens) and the most frequent age at marriage (early to mid-twenties) was the key period of vulnerability to prosecution...For various social and psychological reasons adolescents and young unmarried adults in many societies and periods have been perceived as both more likely to commit property offences and more likely to antagonize victims and control agencies and therefore more vulnerable to prosecution.<sup>254</sup>

For a host of reasons then, scholars have identified that in the nineteenth century, individuals between the ages of eighteen to twenty-five were particularly vulnerable to the onset of offending, or at least the onset of prosecution for their offending. Despite the problematic classification of younger criminals as juveniles, or the verification of their true ages, it is perhaps surprising that they do not make up a higher proportion of the typical onset age of offenders.

The female offenders of Liverpool and London examined for this study would at first seem to support the work of previous scholars such as Phillips or Godfrey, Cox, and Farrall. The average age on first recorded offence for the women profiled was 23.49 years, when split into their constituent cohorts, the average onset for offending in Liverpool was 21.9 years, and for London 25.08 years. This would initially seem to suggest that as King described, the late teens to mid-twenties represented a particular 'danger period' for women when it came to criminal activity or risk of prosecution. However, although the average age on a first offence in this sample initially appears to reflect the findings of earlier works on age and crime, they are perhaps misleading, artificially inflated by a minority of cases when women were first traced as offending in

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<sup>254</sup> *Ibid*, p. 64.

their late forties and early fifties.<sup>255</sup> When we look at the age profile of these offenders on a first traced offence by cohort and in more detail, some interesting differences become apparent.

**Table 2.1**

		Frequency	Percent
Age group (years)	10-16	30	30.0
	17-25	32	32.0
	26-39	28	28.0
	40-50	9	9.0
	50+	1	1.0
	Total	100	100.0

In London, twenty-two women (44% cohort) were between the ages of seventeen and twenty-five on their first conviction and a further sixteen women (32% cohort) were aged between twenty-six and thirty-nine years. Therefore the majority of women from this city (76% cohort) fell into the age bracket already acknowledged by historians such as King as a period of particular vulnerability to offending. Just seven women were originally classified as juvenile offenders, being between ten and sixteen at the time of their first recorded offence. Likewise, just five women began offending later in life, between the ages of forty and fifty. No woman from London was over the age of fifty when convicted of a first offence. The London cohort of female offenders seem to fit most closely with current historiographical assessment of female age and offending.

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<sup>255</sup> Discussion of such later life 'crisis' offending can be found later in this chapter.



**Table 2.2**

	Age Group on First Offence					Total
	10-16	17-25	26-39	40-50	50+	
London	7	22	16	5	0	50
Per cent of cohort	14	44	32	10	0	100

From Liverpool, twenty-three women (46% cohort) of women had originally been juvenile offenders, first traced as committing an offence between the ages of ten and sixteen - the youngest offender was Ann Connolly, summarily convicted of theft at the age of ten. Ten of the women (20% cohort) of the women were aged seventeen to twenty-five at the time of their first recorded offence, and another twelve women from Liverpool (24% cohort) were aged between twenty-six and thirty-nine years. Surprisingly, this indicates that in Liverpool slightly more women began offending in the six years between the ages of ten and sixteen than in the twenty-two years between the ages of seventeen to thirty nine. Only five women (10% cohort first began offending once aged forty or older. By far, the biggest proportion on Liverpool's offenders were sixteen or under at the time of their first offence.

**Table 2.3**

	Age group on first offence					Total
	10-16	17-25	26-39	40-50	50+	
Liverpool	23	10	12	4	1	50

Per cent of cohort	46	20	24	8	2	100
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Those aged between ten and sixteen at the onset of their offending constituted almost one third of the entire sample of offenders, this is much higher than suggested by previous studies, and perhaps was particular to female offenders. Fourteen was the most common single age at which a woman would begin offending, eleven female offenders became involved in criminal activity at this age. This is a contrast to Lucia Zedner's finding that 'women committed to local prisons tended to be older than men. They appear to have been less likely to have begun their criminal careers in their teens, and so became embroiled in the criminal justice system later.'<sup>256</sup> In her own study, Zedner was able to observe that women came to prison only after they had defied the efforts of industrial schools and reformatories.<sup>257</sup> Whilst this may have been the experience of many women - of whom unknown numbers ceased offending after incarceration in a reformatory or industrial school and therefore never progressed into the criminal justice system, Zedner's work only considered women who had been tried at the quarter sessions, rather than those tried at the petty sessions, therefore missing a key stage in the life and offending of young women – many of whom may well have begun offending earlier than Zedner suggests, but at a lower judiciary level.

From the sample of offenders in this study, just four of the women who offended before the age of sixteen had previously served, or were sentenced to time in a reformatory. Many no doubt claimed to be older than they actually were upon arrest in order to avoid serving time in such an institution. Increasing her age by one or two

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<sup>256</sup> Zedner, *Women*, p. 156.

<sup>257</sup> *Ibid*, p. 157.

years could see a female offender serve just weeks or months for a summary offence, rather than a three or five year sentence in a juvenile institution. Bridget O'Donnell was tried as an adult and served six weeks in prison for larceny in 1856, despite being just fourteen years old at the time.<sup>258</sup> Like Bridget, the overwhelming majority of women appear to have begun offending and entered directly into the prison system.

Godfrey, Cox and Farrall found that most juvenile offending for boys and young men did not continue into adult life, yet, for the serious female offenders of Liverpool and London the early onset of offending most commonly led to sustained and repeat offending.<sup>259</sup> On average the young female offenders would be involved in criminal activity for a duration seventeen to nineteen years (including prison time) and would commit on average around twenty offences. These women no doubt went on to swell the ranks of those offenders convicted in their late teens and early twenties, yet the circumstances that determined the onset of their offending were experienced years earlier. For many, the early onset of offending could herald a spread of convictions that could last a lifetime. This very much echoes Godfrey's findings, when he sampled female youth violence in the towns of North West England, Australia, and New Zealand. Godfrey found that although the rate of male offending peaked at an earlier age than that of their female counterparts, male offending declined much more sharply in later life, compared to the gradual and steady offending 'career' carved out by women.<sup>260</sup>

Offenders Elizabeth Grace, Alice Ann Rowlands, and Ann Greenfield are all good examples of this type of early onset experience. Elizabeth Grace first began to offend

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<sup>258</sup> *England & Wales Criminal Registers*, October 1856, Class: HO 27; Piece: 114; Page: 58. See also; *Liverpool Catholic Church Registers. Ford Cemetery Register*, (Liverpool, England), May 1898.

<sup>259</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 39

<sup>260</sup> Godfrey, 'Rough Girls', pp. 28-29.

at the age of fourteen, when she became involved in street violence with three acquaintances.<sup>261</sup> Over the next sixteen years the same shambolic existence that saw Elizabeth offend at such a young age saw her to continually and habitually offend. In between sporadic property thefts, Elizabeth was brought before local magistrates eighteen times.<sup>262</sup> The case of Ann Greenfield was remarkably similar to that of Grace, her offending began at the age of fourteen, and in a twenty year period that followed, Greenfield was convicted forty-nine times, for various public order offences as well as property crimes. Similarly, Alice Ann Rowlands was first convicted of the theft of money at the age of just twelve, not only did she repeat this offence several times, but in the following thirteen years she was also convicted of drunkenness, riotous behaviour, workhouse offences, and housebreaking.

Although Godfrey, Cox and Farrall only found a minority of their sampled offenders began an involvement in crime before the age of twenty, *Criminal Lives* did uncover that persistent offenders tended to commence criminal activity earlier than those who offended just once.<sup>263</sup> This trend can also be found in the sample of female offenders in this study. In every case where an individual committed just one offence, the offender was between the ages of twenty-one and forty-five when the crime occurred. Whereas the most sustained and prolific cases of offending came from those that began offending before the age of twenty. This historical perspective on the pattern of offending has many parallels with modern day criminological assessment of the life cycle and offending. Pat Carlen argued that 'the early imprisonment of young women combines with prevailing economic and ideological conditions to minimise . . . the

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<sup>261</sup> *Liverpool Mercury*, 25 July 1871.

<sup>262</sup> *PCOM4*; Piece: 68; Item: 11; P:1.

<sup>263</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 39

likelihood of their having either future opportunities to make the class deal or the gender deal'.<sup>264</sup> It would appear that the link between the early onset of offending and perpetual recidivism amongst women is not solely a plight of the modern era, but a trend with a significant historical precedent.

Catherine Murphy was the most prolific offender in the entire sample of women from the two cities. She began offending from an early age, and went on to have a lengthy and constant spread of offending.

Catherine was born in 1847 in Blackburn. She was the daughter of two Irish immigrants, a general labourer and his 'mat maker' wife – Daniel and Bridget Kenny. By the time Catherine was four, the Kenny's were living in James Buildings, Collingwood Street, in the notorious North of Liverpool's city centre.<sup>265</sup> Daniel Kenny died when Catherine was just six years old.<sup>266</sup> By 1861, the family had disbanded - Bridget lodged with friends in the north of the city, Catherine and her thirteen year old brother Daniel had been sent to institutions.<sup>267</sup> It is perhaps unsurprising that it was from this point onwards Catherine began to offend. Catherine's criminal activity began primarily as a number of regular petty offences. Her earliest offences were public order infractions, such as drunkenness, and by her late teens she had progressed to property offences. Catherine's first notable term of imprisonment was at the age of seventeen, when she served three months hard labour for the theft of a box.<sup>268</sup> Many of Catherine's subsequent terms of imprisonment were determined by her notoriety with the local police. Catherine was frequently arrested on charges of being a

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<sup>264</sup> P. Carlen, 'Women's Criminal Careers', in D. Downes (ed.), *Unravelling Criminal Justice: Eleven British Studies* (London: Macmillan Press, 1992), p. 207.

<sup>265</sup> *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 2176; Folio: 247; Page: 75; GSU roll: 87169-87171.

<sup>266</sup> General Register Office. *England and Wales Civil Registration Indexes*. Liverpool, Lancashire, Vol 8b, p. 19.

<sup>267</sup> *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 2666; Folio: 3; Page: 4; GSU roll: 543009.

<sup>268</sup> *England & Wales Criminal Registers*, November 1864, Class: HO 27; Piece: 138; Page: 45.

'vagabond' a 'rogue', 'failing to account' for herself or her whereabouts, or for 'felonious intent'. One such example came in 1869, when Catherine was twenty-two years old. The *Liverpool Mercury* reported:

Catherine Kenny, a woman well known to the police was committed to hard labour for three months for frequenting a place of public report with intent to commit a felony. She was apprehended this morning in the market in Fox Street as a suspicious character, and dropped three cucumbers. A number of cucumbers and bunches of herbs were found on her for which she could not satisfactorily account.<sup>269</sup>

Over the next decade, Catherine was convicted of over fifty offences, ranging from just a few days, to a year in prison.<sup>270</sup>

In 1880, aged, thirty-three Catherine Married John James Murphy, a widower with whom she had been cohabiting for some time.<sup>271</sup> Although a number of both historians and criminologists have found strong links between marriage and desistance, for Catherine this was not the case.<sup>272</sup> Her petty offending continued. Fairly rapidly, Catherine's erratic lifestyle and drinking problem also impacted upon her relationship with John. In 1881 Catherine was indicted for the crime of maliciously wounding her husband and sentenced to five years penal servitude.<sup>273</sup> Although this sentence marked both the beginning and end of Catherine's serious offending, by the time of her incarceration and the age of thirty-four, Catherine had been convicted of seventy offences, the likelihood

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<sup>269</sup> *Liverpool Mercury*, 4 September 1869.

<sup>270</sup> PCOM4; Piece: 54; Item: 12; P;1.

<sup>271</sup> Reference Number: 283 NIC/3/85. Liverpool Record Office.

<sup>272</sup> Stephen Farrall's work (see; S. Farrall, *Understanding Desistance from Crime: Emerging theoretical Directions in Resettlement and Rehabilitation* (New York: Open University Press, 2005), p. 5.) gives a comprehensive overview of the current discussion amongst current criminologists and sociologists as to the role of marriage or the formation of serious partnerships in offending careers. Many have found that both historically and currently for male offenders desistance can be strongly related to either one of these events. However for women there remains a limited number of studies. For further discussion of 'assortive mating' and female offending please see section on lifestyle and associates.

<sup>273</sup> *England & Wales Criminal Registers*, April 1881, Class: HO 27; Piece: 189; Page: 42.

being that she committed many more. Catherine returned to live with John after her release from prison, and died in Liverpool at the age of forty-nine.<sup>274</sup>

The life experience of Catherine Murphy is, in many ways, typical of many early onset and repeat offenders in this study, and particularly those from Liverpool. Those with a large number of summary convictions, like Catherine, were often caught up in a perpetual cycle of recidivism. Multiple offences in the same geographic area would quickly render an offender recognisable to the authorities, the effect of which was two-fold. The movements of such an offender would be more heavily watched by local police, and thus their subsequent offences were more likely to be detected, but secondary to this, all of their activities and movements might be seen as more suspect than they were in reality, leading to heavier instances of convictions for 'being a known rogue' or vagrant, for 'failing to account' 'feloniously loitering' or for being a 'suspect person'. This led to an increased number of appearances in court, and convictions and so the cycle continued. Incidents of this type of experience are much higher in the sample of Liverpool women, who were as likely to commit over fifty offences as they were to commit just one.

For other offenders, their first conviction came substantially later in life. Ten women from the sample (five from each cohort) began offending at age forty or above. In contrast to the early onset offenders, older onset offenders all committed under ten offences during their lifetime, with the average number of offences being around four convictions per woman. Unsurprisingly, the period for which an older onset offender was involved in crime was also much shorter,

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<sup>274</sup> *Liverpool Catholic Church Registers*. Liverpool, England. Liverpool Record Office.

the average being around seven years - well under half that of early onset offenders. For these offenders, crime more often came as a response to a particular crisis or stimulus, rather than general mode of life or background. Uniformly, these women were convicted of property offences only rather than violent or public order crimes.

Sarah Jones and her husband John were originally from Monmouthshire, Wales. During the 1850s John and Sarah moved to Liverpool. John took work as a labourer in *David Roberts Son & co.* Timber Merchants, based in the north of the city. John worked at the saw mill for 'many years', during which time Sarah and he lived a poor but respectable existence.<sup>275</sup> The first discernible trace of Sarah's offending was in 1876 when she was forty-six and John fifty-nine. Sarah was sentenced to three months imprisonment for the theft of a shawl.<sup>276</sup> Sarah then served subsequent terms of imprisonment in 1877, for stealing fifty-five yards of fabric, and 1878 for the theft of another shawl.<sup>277</sup> Sarah's fourth and final offence was in 1879, when she was convicted of stealing another shawl, and sentenced to five years imprisonment.<sup>278</sup> This short period of persistent offending correlated directly to the deterioration of her husband's health. A letter from John's employer indicates that John's health had been in steady decline and had impacted upon his ability to work. After Sarah was sentenced to penal servitude in 1879, John was taken from their home to the Haydock Lodge Pauper Lunatic Asylum, in order that proper care could be given to him.<sup>279</sup> The

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<sup>275</sup> PCOM4; Piece: 49; Item: 17; P: 11. See also: *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 3791; Folio: 126; Page: 50; GSU roll: 841898.

<sup>276</sup> *England & Wales Criminal Registers*, October 1876, Class: HO 27; Piece: 174; Page: 107.

<sup>277</sup> *England & Wales Criminal Registers*, February 1877, Class: HO 27; Piece: 177; Page: 23. And *England & Wales Criminal Registers* April 1878, Class: HO 27; Piece: 180; Page: 46.

<sup>278</sup> *England & Wales Criminal Registers*, December 1879, Class: HO 27; Piece: 183; Page: 122.

<sup>279</sup> PCOM4; Piece: 49; Item: 17; P: 11.



onset of Sarah's property offending would seem to directly relate to her husband's ill health, whether that be on account of a financial crisis occasioned by his inability to work, or perhaps the added cost and burden of his care. Incidentally, on her parole from prison, Sarah did not gain any further convictions. This would seem to coincide with her no longer being responsible for John's care. Similarly, the onset of Margaret Francis' property offending took place in the two years immediately preceding her husband John's death in 1878 and concluded two years after his death.<sup>280</sup> The death of a spouse or the illness of a family was of course not the only experience of women who began offending later in life. However, whether it was a period of economic crisis, a bereavement, or a personal crisis such as addiction, all of the women who began offending at a later age appeared to be responding to current circumstances.

With such differences in number of offences committed, and length of offending career, it is clear that For example, whilst their offences might have been mainly against property, early onset offenders also commonly obtained convictions for public order infractions such as drunkenness, or violent offences – particularly with other young offenders. The offending patterns of those that began criminal activity at an early age appear to more closely relate to background and environmental factors, as opposed to late onset offenders, who, as discussed, were more commonly reacting to a specific personal or economic stimulus.

In terms of gender, the sample from this study would seem to suggest that proportionally, rather entering the criminal justice system later than their male

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<sup>280</sup> *England & Wales Criminal Registers*, February 1876, Class: HO 27; Piece: 180; Page: 219. See also: *England & Wales Criminal Registers*, February 1880, Class: HO 27; Piece: 186; Page: 178. And: *England and Wales Civil Registration Indexes*. London, England: 1878 Vol.1a, p. 432.

peers, women were almost as likely to experience the onset of criminal activity aged sixteen or under, as they were to experience it between the ages of between seventeen and twenty-five. A woman's age at her first conviction could go on to determine the length, scale, and character of her criminal career.

### Accomplices and Victims

Just over half (52%) of the sampled women could be traced as working with other people for at least one of their offences. The rate of women who worked with others may be much higher, instances where an accomplice was not convicted alongside an offender, or where an accomplice was not caught, often leave no record. For the most part women seemed to offend with other women. One woman worked with a male accomplice and a female accomplice on separate occasions. Twenty-seven of the offenders (27%) were apprehended alongside at least one other woman, a further eleven of the women worked with both women and men in group endeavours. These could range from a network of men and women involved in the process of creating and distributing counterfeit currency, to a group of young men and women perpetrating a violent attack on a neighbour. Only thirteen (13%) of the women could be traced as working alongside or under the instruction of men alone. In the cases where this was evident, the woman almost uniformly appears to have been romantically attached to the man in question.<sup>281</sup>

There was very little difference between the two cities in the likelihood of women acting with an accomplice. In Liverpool, exactly half of women (50% cohort) were found to have offending colleagues, in London just over half (54% cohort) did. There was, however, some difference in the type of accomplice women were likely to have in

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<sup>281</sup> Emsley, *Crime and Society*, Pp. 98-101.

each city. Whilst in both cohorts women were mainly the accomplices of other female offenders, and there was virtually no difference in the number of these, in London, the women were three times as likely to commit crime with a male, as they were in Liverpool. Likewise, it was over twice as likely that women in Liverpool would perpetrate an offence as part of a group of men and women as it was for women in London to do so.

The victims of the crimes the female offenders committed tended to be much like the offenders themselves. The majority of victims were working-class. This is true in all of the cases of violence, and in many of the cases of property crime. The notable exceptions being the larcenies committed by women working as servants, or the few cases of burglary that the sample contained. These usually tended to take place at more affluent houses where the proceeds were greater. There was also one case where expensive west London boutiques were targeted by female shoplifters. Most of the crimes, both property and violent offences carried out by the women, occurred in their local areas (particularly in Liverpool). The ability to blend-in and go unobserved was key for the carrying out of successful property crimes. In cases of violent crime, all of the women were acting against those they knew and associated with. In cases of either type of crime this meant that the women's neighbourhoods and their neighbours were usually the primary targets. In this sense, it is important to remember that crime was not always a one way street, several of the women in the sample can be traced as being victims of crime themselves. Godfrey, Cox and Farrall noted that the belief that "offenders" and "victims" form distinct groups in society' has in recent years been undermined by many criminological and sociological studies.<sup>282</sup> Further to

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<sup>282</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 148.

this, such studies have suggested there are several links between the type of crime and individual might commit, and the type of crime they are most likely to fall victim to. For example, those who lived a life in which interpersonal violence was a regular feature, and who carried convictions for violent offending, were also likely to be on the receiving end of violent offences. Bridget O'Donnell was a prostitute, a thief, and also someone who held several summary convictions as a result of violent confrontations with fellow prostitutes, and neighbours. In this context, it is perhaps unsurprising that Bridget was also a victim of violent crime. On one occasion, when she attempted to reprimand the daughter of her neighbour, William McBride, in a court on Paul Street, he took a knife and stabbed her in the forehead.<sup>283</sup>

Victims of the female offenders were almost always adults. Other than the cases of child stripping or the five instances of violence towards children, all of the victims for the multiple offences that the women carried out were adults. The women also tended to prey upon other women. In the three group offences, the women all killed a man, but it evidently took a group of them to do it. Violent crimes committed by a lone woman against a man were virtually non-existent. This is not indicative of a lack of motive or opportunity for such offences to take place, but because in a situation of interpersonal violence between a man and a woman, women 'tended to lose the fights', on account of men being physically stronger.<sup>284</sup> Men did appear as the victims of a range of the women's property offences, particularly when women were able to obtain items of men's clothing or their personal items – watches, jewellery, or money after intimate interactions with them. But again, men as victims of female property crime were not as common as women. For practical reasons, men offered a stronger

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<sup>283</sup> *Liverpool Mercury*, 27 February 1857.

<sup>284</sup> Tomes, 'A "Torrent of abuse"', p. 333.

adversary were women to be caught in the act of stealing. A grown man was likely to be able to restrain and detain a female offender until a policeman materialised. The female offenders would have a reasonable chance of winning a confrontation with a female victim. Additionally, some of the proceeds of theft, such as a shawl, a dress, petticoat, skirt, or children's clothes, were much less conspicuous to flee the scene of a crime with than a pair of men's boots or trousers.

### Aliases

Unsurprisingly for a sample of serious and habitual offenders, the majority (60%) of the female offenders used one or more aliases during their period of criminal activity. This is once again much higher than what was typical for the average male offenders of the *Serious Offenders* study, in which only around one third of offenders used aliases.<sup>285</sup> On average women would have two aliases. However, some women used up to six known aliases throughout their life. A minority of the women used personal aliases – the names of friends, or more often, the surname of one or more current paramours. For example, Jane Colebrook from Liverpool was originally convicted under her own name in the late 1860s and early 1870s. In the next few years Jane had a relationship with a man named Hynes, and the two had an illegitimate child. While Hynes and Colebrook were in a relationship, Jane used his surname, and was convicted under it in 1874. However, when the two parted ways she went back to using her own name, Colebrook, and was convicted under it in 1875. A few years later however, Jane was trying to avoid recognition as she stole a skirt, and once again used the name Hynes.<sup>286</sup> Likewise, Bridget Lacking would change her name to that of her current paramour and

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<sup>285</sup> Godfrey, Cox and Farrall, *Serious Offenders*, p. 132.

<sup>286</sup> PCOM4; Piece: 51; Item: 20; P:1

was arrested under a string of different names including Harris, Cable, and Connor.<sup>287</sup>

Apart from a few exceptions such as Colebrook and Lacking, the minority of women who used personal aliases appear to have been more of a reflection of how each woman was constructing her own identity at that time – most often as a common-law wife – than as an attempt to evade conviction or a heavy custodial sentence.

Most women used professional aliases and seemed to do so for the purpose of obscuring their true identity from the police and authorities. Their objective was either that of not being identified correctly on a first offence, or more often, as a bid to avoid being connected to earlier offences. Women would also give these names in the act of committing crimes, so that witnesses might give statements that would not lead back to them. As far as can be traced, the professional aliases women chose did not use any part of the names of existing friends and family. Instead, professional aliases would most commonly be adulterations of their own name – perhaps the first name changed, or the last name slightly altered. Some used a new name altogether. For example Sarah Ready was first arrested at the age of fourteen, and gave her name to the authorities as Sarah Reegan. After serving three years in a reformatory, keen to avoid another lengthy sentence, the next time she was arrested, Sarah gave the last name of Edgecock. After this she also used the names Mary Keefe, and Kate Keating.<sup>288</sup> The more prolific a female offender was, the more likely she was to have a plethora of aliases with which to avoid identification. Mary McAvoy was convicted eleven times over a thirty-nine year period. During this time, she was known to use the names Ann Smith, Ann McAvoy, Ann McGrath, Mary McDonald, and Jane Smith. Of course, with

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<sup>287</sup> *PCOM4*; Piece: 72; Item: 5; P:1

<sup>288</sup> *PCOM4*; Piece: 62; Item: 13; P:1.

women using multiple aliases, there is every possibility that they used many more to commit other offences, but were never traced to these crimes.

The use of aliases suggests a level of professionalism amongst some of the more prolific offenders. These were women acting in full knowledge of the risk they took, who mitigated that risk as best they could. Twenty-four of the women in the Liverpool cohort (24% sample /48% cohort) used aliases, and thirty-six of the women in the London cohort used them (36 % sample / 72% cohort). It is clear the use of aliases was popular with women in both cities. However, as Godfrey, Cox and Farrall suggested, they were especially effective if an offender shifted location as well as name.<sup>289</sup> This appears to be why they were more often used by women in London. The large scale of the capital gave many female offenders the opportunity to move about its different localities, reinventing themselves after each offence or conviction, or indeed at any chosen moment. The change of not just name, but location and associates too, seems to have been a particularly popular method for repeat offenders. Jesse Burt used a number of professional aliases during her ten years of offending, moving around London as she did so. It was a tactic that proved so effective that when on trial for uttering a false coin under the name of Jesse Batchelor, the judge was so uncertain whether to charge her with 'previous conviction of a felony' that the warden of the House of Correction at Westminster had to be bought in to testify that, 'the prisoner is Catherine Maloney, she was in the House of Correction, and I saw her daily for twelve months'.<sup>290</sup> It is unclear how many convictions Jesse was able to deny by using other names. Whilst the women in Liverpool were perfectly at liberty to change their names, the smaller size of the city, and the concentration of working-class communities in

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<sup>289</sup> Godfrey, Cox and Farrall, *Serious Offenders*, p. 132.

<sup>290</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 02 October 2013), June 1873, trial of JESSIE BATCHELOR (30) (t18730609-379).

certain areas, meant that avoiding recognition from victims, neighbours, or authorities, was more problematic, even with the use of an alias.

### Offending and Mobility

Most of the sampled female offenders lived their entire adult lives in the same place. Whether it was Liverpool or London, women offended in the city, served time in prison, and then due to social or family connections, or just familiarity, they returned to live in the same place upon release. Although at the beginning of the Victorian era it was thought that those responsible for crime moved in and out of major cities, looking for opportunities to commit crime in the 'unpoliced countryside', there is little evidence of this amongst the sampled women.<sup>291</sup> Ninety- three (93%) of the women were only ever convicted of offending in their cohort city. All of these women returned to live in their cohort city after serving years of penal servitude in a convict prison. There is of course, the remote possibility that these women were able to slip to other areas of the country and commit offences undetected there. However, as most can be traced over a number of decades living in and around the same locality where they were being convicted of varying offences, it seems illogical that each woman would not have committed all of their offences out of town and under the radar of authorities, if such an opportunity were available to them.

Unlike studies of male habitual offending that found around half the sampled offenders to be peripatetic – regularly moving round the country to work or offend – this does not appear to have been common for female offenders, despite the obvious advantages.<sup>292</sup> The female offenders may have chosen to stay in the cities because of the relative anonymity such locations provided, for employment opportunities

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<sup>291</sup> Archer, *The Monster Evil*, p. 5.

<sup>292</sup> Godfrey, Cox and Farrall, *Serious Offenders*, p. 128.



(although this is less likely to be the case in Liverpool), or perhaps largely because of the support and social networks of family and friends each had in the area, not to mention the responsibilities that came with motherhood and family life.

Only seven offenders in the entire sample, one woman, Mary Lappin, was born and lived for most of her life in Liverpool, committing over ten offences there. Towards the end of her life, whilst on licence from another sentence of penal servitude, Mary travelled to nearby Chester in the hope of not being caught whilst she stole three pounds of Mutton.<sup>293</sup> For the other six women, each began offending in an area closer to where she was born and was convicted there. The women were then sent to convict prisons in London where they served their sentences. Upon release, for either personal or financial reasons, these women did not return to the locations they had come from, but stayed in the capital and offended there. Interestingly, two women from the London cohort – Ellen Cooper and Mary Williams - had originated in Liverpool, but had been sent for penal servitude in London and continued to offend in the city when they were paroled.

Another, Mary Ward, was born in West Bromwich, Staffordshire, in 1843. From her early twenties Mary moved to live and work in nearby Birmingham. Once there, she gained five summary convictions for stealing, two for intent to commit a felony, and one for being drunk and riotous. In 1874, Mary was charged with her tenth offence – stealing household items and wearing apparel – and she was sentenced to seven years penal servitude.<sup>294</sup> Mary served her time primarily in Millbank Prison, before being released on parole and sent to a refuge in Finchley in 1878.<sup>295</sup> After she left the refuge,

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<sup>293</sup> *PCOM4*; Piece: 55; Item: 24; P:2.

<sup>294</sup> *Birmingham Daily Post*, 30 October 1874.

<sup>295</sup> *PCOM4*; Piece: 68; Item: 6; P:21

Mary appears to have had neither the means nor inclination to return to Birmingham. She offended in London in 1880, and was tried at the Old Bailey for the theft of boots. She served one month for this offence on top of the requirement that she finish her previous sentence due to breaching the conditions of her licence. Mary was released on 14 March 1883, but with no money and no contacts in London, she offended almost immediately, and was sentenced to a further five years in prison.<sup>296</sup> When released Mary remained in London, and in subsequent years she spent more time in a refuge before she died in 1905. Like Mary Ward the women who came from outside London were almost all habitual offenders by the time that they arrived in the capital. Whilst the majority of women that offended elsewhere in England were able to return to their original locations, for the few that were not, like the six women in the sample, the reality of life in London with no support network and no money proved a catalyst for reoffending rather than reform. The experience of these women was clearly atypical. Most women did return home after spending time in a convict prison.

As adults, virtually all of the women remained living and offending in the same city. The contemporary press suggested that the problem of crime in cities was largely caused by the toxic environment provided by the slums of a city's poorest districts. If born into these areas, fate would 'appear to be against [a] child becoming anything else but a criminal'.<sup>297</sup> Major cities were perceived to be both the creator and victim of successive generations of criminals, who were bred in the streets they would later go on to terrorise. However, not all of the female offenders operating in the cities of Victorian England were there through chance. Some were there by choice. Forty-nine of the sampled women (49%) were born in their cohort city. Here they remained and

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<sup>296</sup> *England & Wales Criminal Registers*, March 1883, Class: HO 27; Piece: 195; Page: 184.

<sup>297</sup> *Liverpool Mercury*, 25 December 1879,

offended for the majority, if not all, of their lives. The other fifty-one women (51%) in the sample – were born elsewhere. They left this location, and came to reside in either Liverpool or London.

**Table 2.4**

		Born in city?		Total
		no	yes	
Cohort	Liverpool	24	26	50
	London	27	23	50
Total		51	49	100

Sixteen Irish migrant offenders made up the majority of those born outside the city for the Liverpool cohort. They were a mix of adult and child famine migrants. The adult Irish migrants do not have any record of offending from their time in rural Ireland. When they moved to England they came seeking food, employment, and a new life, but found their destinations hostile and unforgiving. The subsequent property crimes of these women are unsurprising.<sup>298</sup> The other Irish migrants were children who came to England either alone or with older family members and thus had not had the

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<sup>298</sup> See Chapter 5.

opportunity to become offenders before leaving their place of birth. There were eight other women who were born outside of the city. Four of these women were children when they moved to Liverpool with their families, and thus it is impossible to say whether they would have still offended had they grown up in their birth location. The other four women were adults when they came to Liverpool, three came from nearby in the rural villages of Lancashire, such as Woolton and Childwall, close to the city, they came looking for work, or for marriage. The other came from nearby North Wales with her husband, in search of work. It cannot be said of any of the offenders from the Liverpool cohort who were not born in the city – with the exception perhaps of Sophia Martha Todd – that they came to Liverpool with the express intention of committing crime. Most of the adults resided in Liverpool for some years before their first traceable offence.

More women in the London cohort were born outside of the city than were born within it. Five of the women were Irish migrants who had a very similar experience to those in the Liverpool cohort. Of the other twenty-two women (22%), all but three of them came to London as adults. Six of the women are already accounted for – those offenders who had committed crime in previous localities and then continued to commit crimes once they arrived in London. The rest were women who originated from rural locations and agricultural worker families. Birth locations for these women were diverse, ranging from those fairly near the capital such as Essex and Kent, to those as far afield as Staffordshire, Dorset, and Wales. Most came as young women seeking work, and apparently turned to offending when a sufficient living did not materialise. Mary Brown, for example, left rural village of Winbourne Minster in Dorset between the ages of sixteen and twenty, looking to make a new life for herself in the

capital. However, by the age of twenty-two Mary appears to have failed to establish herself sufficiently. Cut off from friends and relatives, she began working as a prostitute, and was subsequently arrested for the theft of customer's belongings.<sup>299</sup> Charlotte Ennifer, on the other hand, was born in Great Clacton, Essex, into a family of agricultural labourers.<sup>300</sup> She married Henry Ennifer, a fellow resident of Great Clacton, in 1847 and the couple went on to have three surviving children. By 1861, the family had moved to London, whilst Henry attempted to make a living as a shoe maker.<sup>301</sup> The family prospered until Henry's death in the early 1870s, at which point Charlotte was faced with the prospect of supporting her family alone. This task proved difficult, as Charlotte was in her early forties, and appears to have had no experience of paid employment.<sup>302</sup> By the mid-1870s, Charlotte's children were living elsewhere, and she was making a living through uttering counterfeit coins.<sup>303</sup> Other women appeared to have arrived in London and constructed a life for themselves until a personal crisis began their journey to offending. Both Mary James and Emily Church survived in the city before the cost of accommodation and childcare became too much. This led both women to make a desperate attempt on the life of their own child. Lucy Brent moved to London for a romantic relationship and then attempted suicide and undertook prostitution when it broke down, and Mary Plant lived well enough with her labourer husband Edward until he was taken into an asylum in 1877, at which point she began property offending.<sup>304</sup>

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<sup>299</sup> *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 1854; Folio: 380; Page: 18; GSU roll: 221001. See also: *Lloyd's Weekly Newspaper*, 4 July 1858.

<sup>300</sup> *Census Returns of England and Wales, 1841*, Class: HO107; Piece: 338; Book: 10; Civil Parish: Great Clacton; County: Essex; Enumeration District: 9; Folio: 11; Page: 16; Line: 10; GSU roll: 241376.

<sup>301</sup> *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 288; Folio: 45; Page: 53; GSU roll: 542607.

<sup>302</sup> See chapter 8.

<sup>303</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 02 October 2013), December 1876, trial of GEORGE WARREN (64) ELIZABETH ENNERTON (49) (t18761211-140).

<sup>304</sup> PCOM4; Piece: 61; Item: 8; Pp: 13-17. See also: *Morning Post* 18 December 1877.

Across the entire sample, offenders born in their cohort city tended to begin offending earlier than those born outside of the city. Women born in either Liverpool or London were on average aged twenty and a half years at the time of their first traced offence. Those that were born outside of the cohort cities and moved into them were on average aged twenty-six and a half years on their first offence. There seem to be two main reasons for this. Most of those women who were born in their cohort city were exposed to the environmental factors present in offending much earlier – be that poverty, overcrowding, and social ostracism, or poor employment prospects. These women thus turned to offending earlier to navigate these problems. Those that had been born in cohort cities were also exposed to a greater example of offending (violent or property) as the norm from an early age. Women who moved into cohort cities as adults not only came mostly from rural areas, where the same examples of offending would not have been presented to them, but they also became effected by the socio-economic factors related to crime later in life, and thus began offending later in life. For the women that moved to the cohort cities from elsewhere in England as children, although they may well have matured in environments where offending was somewhat normalised, and they may even have been subject to some of the same socio-economic factors as those born in the city. However, these women tended to experience the breakdown of their family units less often, or at least later than many of those born in the city.

### Conclusions

Serious female offenders were likely to have more than one indictment during their years of offending, but fewer than five. Most women also had several summary

convictions -in many cases ten or more – for property and violent offences, but more often for public order offences such as drunkenness, disorder, and wilful damage. Convictions at the summary level were more common for female offenders than indictments. The female offenders were almost all habitual offenders, and whilst the average number of offences per individual was twelve, women could accumulate anywhere between two and seventy offences over their lifetimes. The age at which the onset of criminal activity occurred was key in determining the way in which –and why- a female offended. Further to this, these differences in themselves appear to suggest that perhaps, age at first conviction was itself indicative of a way of life that fostered offending, and the different types of offending these existences could lead to. The early onset offenders were not only more likely to offend more frequently and over a longer period of time than their older onset peers, but they were also more likely to involve themselves in multiple types of offending. The majority of women sampled for this study had begun offending before the age of twenty-five, the age identified by previous histories as the peak age for female offending.

Whilst men and children could feature as both the accomplices and victims in cases of female offending, in broad terms, both property and violent offences seem to have been something carried out with other women, and against other women. It was common for women to use aliases as an attempt to avoid identification for current offences, or to avoid association with their criminal records. The success of this tactic depended heavily on location. Lastly, the women were as likely to originate outside of the cities they offended in as they were to be born and raised within them. Those born in the city tended to offend earlier in life than those outside. However, what is clear is that once in a location, women tended to put down roots, committing offences in their

neighbourhoods, or just outside of them, and rarely leaving, despite multiple and lengthy imprisonments, and a seemingly perpetual cycle of identification, conviction, and recidivism.



## Chapter Four: Female Offenders and Social Class

The links between crime and social class have been the subject of much historiographical attention. As Emsley rightly observed, most of the offenders brought before the courts 'came for the poorer sections of society and, as a consequence as the discourse of 'class' became more and more central to the analysis and perception of society, so criminality tended to be seen as, essentially, a class problem'.<sup>305</sup> He added that the shared social background of the overwhelming majority of offenders made it logical for commentators to suggest that crime was a result of characteristics specific of the lower social orders.<sup>306</sup> Whilst Victorian perceptions of innate links between class, moral and physical degeneration, and crime have been disputed by historians, the question remains: was an individual's social class a defining factor in their likelihood to offend, and more importantly, if so, why?

Considering the social class of their subjects has long posed difficulty to historians, who have struggled to fully incorporate issues of both gender and lived experience in discussions of class formation and identity. Rose admitted that 'scholars have continued to conflate class position with class experience'.<sup>307</sup> When dealing with women rather than men, others have argued that 'the usual determinates of class are not straightforward'.<sup>308</sup> Thus the traditional information and techniques used by scholars to determine the social class of historical groups become problematic when applied to the lives and experiences of the individuals in this study. There have been

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<sup>305</sup> Emsley, *Crime and Society*, p. 57

<sup>306</sup> *Ibid*, p. 88

<sup>307</sup> S. Rose, *Limited Livelihoods: Gender and class in Nineteenth Century England* (Berkeley: California University Press, 1992), p. 18.

<sup>308</sup> Holloway, 'Writing Women In', p. 182.

three predominant ways in which scholars have used historical data to assess the class of various groups and individuals in the Victorian period. Most commonly, information regarding the occupation of individuals, utilising the sub-inquiries of skill, regularity of employment, and financial remuneration, have allowed for a socioeconomic class to be assigned. Those historians that have primarily organised class by economic position and power, as derived from occupation, have stressed that 'working people were subordinated to those who employed them' both economically and socially speaking.<sup>309</sup>

Class classifications based solely upon economic power, and its impact upon social position, do not always consider the impact of gender on labour opportunities, nor for the scarcity of accurate occupational data recorded for women.<sup>310</sup> Despite some resistance, most historians working on the history of women, labour and class have recognised that gender was central to economic relations, and that in this sense discussions of class require continued re-evaluation.<sup>311</sup> Scott noted that definitions of class do not always work to the favour of female historical subjects as 'class is, in its origin and its expression, constructed as a masculine identity'.<sup>312</sup> The work made available to women and the contemporary perception that such work was inherently less valuable and of a lower status than that carried out by men, saw almost all female paid employment categorised at the lower end of the socioeconomic scale. Women were less likely to find themselves in a position of employing others, they were also less likely to have opportunities and freedoms to operate as self-employed agents. For the majority of women that found themselves undertaking paid employment, their

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<sup>309</sup> Rose, *Limited Livelihoods*, p. 18.

<sup>310</sup> See chapter 8.

<sup>311</sup> Rose, *Limited Livelihoods*, pp. 7-8.

<sup>312</sup> J. Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988), p. 72.

work was almost invariably confined to the 'lowest levels of skill and income'.<sup>313</sup> Trades thought of as specifically female were unlikely to be perceived as skilled or prestigious. Likewise, women were unlikely to be allowed to train in skilled occupations, requiring years of formal training through apprenticeships. Working women could almost uniformly expect to earn lower wages than male colleagues in their industry or similar areas of the labour market. Thus, those judging social class solely by indicators of occupation, and by contemporary categorisation of skilled employment, will be prone to find working women always at the bottom of the socio-economic scale.

Others have suggested that 'women's *social* mobility is not, in fact, defined by their own occupational experience, but rather by the status of her husband in comparison of that of her father'.<sup>314</sup> The social standing and occupation of women's families have often been used to help assess their class membership. It provides a convenient source of measurement for those for whom little occupational data was required or even thought necessary. As Miles found, 'the limited and discriminatory nature of female economic activity in the nineteenth century reflects the fact that a woman's class identity was often more acutely defined by the family to which she belonged, than any job she may have held'.<sup>315</sup> The examination of women's identities and experiences through the identities and occupations of their male relatives is problematic in several ways. For most women, the assessment of a father's social and economic class denies the independence of women when they reached adulthood, and in other circumstances only allows women to be assigned a class identity for their childhood

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<sup>313</sup> A. Reid, *Social Classes and Social Relations in Britain, 1850-1914* (Basingstoke: Macmillan Education, 1992), p. 25.

<sup>314</sup> A. Miles, *Social Mobility in Nineteenth- and Early Twentieth-Century England* (Basingstoke: Palgrave Macmillan, 1999), p. 146.

<sup>315</sup> B. Van de Putte and A. Miles 'A Social Classification Scheme for Historical Occupational Data', in *Historical Methods*, 38, 2 (2005), p. 62.

years until independence is achieved. In either situation, the occupational status of a male family member tells too little of the overall female experience. For example Holloway noted how 'a nineteenth century woman could be the daughter of a professional man, but although this would place her in the middle-class, she might well be uneducated and poor, only clinging to her middle-class status by appeal to respectability. The daughter of a working-class man might be poorly educated in the conventional sense, but her streetwiseness and economic independence would put her in a favourable position compared to the hapless impoverished middle-class lady'.<sup>316</sup>

For many of the women in the sample, their parents played little role in their adult lives, and thus further clarification is always necessary. Several studies of class in the nineteenth century have used a husband's occupational status to define his wife's position. This is similarly problematic. In terms of the specific sample of this study, most of those profiled did not marry. As a source of information, husband's occupations are largely irrelevant here. By far the biggest problem, inherent to the use of either paternal or spousal information to assess women's socioeconomic position, is in using male activity to define female experience. Whilst there can be little doubt that the male perspective was a principle around which Victorians arranged most social interactions and classifications, does not the continued use of such categorisations deny women's own identities and agency, and serve to refresh and ever renew patriarchal control and definitions of social class?

However, this is not to suggest that scholars have continued to organise and assess class around these principles out of anything other than necessity. The hope of a

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<sup>316</sup> Holloway, 'Writing Women In', p. 182.

radically different process through which class is assigned catering for the difference of experience created by issues such as gender is quixotic at best. As frustrating and unsatisfactory as it can feel, historians of class in the nineteenth and twentieth centuries are limited by the sources available. Only so much information which might be indicative of social and economic class membership was recorded. In order to provide the most accurate assessment of the social class for the sampled offenders, a combination of information offers the best approach. A key benefit of tracing women throughout the life course is that several indications of residential circumstance, and standard of living, are apparent for each individual. These glimpses of women can offer very clear indications of their socio-economic position in adult life, and allow for greater uniformity of assessment than the sporadic recording of occupational data, or the infrequent glimpses of spousal or parental occupations. Information relating to residence and standard of living – taken from the census and newspaper reports - have therefore been used to ascertain the socioeconomic position of the sampled women. Where possible, this has been paired with their own occupational data and that of any relevant family members. The assessment of class given here therefore draws upon and combines previous techniques of assigning social and economic definitions.

### Class of Offenders

All of the women could be ascertained as belonging to one of three groups. Those women assessed as middle-class either did not undertake paid employment, living on money derived from professional spouses, or parents, or if they did, the money they earned provided them not with their primary means of economic subsistence, but with economic independence. For these women, money supplemented a pre-existing mode of life, and offered a degree of financial independence from their family. Occupations

for these women included governess and school teacher. Women categorised as middle-class usually held long-term employments, lived in private residences, and moved infrequently. Those in the next socioeconomic group shared some features with those in the middle-class category. Like those in the middle-class, women categorised as part of the 'secure' working-class did not always obtain paid employment, instead being financially provided for by a spouse or family member working in a skilled or semi-skilled manual trade. Many did undertake paid employment, and were financially dependent on such. In these cases, occupations were likely to be (whilst not conceptualised as skilled) permanent and formal, such as domestic service, or long-term factory work. These women tended to live in private residences, and move infrequently.

The last category is that of the 'insecure' working-class. Women in this group were dependent on selling their labour for financial subsistence. However, women in this category were unlikely to obtain well paying, permanent, or regular employment. These individuals might work as street-sellers or charwomen, but did so irregularly, and their occupations were subject to change. Those in the insecure working-class were vulnerable to regular bouts of unemployment. Spouses or family members of these women were also likely to be employed on a casual basis in unskilled manual occupations. Women in the insecure working-class most often lived in shared, or common accommodation, and moved frequently as a result of their turbulent financial situations.<sup>317</sup>

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<sup>317</sup> Classification can also be applied to women at the top of the socio-economic scale, in the aristocracy, and the upper middle-class, drawing on independent wealth and high level of social and residential stability. However this is not discussed at length as none of the sampled offenders were assessed as belonging to these groups.

Of course the experience of women in these groups was not static. Several scholars, including Carole Srole have suggested that, ‘changes in late nineteenth century employment blurred lines between working-class and middle-class women’.<sup>318</sup> However, in terms of this study, there remain not only far more similarities and shared experiences between women in the two working-class groups, but also, as Alistair Reid argued ‘the increasingly ‘comfortable’ upper half of the working-classes still had to cope with large families, poor housing . . . periodic unemployment, while among the poorer half many were truly destitute.’<sup>319</sup> Most women remained in a similar social and economic position throughout their lives, nevertheless, there was a greater level of fluidity between the secure and insecure working-class positions, that between middle-class and secure working-class positions.

**Table 3.**

Social Class in Adulthood	No.	%
Insecure working	81	81.0
Middle	5	5.0
Secure working	14	14.0
Total	100	100.0

In adulthood, eighty-one of the women sampled (81%) were members of the insecure working-class – a socio-economic group comprised primarily of casual workers, who lived in shared or common accommodation. This was a group most commonly singled out by Victorian legal commentators and the popular press as responsible for crime in

<sup>318</sup> C. Srole, *Transcribing Class and Gender: Masculinity and Femininity in Nineteenth Century Courts and Offices* (Michigan: University of Michigan Press, 2009), p. 132.

<sup>319</sup> Reid, *Social Classes and Social Relations*, p. 32.

cities. These individuals were often typified as poor, uneducated, unskilled (regularly out of paid employment), and 'immoral' urban residents. A further fourteen women (14%) came from the secure working-class. These women were still economically deprived, but more often had regular paid employment, and resided in more private and long-term accommodation. Just five of the female offenders (5%) could be assessed as middle-class in their adult lives. These few women were the daughters of professional men, and had either relatively high status employment in adulthood, or were supported by family funds. Whilst there is some difference in the class profiles between cohorts, with visibly more insecure working-class adults in the Liverpool sample, overall, neither of the cohorts separately challenge the general finding that in adulthood, the majority of the sampled female offenders existed at the bottom of the socio-economic scale.

Although historians have uncovered that, for most of the Victorian period, the general perception was that criminals formed a separate section of society, in the case of the sampled female offenders here, by far the biggest proportion of offenders were virtually indistinguishable from non-offenders of the same socio-economic background, rather than members of a 'criminal class' acting on the periphery of society.<sup>320</sup> In adult life, over three quarters of the women were quite ordinary members of the working-classes, about whom Davis tells us 'the consensus was that crime was diminishing and that [they] were generally law abiding'.<sup>321</sup> It was women like these, indistinguishable in almost every way from their law-abiding or never-convicted peers, who were responsible for much of the offending taking place in

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<sup>320</sup> Gatrell, 'Crime, Authority and the Policeman-State' in F. M. L. Thompson (ed.) *The Cambridge Social History of Britain 1750-1950*, Vol. 3 (Cambridge: Cambridge University Press, 1990), pp. 252-255.

<sup>321</sup> J. Davis, 'Law Breaking and Law Enforcement: The Creation of a Criminal Class in Mid-Victorian London' (Unpublished Ph.D Thesis, Boston College, 1985), p. 18.



English cities, contradictory to the beliefs of Victorian politicians and law makers, who assumed 'crime was becoming a marginal occupation, confined to groups distinct from the working-class as a whole'.<sup>322</sup> Whilst social status and class membership in and of itself cannot be considered a defining factor in female offending, perhaps the differing experiences of women in separate socio-economic groups best explains why offending was so much more prominent amongst women in the insecure sections of the working-class when compared to their middle-class and secure working-class equivalents. The best way to explore this, is to compare the experience of offending for women in the three social groups.

Some of the most difficult offending to explain is that carried out by women who occupied a position in the Victorian middle-class. Particularly in this study, as four out of five offenders in question - Sophia Martha Todd, Ann Weller, Louisa Bishop, and Elizabeth Rhodes - displayed very little apparent motivation for their offending. Two of these women, Sophia Todd and Louisa Bishop, were the daughters of professional and well respected men, who had been given a high level of paid education, and existed, at different periods of their life, on the proceeds of family money, or from their earnings in some of the highest status female employment available – governesses. The other women, married professional men, or men of independent means, and lived by those earnings.

Despite Sindall's assertion that 'post circa 1870, crime was becoming a more attractive proposition to the middle classes and less attractive to the lower groups' middle-class

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<sup>322</sup> Davis, 'Law Breaking and Law Enforcement', p. 18.

female offenders were, unsurprisingly, a minority in the overall sample of offenders.<sup>323</sup>

The first and most obvious conclusion to draw here is that the fact that middle-class women make up such a small minority of offenders is indicative of crime more often than not being the product of both a situation of need, and opportunity. Some historians have suggested that middle-class women experienced neither situations that necessitated crime, nor many opportunities to engage with the places and spaces in which many crimes were committed. The overwhelming majority of property crimes carried out by the sampled women would certainly seem to suggest that for most, these crimes were in part driven by economic need, a factor the middle-class offenders cannot be said to have felt so acutely. Yet with offences as diverse as infanticide, fraud, housebreaking, prostitution, and assault, taking place in a range of both public and private locations, it unlikely that lack of access to the public world prevented middle-class women from committing crime. For most offenders, regardless of class, if the need or desire to commit crime was present, the location and logistics often became a secondary consideration.

There is of course, another explanation for why middle-class offenders constitute such a small number of the overall sample of women, Sindall asserted 'middle-class crime left no blood on the pavement, no scars, no property damaged, no visible signs . . . the victim was difficult to identify and seemed to merit little sympathy . . . the rise in the criminality of the central social class went largely unnoticed by society'.<sup>324</sup> Whilst this argument holds some validity, there is evidently a further classification that should be made. Middle-class crimes, particularly those committed by men, for example fraud

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<sup>323</sup> R. Sindall, 'Middle-Class Crime in Nineteenth Century England', in *Criminal Justice History*, 4 (1983), p.25. One possible explanation for this is that Sindall's study focuses exclusively on male middle-class offenders, and primarily white collar crime.

<sup>324</sup> Sindall, 'Middle-Class Crime', p. 38.

and embezzlement, were not a priority of the police or the courts in this period. Fairly modest white-collar crime went relatively unnoticed by the Victorian criminal justice system. In many ways, these were often cases that concerned few people other than business owners or shareholders. However, the difference between middle-class crimes and middle-class criminals is an important one. Some of the cases that garnered most attention in the sensationalised news reports of mid-Victorian England were those that saw model Victorian citizens in the dock, accused of perverting their legal, social, and moral obligations as members of the civilised classes. As Hartman notes, the fascination with middle-class criminals was never higher than when the idealised wife, mother, or daughter of the middle-classes slipped from her pedestal and into the courtroom. Some of the highest profile Victorian legal cases were sensationalised accounts of middle-class female offenders, and their tales of violence, vice, corruption, and immorality.<sup>325</sup> The Victorian period was one in which women were largely excluded from the world of finance and big business, and therefore, had little access and opportunity to commit 'white-collar' crimes. Thus most middle-class female crime was likely to be public and scandalous enough to merit investigation by the authorities, and reports in the newspapers. Of course there are studies that suggest that middle-class women could often receive sympathetic treatment by the courts, or be removed to other non-penal institutions for their transgressions, particularly from the early twentieth century onwards.<sup>326</sup> Yet, if middle-class women constituted such a significant number of offenders, enough would be streamed into the convict system to generate a larger proportion of the sample in this study.

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<sup>325</sup> M. Hartman, 'Crime and the Respectable Woman: Toward a Pattern of Middle-Class Female Criminality in Nineteenth-Century France and England', in *Feminist Studies*, 2, 1 (1974), p. 39.

<sup>326</sup> Wiener, *Men of Blood*, pp. 123-170. See also E. Showalter, *The Female Malady: Women, Madness and English Culture 1830-1980* (New York: Virago, 1987), p. 167.

The life course and offending careers of five women, measured as being part of the middle-class during their adult lives, is obviously too small in number to draw many wider conclusions as to the overall nature of middle-class female offending in this period. Yet the lives and experiences of this small group of offenders offer examples of some (although not all) of the elements central to the Victorian conception of the 'criminal class' than any of their working-class counterparts. The offences of these women were interpreted by Victorian newspapers as a sad example of moral bankruptcy, mental disturbance, or unwillingness to live within the accepted social parameters.<sup>327</sup> As Davis concluded, these offenders 'broke the law not through the pressure of want, but from a commitment to criminal life which derived from their general demoralisation'.<sup>328</sup> These middle-class offenders provide a small, and unique illustration of crime, little written into more general histories of offending and offenders. They are a group of offenders who pose the most problematic questions for those scholars interested in the pathways to crime or causes of offending.

These women appeared to have little incentive or 'need' to offend either economically or socially, but were responsible for a range of serious offences nonetheless. Hartman's work acknowledged the pitfalls of trying to construct an accurate construction of middle-class female crime. Like many that study middle-class female offenders, Hartman's sample of offenders are drawn from the criminal proceedings that garnered the most attention in the popular press, or in medical and legal journals or documents. Thus a slightly distorted view of female middle-class crime as being the preserve of 'young, upper-middle-class' murderers confronts historians of the

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<sup>327</sup> J. J. Tobias, *Crime and Industrial society in the Nineteenth Century* (London: Batsford, 1967), P. 52.

<sup>328</sup> Davis, 'Law Breaking and Law Enforcement', p. 13.

subject.<sup>329</sup> The murder of an unpopular suitor, or a new husband failing to live up to his wife's expectations, or perhaps the act of infanticide are all presented as common types of middle-class female offenders. However, the five middle-class offenders in my sample are not picked from high profile court cases, but instead selected in the same way as their working-class counterparts. Whilst two of the women, Sophia Martha Todd and Elizabeth Rhodes, were responsible for serious violent crimes, neither of these were spousal murder or the harm of their own child, and the remaining women – Ann Weller, Louisa Bishop, and Caroline Whitney – were habitual property offenders.

Sophia Martha Todd was born Sophia Martha Wilson in Scotland in 1847. She was the daughter of Civil Engineer John Wilson, and Schoolmistress Jane Wilson.<sup>330</sup> By the age of fourteen Sophia had received a thorough education, and was assisting her mother in running a school.<sup>331</sup> During the 1860s, Sophia became 'a most accomplished woman in the fine arts' and learned to speak five languages 'with fluency'.<sup>332</sup> Sophia worked for four years as the governess for an aristocratic family in Russia, and afterwards as a governess to the children of an English Lord in Windermere.<sup>333</sup> By 1871 Sophia had settled in Lancashire and was working as a teacher of languages.<sup>334</sup>

In 1872 Sophia married a farmer from Liverpool, Thomas Jackson.<sup>335</sup> The marriage between Sophia and Jackson lasted little over a year before the couple became estranged. Sophia remained in Liverpool, but instead of returning to work as an educator, in 1874 she began to place adverts in the local paper advertising her services as a child care provider. One such advert detailed: 'WANTED: Baby to adopt. Premium

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<sup>329</sup> Hartman, 'Crime and the Respectable Woman', p. 39.

<sup>330</sup> *Census returns Scotland 1851*, Parish: Edinburgh St Cuthberts; ED:40; Page: 22; Line: 6; Roll: CSSCT1851\_183

<sup>331</sup> *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 658; Folio: 48; Page: 8; GSU roll: 542679.

<sup>332</sup> *Liverpool Mercury*, 22 March 1877.

<sup>333</sup> *Birmingham Daily Post*, 22 March 1877.

<sup>334</sup> *Census Returns of England and Wales, 1861*, Class: RG10; Piece: 4232; Folio: 61; Page: 5; GSU roll: 848074.

<sup>335</sup> Reference Number: 283 LUK/3/5. Liverpool Record Office.

Required. Address: Post Office Rock Ferry'.<sup>336</sup> The premium required for the adoption of such a child was £10, scarcely enough to provide for years of a child's care. Sophia was in reality operating as a baby farmer – a woman who most commonly would offer a 'no questions asked' adoption of a child for an agreed lump sum. The children in the care of women like Sophia rarely made it to an advanced age, often succumbing to malnutrition, neglect, or in some cases wilful murder. Such was the outcry against 'baby farming' that the government sought amend laws regarding childcare to protect against it.<sup>337</sup> Sophia was found to have 'farmed' five different children in this way, none of them being seen again after a few days in her care.<sup>338</sup> In 1877, the mummified body of an infant was found amongst her things in the house in which she had been lodging for several months. The child was estimated to have died in July 1875.<sup>339</sup> Sophia was arrested whilst cohabiting with a circus agent named Todd, in Manchester, and she was sentenced to death at the Liverpool Assize in 1877.<sup>340</sup> Sophia's sentence was commuted to life in prison, yet she was paroled just six years later.

There seems to be very little indication of any pressing external factors that encouraged Sophia to offend. She had the skills and experience to equip her for a variety of (relatively) well-paying employments. Sophia also had a father who was a retired and pensioned civil engineer, who supported two other adult daughters. Economic desperation does not appear to have been a determining factor in Sophia's crime, nor were her actions the result of altered perceptions of social or cultural

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<sup>336</sup> *Liverpool Mercury*, 3 November 1874.

<sup>337</sup> *Report on the Baby Farming System and its Evils*, *British Medical Journal* (1896;1:489.1).

<sup>338</sup> *Leeds Mercury*, 27 March 1877.

<sup>339</sup> *Liverpool Mercury*, 22 March 1877.

<sup>340</sup> *PCOM4*; Piece: 51; Item: 17; Page: 3.

norms.<sup>341</sup> There seems to be little evidence to suggest that any external factors led to this crime, nor psychological ones, as Sophia was judged to be of ‘sound mind’.<sup>342</sup>

The case of Elizabeth Rhodes is remarkably similar. Elizabeth was born in Kent in 1849, the daughter of an inn keeper and his wife.<sup>343</sup> Elizabeth spent her early adult life working as a barmaid in a pub in Islington, London.<sup>344</sup> In 1874, Elizabeth married Patrick Llewellyn Staunton, a man four years her junior and the relatively privileged son of a gelatine manufacturer.<sup>345</sup> Elizabeth was able to give up work and live on Patrick’s means for the next two years. This was a comfortable lifestyle unfamiliar to many working-class women of Elizabeth’s background.

In 1877, Elizabeth and Patrick along with Patrick’s brother Lawrence and Elizabeth’s sister Alice, were indicted for the murder of Lawrence’s wife Harriet.<sup>346</sup> Harriet’s body had been found at a house the four were renting in Penge, Kent. She was severely emaciated, filthy, and covered in lice. The cause of death was ruled to be a range of medical problems, all arising from the neglect and abuse of her husband and the three others.<sup>347</sup> The court heard that Lawrence had married the ‘feeble-minded’ Harriet for money, but that he stood nothing financially to gain from her death. His motive was suspected to be an attachment to Alice Rhodes and a wish to marry her. The involvement of Patrick and Elizabeth seemed to have little relation to either financial or social factors. Their involvement was represented in the court as a matter of entertainment, and little historical work has been done on the case that proves

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<sup>341</sup> See chapter 2.

<sup>342</sup> *PCOM4*; Piece: 51; Item: 17; Page: 5.

<sup>343</sup> *Census Returns of England and Wales, 1851*, Class: *HO107*; Piece: 1608; Folio: 241; Page: 27; GSU roll: 193508.

See also; *Census Returns of England and Wales, 1861*, Class: *RG 9*; Piece: 470; Folio: 9; Page: 11; GSU roll: 542644.

<sup>344</sup> *Census Returns of England and Wales, 1871*, Class: *RG10*; Piece: 278; Folio: 64; Page: 13; GSU roll: 824920.

<sup>345</sup> *Census Returns of England and Wales, 1861*, Class: *RG10*; Piece: 640; Folio: 12; Page: 17; GSU roll: 818932.

<sup>346</sup> *England & Wales Criminal Registers*, September 1877, Class: *HO 27*; Piece: 176; Page: 296.

<sup>347</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0 2013), September 1877 Trial of Elizabeth Ann Staunton (t18770917-672).

otherwise.<sup>348</sup> Pathways to violent crime, and an understanding of how and why violent crime occurs, have always proved more difficult for scholars to navigate than in the case of property crime. However, there are amongst the sample of female offenders from Liverpool and London, two cases of property offending that seem as difficult to qualify as the cases of middle-class violent crime.

Louisa Bishop was born in London in 1836, one of four sisters. Details of Louisa's family are unknown, save that she was 'the daughter of a most highly respectable person, now dead'.<sup>349</sup> As children and young adults, the Bishop sisters 'had been given the education of *Ladies* and they were really not only educated, but accomplished women'.<sup>350</sup> The Bishop sisters had not suffered want in their childhoods, and continued to be well provided for into their adult lives. This made the actions of Louisa, and two of her sisters Julia and Emily, difficult for both their family and the authorities to understand. From their late teens and early twenties, the Bishop sisters had perpetrated a number of high value thefts in affluent areas of west London.

The sister's first court appearance for these offences took place in 1858 when Louisa was twenty two. She and her sisters were responsible for a number of thefts, in particular several instances of shoplifting from jewellers, and another occasion on which two silk dresses were taken from a boutique on Hanover Square.<sup>351</sup> But these were not just cases of the theft of items the sisters desired, they had also been arrested for the theft of random items such as children's toys, and teacups. For these multiple offences, the Bishops were sentenced to twelve months in prison. Little over

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<sup>348</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0 2013), September 1877 Trial of Elizabeth Ann Staunton (t18770917-672).

<sup>349</sup> *Reynold's Newspaper*, 30 October 1859.

<sup>350</sup> *Ibid.*

<sup>351</sup> *The Morning Post*, 11 June 1858.



one year later, all three sisters were again back in court charged with a spree of similar offences. Under the title 'A Family of Shoplifters' *Reynold's Newspaper* reported:

. . . This was not only an unaccountable, but most extraordinary case. They [the Bishops] were under no pressure from want, they had no urgent necessities to contend with. Since they had been out of prison, one had been in situation as a governess, another had been aiding a fourth sister in a school, the other had been dressmaking. But it seemed that they had a *penchant* for stealing which had been termed kleptomania. . . . a fourth sister living at Brompton, who seemed deeply affected, was called, and bore out what Mr Sleigh had said. She could not account, she said, for her sisters' propensity for stealing. Julia, it had been suspected in the family was not exactly right in the head.<sup>352</sup>

All three women were found guilty and sentenced to three years penal servitude.<sup>353</sup>

Granted parole in 1862, both Louisa Bishop and her youngest sister Emily continued to shoplift throughout the 1860s and 1870s. However, the pair were not to appear in court for this until 1880, when multiple charges for shoplifting saw them accused of pilfering £65 worth of shop goods.<sup>354</sup> Both Louisa and Emily were sentenced to five years penal servitude.<sup>355</sup> Released from this term of imprisonment in 1882, the pair was soon in custody again, convicted of multiple thefts from dressmaker's premises in 1883. Both were sentenced to eight years penal servitude with five years subsequent police supervision.<sup>356</sup>

Louisa Bishop, and her sisters seem to typify the figure of the 'well-to-do kleptomaniac', a female offender whom historian Meier claims dominates the

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<sup>352</sup> *Reynolds Newspaper* 30 October 1859.

<sup>353</sup> *England & Wales Criminal Registers*, October 1859, Class: HO 27; Piece: 123; Page: 174.

<sup>354</sup> *The Times*, 25 June 1880.

<sup>355</sup> *England & Wales Criminal Registers*, June 1880, Class: HO 27; Piece: 186; Page: 204.

<sup>356</sup> *England & Wales Criminal Registers*, March 1883, Class: HO 27; Piece: 195; Page: 179.

historiography of female 'thievery' to the neglect of working-class shop lifters.<sup>357</sup> Certainly, Louisa's story seems more familiar to historians than perhaps is useful, given that the bourgeois lady who lifted handkerchiefs appears but seldom in court reports and criminal records. Whilst Mary Hartman suggested that there were 'significant numbers of older shoplifters, many of whom committed the crime not out of need or even compunction, but from boredom', Louisa bishop and her sisters are the only example of this kind of offending in the entire sample.<sup>358</sup> Likewise, out of the 275 cases of female shoplifting Meier examined, the vast majority were working-class women, mostly employed in London's predominant female employments – domestic service or the clothing trades.<sup>359</sup> An indication perhaps of the rarity of property crime in Victorian England actually being committed by those with little or no economic need, but instead some perceived mental imbalance.

Much like the Bishop sisters, Ann Weller had been born to relative respectability in London's Fleet Street in 1827.<sup>360</sup> She was the daughter of William Weller – a parish clerk and 'collector of rates' or otherwise 'highly respectable tradesman in the city'.<sup>361</sup> Ann lived at home with her parents until her late thirties. In 1867, when she was thirty-nine, Ann was brought before a magistrate for the theft and felonious pawning of several items taken from the home of an elderly man in Bromley. Ann had in fact handed herself in, stating 'I took those things; I wish to go before a magistrate to show up my family. I am highly connected'.<sup>362</sup> Once inside Lambeth Police court, Ann spared no details of her description of a three day affair with a stranger, and her theft of the

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<sup>357</sup> Meier, *Property Crime*, p. 69.

<sup>358</sup> Hartman, 'Crime and the Respectable Woman', p. 53.

<sup>359</sup> Meier, *Property Crime*, p. 70.

<sup>360</sup> London Metropolitan Archives, St Bride Fleet Street, Register of Baptism, P69/BRI/A/01/Ms 6549, Item 1.

<sup>361</sup> *Census Returns of England and Wales, 1861*; Class: RG 9; Piece: 214; Folio: 142; Page: 14; GSU roll: 542593.

<sup>362</sup> *Reynold's Newspaper*, 13 January 1867.

items. For this, Ann was sentenced to twelve months imprisonment.<sup>363</sup> Upon her release, Ann embarked on a decade long offending spree – clumsily stealing fairly low value items, such as a ‘toilet boy’, and either entering a police station to confess to the offense, or making little excuse when arrested. Ann’s final offence was in 1876, when she was sentenced to ten years penal servitude for stealing cloth.<sup>364</sup> The period of Ann Weller’s offending seems to be directly related to a wish for attention from her family. Her father and mother were both deceased upon her release from prison in 1883, and from this point Ann committed no further offences. At the time of the 1891 census, she was living in the union workhouse in Chelsea, where she died in 1893.<sup>365</sup>

Embarrassing her family, or eliciting a response from them, seems to have been Weller’s primary objective in offending. Whilst the testimony of offenders must always be treated with suspicion, Ann’s description of why she offends is not contradicted by other factors in her life. Whilst living at home she had very little financial incentive to offend, and other than a perceived neglect from her family, there seem few personal circumstances that pushed Ann to steal. Of course it would be foolish to suggest that no middle-class offending was need driven whereas all working-class crime was caused by economic necessity, the fact remains that in most cases of working-class offending, employment status and financial circumstance can only rarely be removed from acts of crime. The case of ‘The Three Sister Shoplifters’ or indeed Ann Weller’s exploits can offer little historical insight into the wider pathways to and female experiences of this type of offending, they are representative of only a very small selection of female experiences. The same can be said for the violent crime committed by women like

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<sup>363</sup> *England & Wales Criminal Registers, January 1867, Class: HO 27; Piece: 147; Page: 7.*

<sup>364</sup> *PCOM4; Piece: 54; Item: 6.*

<sup>365</sup> *Census Returns of England and Wales, 1891; Class: RG12; Piece: 62; Folio: 111; Page: 21; GSU Roll: 6095172.*

Todd and Rhodes. After all, even contemporary newspapers noted that these cases were exceptional.<sup>366</sup>

However, if nothing else, each case of middle-class offending does immediately illustrate the substantial impact that class could have on a female's experience of the criminal justice system. As previous scholars such as George Robb have noted 'middle-class prejudices made it difficult for many to believe that a lady could be guilty of so heinous a crime'.<sup>367</sup> Although Robb refers specifically to murder, and therefore is most applicable to the cases of Sophia Todd and Elizabeth Rhodes, his conception of the role that class expectation played in criminal convictions can well extend over most types of female crime. The lenient sentences given to Sophia Martha Todd for the commercialised murder of infants, and to the Bishop sisters for repeated thefts of multiple high value goods, seem inconceivable when compared to the sentences offered to many of the working-class women who committed lesser crimes. For example Liverpoolian Mary Brett was sentenced to fifteen years penal servitude for 'uttering' three counterfeit shillings in 1873, and Catherine Gardiner received seven years penal servitude in 1864 for the theft of a single shawl.<sup>368</sup>

The thirteen offenders who are categorised as members of the secure working-class can best be described as a group of women who offended in response to periods of crisis, or those who had no immediate need to offend but were presented with opportunity, or those who offended for personal reasons. All of these women came from seemingly stable backgrounds, and showed consistent engagement in traceable

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<sup>366</sup> *Morning Post*, 11 June 1858.

<sup>367</sup> G. Robb, 'The English Dreyfus Case: Florence Maybrick and the Sexual Double-Standard' in G. Robb and E. Nerber (eds), *Disorder in the Court: Trials & Sexual Conflict at the Turn of the Century* (Basingstoke: Palgrave Macmillan, 1999), p. 64.

<sup>368</sup> *England & Wales Criminal Registers*, August 1873, Class: HO 27; Piece: 165; Page: 81. See also: *England & Wales Criminal Registers*, October 1864, Class: HO 27; Piece: 138; Page: 71. See Chapter 8.

paid employment. For the three women that were not traced as in paid employment, all had spouses in skilled employments, affording them both relatively good accommodation, and materially comfortable lifestyles.

Almost half of the secure working-class offenders undertook criminal activity in response to an immediate crisis. These women had experiences like those of Sarah Swann and Mary Edith Palmer, who both harmed their own illegitimate children for fear of social repercussions if they were discovered, actions they took despite both having traceable paid employment and a strong network of family support.<sup>369</sup> Or experiences like those of Margaret Francis, and Mary Shea, property offending began much later in life and directly related to the illness of a husband and financial provider.<sup>370</sup> For a further three secure working-class women in the sample, their property offending took place whilst they were traced as in paid employment, and appears to have been a product of opportunism, rather than immediate need.

Harriet Glover had a seemingly stable and relatively comfortable family background and home in Hastings, which she left in order to enter service at the age of sixteen. Harriet, it would appear, soon tired of her laborious and low paid work, and saw an opportunity to boost her earnings by stealing from her employer. Upon discovery, and frightened of the consequences, Glover attempted to set fire to her mistress's house with the family inside in order to conceal her transgression. The aggravated context of Glover's thefts earned her seven years penal servitude for this first offence.<sup>371</sup> After

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<sup>369</sup> See chapter 7.

<sup>370</sup> See chapter 3.

<sup>371</sup> *Reading Mercury*, 31 July 1869.

her release Harriet again found work as a domestic servant but was convicted two further times for the theft of articles from her employer's homes.<sup>372</sup>

Lastly were two women who seemed to offend for personal and emotional reasons. Neither of these women could be traced as engaging in paid employment. Honoria Glynn was the wife of a police 'detective officer' in Liverpool and Hannah Holliday was the spouse of a boiler maker in London. For both women, property offending began after problems in their personal relationships, and problems with alcohol, which led to several summary convictions for drunkenness. When Patrick Glynn sued for divorce against his wife in 1881, whilst she was in prison for theft, his lawyer asserted that Honoria's drinking had led to her frequent incarcerations, her adultery, and the breakdown of the marriage.<sup>373</sup> Likewise, by all accounts Hannah Holliday's life had been a stable one, she had worked as a machinist and her husband for the London South West Railway Company. The couple lived with their four children in Camberwell.<sup>374</sup> It was in her mid-twenties that Hannah's first conviction for drunkenness indicates that all was not well. Hannah's destructive behaviour caused the breakdown of her marriage. Despite Hannah leaving the family home in 1877, Robert continued to pay a sum of money towards her maintenance.<sup>375</sup> But, in 1883 when Robert was informed by the governor of Milbank prison that Hannah was serving her sixth sentence for theft, he declined to correspond with her and wrote, 'I think it would be as well to let you know that she has forfeited all claim to me'.<sup>376</sup> This is the

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<sup>372</sup> *England & Wales Criminal Registers*, March 1879, Class: HO 27; Piece: 183; Page: 198. See also Class: HO 27; Piece: 178; Page: 144.

<sup>373</sup> *PCOM4*; Piece: 56; Item: 18; p. 12.

<sup>374</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 734; Folio: 97; Page: 62; GSU roll: 824713.

<sup>375</sup> *PCOM4*; Piece: 63; Item: 11; p. 15.

<sup>376</sup> *PCOM4*; Piece: 63; Item: 11; p. 11.

last trace of communication between the two. Hannah was released on parole in 1885, but died just a few years later.

This small but not insignificant group of female offenders from the secure working-class are distinct from both their middle-class equivalents, who seemed to commit offences based on personal and familial factors, and their insecure working-class peers. For the group of offenders from the secure section of the working-class, committing crime was most often either a reaction to an immediate crisis, an opportunistic endeavour, or an activity that was only one part of a wider period of personal and emotional turbulence. As a result of this, these offenders tended to have relatively short offending careers, and whilst most of them were habitual offenders, only two held ten or more convictions. In short, for these women, offending took place at a particular moment in life, and was based around specific circumstances and events, rather than offending as an intermittent but continual feature of life. The distinctions in experience between the middle-class offenders, and the secure working-class offenders is clear, as most would reasonably expect it to be. A much bigger question, one that has intrigued historians for decades, is what was the difference between these secure working-class offenders, and their counterparts only marginally below them in the insecure sections of the working-class? Is it possible to separate the rough from the respectable when it comes to the experience and activities of working-class and crime in Victorian England?

With eighty-one (81%) of the females profiled measured to be members of the insecure working-class in their adulthood, there would certainly seem to be some credence to the Victorian notion that the very poorest classes, and those responsible for crime and vice, were in many ways one and the same thing. As Emsley noted 'the

criminal class described by Victorian commentators was largely synonymous with the poor working-class, particularly those who existed by casual labour'.<sup>377</sup> Honoré Frégier, a nineteenth century French social commentator provides a much cited example of this:

The poor and vicious classes have always been and will always be the most protective breeding ground of evildoers of all sorts; it is they whom we shall designate that dangerous classes. For even when vice is not accompanied by perversity, the very fact that it allies itself with poverty in the same person, he is a proper object of fear to society, he is dangerous.<sup>378</sup>

Whilst few historians and criminologists dispute that the majority of crime is, and was, committed by those at the bottom of the socio-economic spectrum, most would dispute the existence of a definable and recognisable 'criminal class'. Gatrell writes at length about the formation of fears surrounding crime, and the creation an archetypal class said to be responsible for it throughout the nineteenth century. He explains how the many and rapid changes taking place during the industrialisation of England during this time, such as the visible 'growth of towns, working-class politicisation, the employment of women, and erosion of the family', became intrinsically linked in the popular consciousness, and the minds of social elites, with the break-down of traditional social order, and by virtue, of law.<sup>379</sup> Crime became a way of exploring and articulating fears about change and upheaval. The more ills that became associated with crime, the more demonised and dehumanised those perceived to be responsible for it became. In Gatrell's view, it was 'mainly proletarian classes' who became

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<sup>377</sup> Emsley, *Crime and Society*, p. 181.

<sup>378</sup> H.A Frégier, *Desclasses dangereuses de la population de la grande villes* (1840), cited in D. Taylor 'Beyond the bounds of Respectable Society: The "Dangerous Classes" in Victorian and Edwardian England', in J. Robowtham and K. Stevenson (eds), *Criminal Conversations: Victorian Crimes, Social Panic, and Moral Outrage* (Ohio: Ohio State University Press, 2005), p.6.

<sup>379</sup> Gatrell, 'Crime, Authority and the Policeman-State', pp. 244.



associated with crime and all its evils, as they were those 'assumed to threaten dominant and newly articulated definitions of order'.<sup>380</sup> Thus, as those most commonly associated with negative change, the poor, particularly those who could not, or would not assimilate peacefully in to the work and roles expected of them, became responsible not just for unrest, but in the popular consciousness, for crime also. As the century progressed, certainly in its latter half, the link between crime, and the wider danger of those conceived physically, mentally, and morally defective enough to commit it, became axiomatic in the popular consciousness.<sup>381</sup> Crime was increasingly discussed as the preserve of those 'more-or-less full-time criminals, who lived off the proceeds of their crimes rather than working at normal jobs'.<sup>382</sup> Despite little concrete evidence for their existence, such individuals were conceptualised as the 'criminal class', and became a regular feature of press reports and popular fiction in the period.<sup>383</sup>

However, despite contemporary perceptions, the socioeconomic difference between those who committed crime and those that did not was often very little. Crime was not solely the reserve of 'professional parasites and delinquents', but also thousands of those who 'not only earned a legitimate living when they could, but earned it in ways vital to the prosperity of the society whose stability they seemed to threaten'.<sup>384</sup> Of course, as both my own, and other studies suggest, those most vulnerable to unemployment, financial and material deprivation, and unstable living arrangements

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<sup>380</sup> *Ibid*, p. 244.

<sup>381</sup> Emsley, *Crime and Society*, p. 58.

<sup>382</sup> D. Phillips, 'Three "moral entrepreneurs" and the creation of a "criminal class" in England, c. 1790s-1840s' in *Crime, Histoire & Sociétés /Crime, History & Societies*, 7 (2003), p. 80.

<sup>383</sup> Gatrell, 'Crime, Authority and the Policeman-State', pp. 252-255. See also: Emsley, *Crime and Society*, p. 60.

Emsley argues low wages and poverty were seldom utilised to explain the prevalence of crime amongst 'lower social groups'. Instead, discussions focused on moral weakness, idleness, lack of education or parental neglect, insinuating that crime was committed by a 'type' of person.

<sup>384</sup> Chesney, *Victorian Underworld*, pp. 38-39.

were most likely to find themselves apprehended and convicted of crime. Phillips' work on the Black Country found that around three quarters of the offenders to go through the courts at the beginning of the Victorian age were unskilled, partly skilled, and manual labourers, a much higher proportion of that group than was present in the area in general.<sup>385</sup> Indicating that both men and women of the insecure working-class were the most convicted for both violent and property offences, and constituted disproportionate number of convicted offenders. Historians and criminologists alike have provided logical enough explanation for this phenomenon which utterly discounts the suggestion of innate moral characteristics. Downes' study of modern 'criminal careers' expertly argues that, 'high visibility [of crime] involves pressure on the police to intervene. Location in public places both renders visibility more likely, and maximizes unfettered police control over regulation of the deviance'.<sup>386</sup> In the cities of Victorian England, not only was crime constructed as an inherently working-class activity, but crimes such as drunkenness or domestic violence, whilst carried out by all sections of society, were most visible in the insecure sections of the working-class as they were far more likely to take place in public spaces, as opposed to the sitting rooms and private locations of their social betters.<sup>387</sup> Quite simply, those at the bottom of the socio-economic scale were suspected of being more criminal, and therefore policed more heavily than their secure working-class and middle-class counterparts. As such, these individuals were more commonly found to be engaging in the activities that had made them suspicious in the first place.<sup>388</sup> The focus on the

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<sup>385</sup> Phillips, *Crime and Authority*, pp. 164 – 168.

<sup>386</sup> D. Downes and P. Rock, 'Social Reaction to Deviance and Its Effects on Crime and Criminal Careers' in *The British Journal of Sociology*, 22, 4 (1971), p. 359.

<sup>387</sup> S. Edwards, "'Kicked, Beaten, Jumped On Until They Are Crushed,'" All Under Man's Wing and Protection: The Victorian dilemma With Domestic Violence' in Robotham and Stephens (eds), *Criminal conversations*, Pp. 249 – 251. See chapter 10.

<sup>388</sup> See chapter 10

poorest and most desperate sections of society as a site of vice and criminality created a perpetual cycle of surveillance through which they were confirmed to be so.

I would contend that in reality, those that existed in a criminal sub-culture within the insecure sections of the working-class, the proverbial underclass that Chesney contended, found themselves 'cut off from the accepted patterns of civilised life', were but a small proportion of the eighty-one women who existed as members of the insecure working-class.<sup>389</sup> Much like Emsley stated, 'it would be impossible to prove that most thefts and violence were the work of persons who indulged in criminal behaviour as a way of life.'<sup>390</sup> In fact, traces of the paid employment profiles of the sampled women confirm that cases like these were a real minority amongst the female offenders.<sup>391</sup> Most of the women identified as living as members of the insecure working-class bore a close resemblance to their peers in the secure working-class. It was only through advanced vulnerability to fluctuations in local labour markets, and more regular exposure to environments of increased material deprivation, they more commonly went on to offend.

### Social Mobility of Offenders

With so many of the female offenders living as members of the insecure working-class, it would seem feasible to suggest that for most, crime was inextricably linked to an inability to establish themselves as members of the secure working-class, and thus to secure the social and economic stability that would render life (although still very difficult) functional within the legal world. For over a third of the women profiled, the struggle and inability to achieve this was life-long. These women were born into financially poor families and materially poor conditions. The poverty and social

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<sup>389</sup> Chesney, *Victorian Underworld*, p. 39.

<sup>390</sup> Emsley, *Crime and Society*, p. 181.

<sup>391</sup> See chapter 8.

standing of their parents often precluded them from social and labour opportunities from adolescence onwards. However, not all of the eighty-one adult women who lived as members of the insecure working-class were part of that socio-economic group from birth. A surprising number of the sampled women were measured to have changed social class during their lifetimes. Not all of those who were measured to be members of the insecure working-class in their adulthood had been such in their childhood. By comparing the child and adult class profiles of the women, it is clear that not only was the likelihood of women's recourse to crime much more complicated than birth into a particular socio-economic class, but also it can reveal the likelihood of social transition for women in the Victorian city.

**Table 3.1**

Social class in childhood	Frequency	Percent
Insecure Working	38	38.0
Middle	4	4.0
Secure Working	34	34.0
Unknown	24	24.0
Total	100	100.0

For twenty-four of the women profiled (24%), it was not possible to ascertain their social class at birth or during childhood, they are listed as 'unknown'. This is primarily down to a lack of information regarding parental employment living arrangements they experienced during their childhood. However, twenty-one of these women were

classified as insecure working-class in their adulthood, it is sensible to assume that at least some of these women were born into that socio-economic group. Eleven of these women were famine migrants from Ireland and are most likely to have been members of the rural secure working-class until they experienced relocation to urban England. For the remaining seventy-six women (76%), for whom social class in childhood could be established, marginally more of the women sampled were members of the insecure working-class than of the secure working-class. For one quarter of the women profiled (25%) offending was part of a life which was downwardly socially mobile.

**Table 3.2**

Direction of mobility	Frequency	Percent
Downward	25	25.0
None	47	47.0
Upward	4	4.0
Unknown	24	24.0
Total	100	100.0

In order to fully understand the relationship of class to offending, it is integral to establish whether this downward social mobility came before female offending, or was more often on account of it. Of the twenty-nine women (29%) that can be traced as experiencing social mobility only four women – Elizabeth Ann Rhodes, Margaret Francis, Honoria Glynn and Mary Plant – experienced upward social mobility during her

lifetimes. Rhodes went from secure working-class to middle-class, and Francis, Plant, and Glynn all went from children from the insecure working-class, to secure working-class in adulthood. All of these women achieved their social mobility through marriage before they went on to offend. For the twenty-six (26%) remaining women, their transition was from the secure to the insecure sections of the working-class. Nineteen of the women (19 %) experienced downward social mobility prior to offending, and just seven women (7%) offended whilst members of the secure working-class and then slipped down the socio-economic scale. Amongst the sampled women then, it was almost three times as likely that a decline in social and economic prospects would lead to later offending, rather than offending that begun whilst the women had relative social and economic stability which declined as a result of their offending. There are clearly some key differences in the pathways to crime between these two groups of women that suggest the likeliest causes of female offending.

For the majority of women who experienced downward class mobility, the loss of social and economic ground came prior to them turning to crime. Recourse to crime for these women can be traced either to failure to establish themselves successfully as independent adults, or on account of a major life crisis. As Sindall suggested, many of those in the lowest social class,

accepted crime as a necessity. For many of the lower working-class lack of employment presented the twin options of either entering the workhouse or generating an illegal income through the pursuit of crime. Evidence abounds that the dread of the workhouse was such that crime was perceived as the more acceptable; of the two options amongst those members of this class whether employed or not.<sup>392</sup>

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<sup>392</sup> Sindall, 'Middle-Class Crime', p. 35.

Certainly, many of the women in this study were either perpetually, or at a certain time in life, confronted a not dissimilar situation to the one Sindall outlines. Whilst we know that all of them went onto offend, just a handful of women could be traced as having spent time in the workhouse, despite clear indications that they had the social or financial need to do so.

Three of the women, Bridget Boyle, Mary Howley, and Esther Yates, had both their social and economic status deteriorate due to a dependence on alcohol, which later led not only to several summary convictions for drunkenness, but later more serious convictions for other offences. Mary Mason and Mary Brown found that during the transition from a rural setting in childhood to an urban setting in early adulthood, respectability and standard of living were not as easily maintained as expected. For some of the women like Mary James, Mary Heard, and Ellen Cooper they experienced a loss of respectability, and fall from the secure working-class after the birth of an illegitimate child saw them lose both their job or financial security, and their social standing. In these cases crime then became a method through which either social position or financial independence could be re-established. A similar problem was caused for a number of other women when a parent or spouse died, leading to family breakdown and financial crisis. Charlotte Taylor was the daughter of an agricultural labourer and she spent her childhood and early adulthood in Great Clacton, Essex.<sup>393</sup> Her experiences offer an example of this experience.

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<sup>393</sup> *Census Returns of England and Wales, 1841*, Class: HO107; Piece: 338; Book: 10; Civil Parish: Great Clacton; County: Essex; Enumeration District: 9; Folio: 11; Page: 16; Line: 10; GSU roll: 241376. See also *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 1779; Folio: 187; Page: 7; GSU roll: 207427.

In 1847 Charlotte married Henry Enifer, a shoe maker from Suffolk.<sup>394</sup> In the following two decades, the couple had three surviving children, and moved from Essex into the East of London. In the late 1860s or early 1870s ill health necessitated Henry's long-term stay in the London Hospital Whitechapel.<sup>395</sup> During this period of Henry's incapacity, Charlotte's criminal activity began. Either wittingly or unwittingly Charlotte was convicted of paying for goods with base currency.<sup>396</sup> Two further convictions for uttering false coin - culminating in a sentence of five years penal servitude in 1883 - would suggest that rather than an accidental first offence, Charlotte had become involved in part of a wider network that cast and distributed counterfeit money, Charlotte earned a section of the profits for every coin entered into general circulation.<sup>397</sup> Charlotte was released in 1885, by which time her children were adults, and her responsibility for providing for them was diminished, lessening her need to offend. More surprisingly, by 1891 Henry had left hospital and the pair was once again living together, no further offences can be traced to Charlotte.<sup>398</sup> Much like Charlotte, Emma Richard and her mother were thrown into economic difficulty and disreputable lodgings when Emma's father Edward died, the death of Catherine Murphy's father occasioned the breakdown of the rest of the family. Occurrences like this saw each of the women shift from a respectable family unit to a disparate group of individuals living in the communities and institutions of the insecure working-class.<sup>399</sup>

Downward social mobility prior to criminal activity can also be seen in several cases of joint and inter-family offending. In several cases, women who grew up as members of

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<sup>394</sup> General Register Office. *England and Wales Civil Registration Indexes*, Jan-Feb-March, Vol.12, p. 321.

<sup>395</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 521; Folio: 75; Page: 13; GSU roll: 823384.

<sup>396</sup> *England & Wales Criminal Registers*, December 1876, Class: HO 27; Piece: 173; Page: 318.

<sup>397</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 08 July 2013), March 1883, trial of ELIZABETH HENEFER (55) (t18830319-413).

<sup>398</sup> *Census Returns of England and Wales, 1891*, Class: RG12; Piece: 332; Folio: 48; Page: 42; GSU Roll: 6095442.

<sup>399</sup> See chapter 3.



the secure working-class married or became romantically involved with men of a lower social standing then fairly rapidly went on to offend with their spouses. For example, within three years of marrying Benjamin Mortlock – himself a property offender since early adulthood- previously law-abiding Bridget Regan, the daughter of an Irish ship porter, had been convicted of aiding him in moulding and distributing counterfeit currency.<sup>400</sup> Similarly, Mary Wilcock was the daughter of a respectable shoemaker in Liverpool, but struck up a romantic relationship with Edward Smith, and began to live with him in Manchester. When Edward began offending, Mary was tarnished by association, the loss of her respectability made it difficult for her to return home. Within months, Mary began offending. When Smith was imprisoned, Mary subsequently struck up a relationship with another offender, Robert Kersley, and continued to offend when staying in the town.<sup>401</sup>

On occasion, downward social mobility could impact not just an individual woman, but a family that would go on to offend.<sup>402</sup> Financial crisis for the Pullinger family saw matriarch Esther Pullinger take to falsely redeeming items in pawnbrokers first with her sister Sarah Hinton, then with her Husband George Pullinger, and lastly with her son George, in order to provide for the family.<sup>403</sup> Although the immediate crises for the women differed, for all of the women mention here, crime was symptomatic of a deteriorating financial or economic life that had eventually reached such a point that offending became necessary.

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<sup>400</sup> *Standard*, 10 July 1866.

<sup>401</sup> *PCOM4*; Piece: 51; Item: 9. P; 17.

<sup>402</sup> See chapter 6.

<sup>403</sup> *Morning Post*, 9 May 1873. See also, *England & Wales Criminal Registers*, May 1873, Class: *HO 27*; Piece: 165; Page: 244. And *England & Wales Criminal Registers*, August 1881, Class: *HO 27*; Piece: 189; Page: 207.

Seven of the women (7%) who came from secure working-class background almost uniformly experienced a decline in class on account of their offending. These women were all repeat offenders. The taint of even minor criminality or deviance was enough to unsettle a woman's reputation, employment prospects, or social standing. The taint of habitual criminality was enough to secure an individual's permanent consignment to the lowest part of the social spectrum. For many of these cases, the stigma attached to offenders and offending facilitated a perpetual cycle of social ostracism and crime. In most of these cases, offending had begun in one of two circumstances.

Offenders Alice Rowlands, Catherine Feeney, and Elizabeth Hedderick (all from Liverpool) each came from secure working-class backgrounds, but engaged in criminal activity from a very early age. After significant terms of imprisonment as juveniles, ability to obtain respectable employment and lodgings was rendered very difficult. In these cases, continuing to offend was one of the only recourses left open. Alice Ann Rowlands was born in Toxteth, Liverpool, in 1859. Her father worked as a porter, and her mother was not in traceable paid employment. At the age of twelve, Alice was found stealing money from a purse, but on this occasion she was remanded and discharged. Unfortunately, just three months later she was found committing a similar offence, for which Alice was sentenced to ten days in an adult prison and five years in a reformatory.<sup>404</sup> Almost immediately upon release from the reformatory at the age of eighteen, Alice was remanded and discharged for riotous and drunken behaviour, and, due to the stigma attached to her as an offender, she was unable to return to her family home, or to obtain employment, and therefore unable to afford lodgings. Alice

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<sup>404</sup> *PCOM4*; Piece: 70; Item: 7 P; 1.

was sent to the workhouse.<sup>405</sup> Within months of being discharged from the workhouse on account of committing an offence there, Alice was convicted of several property crimes and summarily for drunkenness.<sup>406</sup> By her early twenties, Alice's criminal record and reputation had further damaged her prospects of reuniting with her family in Toxteth, and rendered regular paid employment virtually impossible, and she was living alone in a common lodging house.<sup>407</sup> Alice only desisted from offending after establishing a relationship with ship welder's labourer Thomas Dowler, and the birth of their three children.<sup>408</sup>

For other women, like Catherine McHugh, Mary Reed, and Catherine Gardiner, offending presented itself as a viable alternative to the low paid and low status jobs available to them.<sup>409</sup> Mary Reed grew up in the rural village of Kirton, Suffolk, in a family of agricultural labourers.<sup>410</sup> Mary moved to London around the age of seventeen or eighteen to undertake work as a domestic servant in the affluent west of the city. Within a few months of taking up her position, Mary was dismissed from her first post, but not prosecuted for the theft of jewellery from her mistress.<sup>411</sup> The most logical explanation for this offence, which does not appear directly need driven, was that Mary evaluated that theft from her employer was an easier and more profitable way to earn a living, that the poorly paid and highly laborious work of a domestic servant. After this first dismissal, Mary was nevertheless able to secure a second position just a few houses down the street, but less than two years later was discovered to have enticed another younger servant to aid her in the theft of bank bills

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<sup>405</sup> *Ibid.*

<sup>406</sup> *Ibid.*

<sup>407</sup> *Census Returns of England and Wales, 1881, Class: RG11; Piece: 3611; Folio: 50; Page: 16; GSU roll: 1341865.*

<sup>408</sup> *Census Returns of England and Wales, 1891, Class: RG12; Piece: 2913; Folio: 116; Page: 29; GSU Roll: 6098023.*

<sup>409</sup> See chapter 8.

<sup>410</sup> *Census Returns of England and Wales, 1861, Class: RG 9; Piece: 1168; Folio: 92; Page: 11; GSU roll: 542767.*

<sup>411</sup> *Morning Post*, 9 May, 1878

and money from her employer.<sup>412</sup> For this offence Mary was dismissed from employment and sentenced to one year of imprisonment.<sup>413</sup> Upon release, Mary was recommended for service by the superintendent of the Russell House Refuge and somehow managed to obtain a position in a house just two streets over from her previous employers. Not perturbed by her previous imprisonment, Mary Reed committed repeat offences in this employ, and after release from a seven year term of penal servitude, she committed yet another theft of jewellery against her employer in 1878.<sup>414</sup> When Mary was eventually released from prison in 1886, she had exhausted both her chances for refuge time and the will of prison officers to recommend her to potential employers. From this point, Mary's character and reputation, as well as her prospects for legal paid employment were sufficiently damaged to render her estranged from her family and irrevocably placed in the insecure section of the working-class, living in common lodging houses, consorting almost solely with other offenders, and making a living primarily from crime.<sup>415</sup>

Despite the clear differences in pathways to socio-economic decline and offending, and whether crime was the result or the cause of downward social mobility, what the experience of all these women had in common was that, in this period, social mobility more often worked against women, and offenders in particular, than to their benefit. Class movement was primarily a one way street. There were very few examples of upward social mobility amongst the women sampled, and no examples of upward social mobility once the taint of criminality had taken hold.

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<sup>412</sup> *Standard*, 2 March 1870.

<sup>413</sup> *England & Wales Criminal Registers*, February 1870, Class: HO 27; Piece: 156; Page: 188.

<sup>414</sup> *Standard*, 2 April 1878.

<sup>415</sup> *PCOM4*; Piece: 65; Item: 10 P: 20-21.

## Conclusions

The puzzling minority of middle-class offenders aside, differences between the lives and experiences of insecure working-class women, and secure working-class women are in many ways negligible. It was very possible for women to shift between these two groups, between childhood and adulthood, depending on their employment prospects and life events. The gulf between the two social groups was small and bridgeable, although such transience was far more likely to see women slide down the socioeconomic scale, than it was for them to transition upwards into a secure working-class life. A significant number of the insecure working-class offenders were women that differed little from their secure working-class peers, except for the fact that they had undergone change in fortune, employment opportunity, or personal circumstance. Most of these women turned to crime after a slow decline into extreme poverty or unstable lifestyles, rather than being a self-contained group of women who had a predisposition to offend. The biggest difference between the two groups is not the kind of offences they would commit, or stage in life which they committed them, but instead whether their offences were a product of immediate and specific need, more general want, or opportunity. However, how separately need and opportunity weighed on an individual's decision to offend, or which factor took prominence in such decisions, is not always clear for either group of working-class offenders.

The clearest conclusion that these findings present is that there was no inherent 'class-characteristic' that pre-determined a likelihood of female offending. Whilst the biggest proportion of the sampled female offenders came from the group at the bottom of the class structure, membership of this group was not a pre-determinant in offending. If it

were, then surely all women in this social position would have offended. Relegation to the insecure working-class did however expose women more often, and more acutely, to a combination of personal and financial experiences that would influence their decision to offend. Reduced opportunities for upward social mobility, and a clear trend for downward social mobility, amongst working-class women, and those that had offended, could often see women undergo a transition over a period of months or years that saw them slide gradually down the socio-economic scale, where they became not only socially excluded and materially desperate, but also the figures of intense social and legal scrutiny. These women were rendered both more likely to offend, and more likely to be caught. This was a cyclical process that once begun was very difficult for the women to reverse or extricate themselves from.

## Chapter Five: Nationality and Ethnicity of Female Offenders

Traditionally, histories of offending in Victorian Britain have tended to focus on nationality, rather than the more intangible and difficult to measure factor of ethnicity. For the eighteenth and nineteenth centuries, the experience of the Irish in the criminal justice system has been of particular interest to scholars. Linebaugh's work on the hanging of the Irish in at Tyburn suggests that a tradition of courts mistrusting and excessively prosecuting those from Ireland, their children and grandchildren too, dated back to the eighteenth century and even beyond.<sup>416</sup> Linebaugh commented "the name of an Irishman is enough to hang him" was a proverbial summation of Old Bailey Justice'.<sup>417</sup> Likewise, and perhaps most famously, have been several works by Swift on the experience of Irish migrants in Victorian England, in which he argued, 'the Irish born were almost three times as likely to face prosecution as their English neighbours'.<sup>418</sup> But more recently histories written by scholars such as Conley have displayed the benefits of considering how ethnic identity could impact upon an offender's likelihood to commit crime or their vulnerability to prosecution. Certainly, in the urban environments of Victorian Britain, national and ethnic identities were perhaps more blurred and interchangeable than we hold them today.

Both national identity and ethnic identity are, of course, intricate socially and culturally constructed concepts. It is possible for the historian's gaze to consign individuals to a nationality or ethnic group which in reality that individual during their life time did not

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<sup>416</sup> Linebaugh, *London Hanged*, pp. 288- 326.

<sup>417</sup> *Ibid*, p. 318.

<sup>418</sup> R. Swift, 'Heroes or Villains?: The Irish, Crime, and Disorder in Victorian England' in *Albion: A Quarterly Journal Concerned with British Studies*, 29, 3 (1997), p. 401.

themselves identify with. However, with regards to the Victorian criminal justice system, these very perceptions of ethnic and national identity could determine policing practice and court proceedings rather than the realities of either. As Neal commented 'it is not so much the truth that matters, but what people think is the truth'.<sup>419</sup> For the purposes of this analysis, nationality and ethnicity have been defined in the following ways; Nationality has been used to denote country of birth, whilst ethnicity has been derived by nationality of one or more parents. Where the parents of an individual have differing nationalities, for example one is English and one is Irish, a non-English ethnicity has been assigned. The most 'alien' heritage of any individual, was in the nineteenth century, likely to be the one most focussed upon by social commentators or those within the criminal justice system, and therefore was the most likely to have an impact on the cultural and socio-economic experience of that person. As Conley commented on her study of homicide and ethnicity in Victorian Britain 'the fate of foreigners in U.K. courts varied considerable according to nationality . . . where the peoples of the other nations of the United Kingdom were placed on the hierarchy varied. Though technically part of the United Kingdom, the Irish were usually described as both alien and inferior.'<sup>420</sup>

Ninety-nine (99%) of the female offenders profiled could be described as 'white British', just one offender, Sophia Martha Todd could be traced as having mixed heritage, her father being Scottish and her mother 'being an East Indian lady'.<sup>421</sup> All of the profiled female offenders were British citizens, all but one had been born within the United Kingdom (Marie Josephine Wheeler had been born a British citizen on the

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<sup>419</sup> F. Neal, 'A Criminal Profile of the Liverpool Irish', *Transactions from the Historic Society of Lancashire and Cheshire*, 140 (1991), p. 165.

<sup>420</sup> C. Conley, 'Wars among Savages: Homicide and Ethnicity in the Victorian United Kingdom', in *Journal of British Studies*, 44, 4 (October 2005), p. 778.

<sup>421</sup> *Liverpool Mercury*, 27 March 1877. See chapter 4.



island of Jersey). The nationality of the profiled offenders was as follows. Seventy-four of the women (74%) were English, twenty-one (21%) of the offenders were of Irish nationality, three were Welsh (3%), and two were Scottish (2%). Despite modern perceptions that crime was, and still is, in many ways, something 'alien to the British way of life', not only were all of the profiled female offenders British, but the vast majority of them were English – 'home grown' offenders.<sup>422</sup> Yet, when split into the Liverpool and London cohorts, the National mix of female offenders does change somewhat. In London, the vast majority of offenders, forty-two women (84%) were English, five (10%) were Irish, and just one woman each from London were Scottish or Welsh (4%). The biggest difference between London and Liverpool, was that from the Liverpool cohort there was a much larger proportion of Irish-born women. Whilst the majority – thirty-one women (62% cohort) - were still English, sixteen of the cohort's offenders (32% cohort) were of Irish nationality.

The simplest way to explain this difference in nationality of women between the cohorts is that, broadly speaking, during the nineteenth century the Irish made up a much larger proportion of Liverpool's overall population than they did of London's. Between 1841 and 1891 the Irish-born never constituted more than 5% of London's overall population. Liverpool, on the other hand, had always had a sizable Irish community due to its close links with Dublin, and throughout the nineteenth century the city maintained one of the largest Irish communities in the country. As a proportion of the city's overall population, the Irish in Liverpool reached a peak of 22.3% in 1851 (as a result of the huge famine migration in the late 1840s), and never

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<sup>422</sup> C. Phillips and B. Bowling, 'Ethnicities, Racism, Crime, and Criminal Justice' in M. Maguire, R. Morgan, and R. Reiner (eds), *The Oxford Handbook of Criminology* (Oxford: Oxford University Press, 2007), p. 429.

constituted less than 12% of the city's population during the period 1841-1891.<sup>423</sup>

Despite the vast difference in proportions of Irish individuals in both the general populations of each cohort city, and in the proportion of Irish-born offenders in each cohort, both Liverpool and London would seem to have an obvious over-representation of Irish born offenders. In both of the cohorts, there were around twice the number of Irish women that we might proportionally expect to see.

Swift's extensive work on the Irish in Britain during the Victorian period discussed several potential explanations for the overrepresentation of Irish-born individuals in criminal statistics.<sup>424</sup> Ultimately, Swift argued that whilst it had been useful for historians to be able to categorise Irish immigrants as either victims of a deeply prejudicial and discriminatory police force and legal system, or as villains (that in some ways, the Irish were innately more criminal than their English counterparts), creating this kind of analysis only ever provides a superficial perspective on the subject. Both previous historiography and Victorian social commentary claimed that the elevated level of Irish crime recorded in the Victorian period was due to the differing kinds of the crimes carried out by Irish and English offenders. Neal argued 'Irish offences were predominantly in the categories of petty offences, public order disturbances, drunkenness and assaults. There is little evidence, at present, to suggest that they were prominent in serious, organised crime.'<sup>425</sup> Likewise, Swift found that Irish criminality was overwhelmingly concerned at the petty and less-serious end of the offending spectrum. A parliamentary debate from 1836 claimed "The Irish in the larger towns of Lancashire commit more crimes than an equal number of natives of the same

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<sup>423</sup> Neal, 'A Criminal Profile of the Liverpool Irish', p.167.

<sup>424</sup> Swift, 'Heroes or Villains?' p. 401.

<sup>425</sup> Neal, 'A Criminal Profile of the Liverpool Irish', p.164.

places”.<sup>426</sup> However, the female offenders profiled from Liverpool and London are all ‘serious’ offenders, each having served a significant term of imprisonment in a Victorian convict prison, and thus, none of them, regardless of nationality or ethnicity can be considered to be solely petty offenders.

### Nationality

As a whole sample, the female offenders profiled for this study showed little difference in offending patterns based on nationality. For both Irish and English offenders, property crime was the primary category of indictable offending, suggesting that for many, economic need is the primary explanatory factor.<sup>427</sup> There were not notably higher proportions of either Irish or English women considered ‘dangerous offenders’. The top ten most prolific offenders were almost equally split between Irish-born and English-born offenders. Likewise, the highest number of indictments was ten, both an Irish and English woman had this many convictions. In terms of their petty offending, there was very little difference in the proportion of Irish and English females in the overall sample who were likely to have convictions for public disorder offences, or convictions related to prostitution.<sup>428</sup> Those that shared a socio-economic grouping, rather than a national grouping seem to have had much more similar offending patterns and life experiences. However that said, there were some small differences drawn along national lines amongst the women profiled. For example 42% of Irish offenders were likely to have convictions related to alcohol, versus just 33% of English offenders. These findings might start to indicate that the over-representation of Irish – born offenders in the sample of this study is not about what kind of offenders these

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<sup>426</sup> Report on the State of the Irish Poor in Great Britain, Parliamentary Papers (hereafter cited as P.P.), 34 (1836), pp. 20-23. Quoted in Swift, ‘Heroes or Villains?’, p. 399.

<sup>427</sup> See chapter 4.

<sup>428</sup> Frances Finnegan’s work on the Irish in Victorian York similarly found that prostitution could not be classed as an Irish activity. See Finnegan, *Poverty and Prejudice*.

women were, but more about who they were perceived to be, where they came from, and why they were offending.

Unsurprisingly, all of the female offenders of Irish nationality were alive during the great famine; around half were children who were taken by their families to the cities of Liverpool and London, and the other half were adults who presumably made their own decisions to migrate. Almost uniformly, these women came from the south and west of Ireland, the most common counties of origin amongst the women were Co. Sligo, Co. Roscommon, and Co. Mayo, some of the areas hardest hit by the food shortages and land disputes of the 1840s. For many of the Irish immigrant women, it seems simple enough to suggest that severe poverty, desperation, and local prejudice based on immigrant competition for jobs were to blame for many of the offences that were committed. After all, the majority of all the offenders, both English and Irish were primarily engaged in property crime.

Bridget O'Donnell was born in County Roscommon, Ireland, in 1842. She travelled with her mother, Mary, to Liverpool at the height of the famine in 1846 or early 1847. Once there the pair lodged in the slums in the north of the city. In all likelihood, life in rural Ireland had ill equipped Mary O'Donnell for life and work in urban Liverpool, whether she had no trade to speak of, or local prejudice had constrained her in finding paid employment, on the 1851 census both Mary and Bridget are listed as 'mendicants', meaning they survived from the proceeds of begging, or other charitable donation.<sup>429</sup> Mary died in the workhouse just three years later, leaving twelve year old Bridget with no income, and no support network.<sup>430</sup> It is not clear how Bridget survived in the next

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<sup>429</sup> *Census Returns of England and Wales, 1851, Class: HO107; Piece: 2177; Folio: 15; Page: 23; GSU roll: 87172-87174.*

<sup>430</sup> *Liverpool, England, Burials, 1813-1974, February 1854, 283 MTN/4/2/4. Liverpool Records Office.*

two years, but it is very likely that it was from this early age her offending began. Bridget's first traceable conviction was in 1856 when she received 6 weeks imprisonment for larceny.<sup>431</sup> In the next three decades, Bridget worked on and off as both a hawker of various items, and a prostitute. She remained both working and residing in the Irish-catholic neighbourhoods in the north of the city for her entire adult life. During this time, Bridget also received fifty summary convictions, for 'drunkenness, fighting, and prostitution' each of which saw her spend between three days and three months in a prison.<sup>432</sup> Bridget also spent another ten years in convict prisons for indictable property offences, most of them the theft or attempted theft of customer's belongings.<sup>433</sup>

Bridget O'Donnell's life course and offending was seemingly a result of a very difficult navigation of extreme hardship. Although an immigrant to England at very young age, the perceived taint of 'Irishness' and the social prejudice that accompanied it was something that defined much of Bridget's adult life. As Swift argued 'much Irish criminality was clearly the by-product of a poverty-ridden and brutalizing urban slum environment'.<sup>434</sup> Likewise, in her work on Victorian York, Finnegan found that the 'psychologically demoralising effects of being whirled into urban slum communities, alien in religion, race and culture' could often be attributed to the more petty criminal activities of Irish Immigrants such as drinking.<sup>435</sup> The famine migrants, particularly those that lodged in the slum areas of Liverpool, often had even less than their impoverished English peers. It is not a huge over simplification to suggest that women like Bridget O'Donnell could in many cases have had a more immediate need to resort

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<sup>431</sup> *England & Wales Criminal Registers*, October 1856, Class: HO 27; Piece: 114; Page: 58.

<sup>432</sup> *PCOM4*; Piece: 69; Item: 5; p.1.

<sup>433</sup> *Ibid.*

<sup>434</sup> Swift, 'Heroes or Villains', pp. 407 – 408.

<sup>435</sup> Finnegan, *Poverty and Prejudice*, p.154.

to crime than those who did not find their residential and employment prospects so limited. As Neal noted 'for many immigrants of the famine years, prison was a preferable alternative to living on the streets or in overcrowded cellars, and cases of deliberately breaking the law to get into prison during the winter were numerous'.<sup>436</sup> But perhaps even more-so, for the ghettoised Irish-born in Liverpool, native social anxieties about criminality saw these notorious residential areas become a real focal point for policing, increasing the likelihood that even petty legal infractions by the Irish would be caught and prosecuted, and thus creating an inescapable circle of perceiving the Irish to more likely to be criminal, policing them more heavily, and having criminal statistics to reinforce the idea of Irish lawlessness. All the while, this process ever-decreased the opportunity for Irish immigrants to obtain equal access to employment, or charity, or to carry out successful social integration with wider society.

### Ethnicity

When the analytical focus is shifted away from nationality and towards the ethnicity of female offenders, not only does the overrepresentation of Irish women become larger, and the differences between the cohorts become more pronounced, but the analysis and explanations for why such trends exist must become more complex. A large proportion of the female offenders were born in England, but categorised as ethnically Irish – the daughters and granddaughters of Irish migrants. As such there are seemingly a set of influences transcending national and geographical boundaries that explain such a high preponderance of Irish female offending in Victorian England. These second generation Irish women were obviously not subject to the same immediate socio-economic issues as immigrants at the time of the great famine, but

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<sup>436</sup> Neal, 'A Criminal Profile of the Liverpool Irish', p .181

nevertheless effected by many of the underlying cultural factors that could determine involvement in crime and vulnerability to prosecution.

**Table 4.**

Ethnicity Of Female Offenders	Frequency	%
English	43	43.0
French/English	1	1.0
Irish	48	48.0
Irish/welsh	1	1.0
Scottish	3	3.0
Welsh	2	2.0
Unknown	2	2.0
Total	100	100.0

Forty-eight of the women profiled (48%) were ethnically Irish, even more than the forty-three (43%) women in the sample who were ethnically English. Those perceived to be Irish obviously constituted a much bigger group than just those individuals born in Ireland. Thus the taint of 'Irishness', and the policing strategies and social prejudice that accompanied it extended far beyond nationality. When split into their cohorts these proportions become even more surprising. Thirty five of the women from Liverpool (70% cohort) were ethnically Irish, compared to just eleven (22% cohort) ethnically English offenders in the city. These figures are practically reversed for the London cohort. Swift was evidently correct when he stated that 'it may be that the Liverpool experience was a-typical' in regards to the city's relationship with Irish

criminality.<sup>437</sup> Yet the real interest here is not assessing the validity of Swift's statement, but in asking why that was?

**Table 4.1**

Ethnicity of Offenders	Cohort		Total
	Liverpool	London	
English	11	32	43
French/English	0	1	1
Irish	35	13	48
Irish/welsh	1	0	1
Scottish	1	2	3
Welsh	1	1	2
Unknown	1	1	2
Total	50	50	100

Over the previous three decades, many historians, such as Swift, Neal, and Fitzpatrick have provided fascinating evidence that began to answer the question of Irish overrepresentation in Liverpool. In more recent years the work of several scholars have expanded upon this topic. Godfrey Cox and Farrall's work, whilst not focussing specifically on the Irish, has suggested that the children of those who relocate from rural to urban areas are at increased risk of becoming offenders.<sup>438</sup> The dislocation and loss of social norms experienced by migrants - -in this case famine refugees – impacts

<sup>437</sup> Swift, 'Heroes or Villains?', p. 407.

<sup>438</sup> Godfrey, Cox, Farrall, *Criminal Lives*, pp. 139-140.



upon the development and opportunity of their children. This may be one explanation as to why ethnically Irish offenders outnumber nationally Irish offenders, and why Liverpool (a huge site of Irish migration and settlement) has such a large proportion of second generation Irish offenders. These ideas have yet to be fully explored by historians and criminologists. A significant number of histories have instead focused on the reception and treatment of ethnic minorities like the nineteenth century Irish. Archer's work on Liverpool has built substantially upon previous evidence of this nature. Archer argued that 'The Liverpool-born Irish were culturally and politically Irish. This group, who largely settled in the north-end, close to the Docks, were also regarded with suspicion and antipathy.'<sup>439</sup> Conley explains that Irish immigrants and their families were the most frequent targets of hostility as 'British labourers often suspected the Irish of threatening their jobs by accepting lower wages'.<sup>440</sup> Archer found that these problems were compounded by the fact that 'by the 1850s, large numbers of the Liverpool police were members of Orange Lodges and were therefore, 'anything but impartial to the Irish Catholic Poor'.<sup>441</sup> In reality, the definitions of ethnicity and religion were often blurred and intertwined. In Victorian Liverpool, hostility towards Catholics could often mean those perceived to be Catholics, a bracket which could see wide spread prejudice against those with Irish accents, or Irish names, regardless of their religious observance.

The work of modern criminologists on race and ethnicity such as Phillips and Bowling have used examples of this English prejudice towards the Irish in the Victorian period,

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<sup>439</sup> Archer, *Monster Evil*, p. 65.

<sup>440</sup> Conley, 'Wars among Savages', p. 784.

<sup>441</sup> Archer, *Monster Evil*, p.68.

to illustrate the long-standing practice of isolating and ostracising ethnic minorities.<sup>442</sup> They argued ‘the inferior traits assumed to be innate to ‘non-white’ racial groups were also applied to racially ‘othered’ white ethnic groups such as those of Irish or Jewish origin’. Phillips and Bowling explain that this process allowed for such groups to be conceived as deviant, degraded, and criminal, without questions of social responsibility needing to arise. They illustrate this with an excerpt from a Liverpool Newspaper from 1855 which referred to Irish Catholic immigrants as “the filthiest beings in the habitable globe . . . three-fourths of the crime perpetrated in this large town is by Irish papists. They are the very dregs of society”’.<sup>443</sup> Phillips and Bowling also argue that the conceptualisation of crime and policing of subversive elements of society would, and still does, often fall most heavily on those individuals who have been labelled as alien in this way. Once evidence of such an ‘outside’ group’s criminality is confirmed, through statistical trends, or high profile cases, the association of that group with crime becomes a re-enforcing and cyclical process which results in ‘over policing and under protecting’ that group.<sup>444</sup> This process certainly had an impact upon the policing practices and court proceedings in Victorian Liverpool, and should evidently be understood as one of the reasons that ethnically Irish women make up such a large proportion of the female offenders from the Liverpool cohort. An interesting comparison with the Irish experience that helps to reinforce this claim is that of the Welsh experience in Liverpool.

The city of Liverpool experienced significant Welsh migration to the city particularly in the first half of the nineteenth century, so much so that certain areas of the city were

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<sup>442</sup> Phillips and Bowling, ‘Ethnicities, Racism, Crime’, pp. 429 - 434.

<sup>443</sup> *Ibid*, p. 422.

<sup>444</sup> *Ibid*, pp. 429 - 434.

designated as 'Little Wales'. However, Welsh-born women, or the Liverpool born children of Welsh migrants make up a minute proportion of the sampled women for that cohort. Whilst there are obviously a number of socio-economic differences in the experience of these two groups, one of the most direct explanations for why Welsh female offenders are so scarce in the overall sample is that for the Welsh community the 'othering' process did not occur in the same way as for the Irish, and therefore, the Welsh were never understood, or interacted with as a subversive alien group. Of course, an alternate explanation for these differences is that the Welsh and their decedents in England could often face considerable hostility as alien residents and competition for employment, However in Liverpool, attention on this group was significantly diminished with the arrival of famine Irish, and as focus and hostility built around Irish communities, the Welsh, segregated on account of cultural factors, rather than socio-economic ones, became somewhat the lesser of two evils.<sup>445</sup>

Did this process of social and legal alienation that the ethnically Irish communities in Victorian cities underwent have an impact in the type of offending that Irish women carried out? From the entire sample of women there were some clear differences in the offending profiles of the groups of 'native' Englishwomen, and the 'alien' Irish women. For example, twenty-four of the ethnically Irish women (50% of ethnically Irish offenders) could be traced as having over ten offences, whereas just eight English women (18% of ethnically English offenders) could be traced as committing over this number of offences. Very much connected to the elevated number of offences amongst the ethnically Irish female offenders, is the fact that as a group they were almost twice as likely to begin offending earlier in life (under the age of twenty) than

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<sup>445</sup> C. G. Pooley, 'The Residential Segregation of Migrant Communities in Mid-Victorian Liverpool', in *Transactions of the Institute of British Geographers*, 2, 3 (1977).

their English peers.<sup>446</sup> Most strikingly of all the differences, however, was the higher rate of violent offending amongst the Irish women in the sample.

There were nine ethnically Irish women indicted for serious violent crimes, all of whom were convicted of violence against other adults. This compares to just six ethnically English women indicted for serious violent crimes, five of whom were convicted of violent offences against children.<sup>447</sup> By far, the majority of the ethnically Irish violent offenders came from Liverpool. These women like so many other poor Irish families lived within the maze of court and basement dwellings that stretched between the Vauxhall and Scotland Roads, just north of the city centre. This area was notorious amongst the more affluent residents of the city as a hotbed of overcrowding, poor sanitation, crime, vice, and degradation.<sup>448</sup> These perceptions, whilst not wholly accurate, were also not without some grounds. Navigation of the harsh conditions in the Vauxhall and Scotland Road corridor could, in many instances, necessitate treading a fine between the legal and illegal worlds. The slum and basement dwellings of this area saw severe overcrowding, poor sanitation and poor health. One single medium sized room could house a family with four or five children, in the worst streets, a cramped basement might house two separate families.<sup>449</sup> During the height of famine migration, the Liverpool domestic mission noted

‘all who visit amongst the poor, and especially the Irish poor, know that there prevail in regard to it [regular air supply] the most fatal ignorance and indifference. I am acquainted with one house containing three small rooms in which there are living five married couples, and twenty young people, varying in

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<sup>446</sup> See chapter 3.

<sup>447</sup> See chapter 7.

<sup>448</sup> Macilwee, *Liverpool Underworld*, pp. 89-91

<sup>449</sup> I. Cooper-Taylor, *Black Spot on the Mersey: A Study of Environment and Society in Eighteenth and Nineteenth Century Liverpool* (Unpublished PhD Thesis, University of Liverpool, 1976), p.119.

age from childhood to eighteen and-twenty- -it is obvious that all sense of propriety and self-respect must be destroyed, and decency and morality as much sacrificed as health and comfort'.<sup>450</sup>

For most that resided in this area, material wealth was little, and existence was often hand-to mouth. Amongst these chronically poor individuals and families, the opportunity to construct identity and status around material possessions were few and far between. More often for both men and women would achieve these things through a culture of community standing based on respect and honour. This culture was based upon the expectation that members of the community would adhering to a set of communal norms - a primary example being refusal to cooperate with the police, courts or other local authorities – and in return could expect the respect and support of their neighbours. Similarly, failures to do so could result in both social ostracism and violent reprisals, which served to both punish the transgressor, and to send a wider message to other residents about communal expectations. As Carter Wood neatly argued, amongst communities like this, 'the mentality of violence had three common characteristics: it favoured physical retribution, valued community autonomy and maintained domestic and public norms through disciplinary force or its implied threat'.<sup>451</sup> Several examples of this kind of inter-personal violence can be found in the cases of the Liverpool Irish violent offenders.

Margaret Carney was born in Liverpool in 1858, and was the first of four children born to John, a labourer, and Bridget, a Hawker, both famine migrants from the west of Ireland that came to the city in the 1840s. At the time of Margaret's birth, the Carney's

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<sup>450</sup> Liverpool Domestic Mission, *Annual Report* (1848), Liverpool Records Office, p. 13

<sup>451</sup> J. Carter Wood, *Violence and Crime in Nineteenth Century England: The Shadow of our Refinement* (London: Routledge, 2004), p. 48.

were living at nine court Midgehall Street, in a dwelling they shared with three other families.<sup>452</sup> Whilst the Carney's moved several times during Margaret's childhood, they always stayed within the same four streets in the area. By the time Margaret was sixteen in 1874, she has already had several summary convictions for drunkenness, and had spent a month in prison for an assault on a policeman. Margaret was also an occasional victim of crime herself, for example she was attacked and kicked in the face by a fellow teen resident, Ellen Mahoney, over an unknown dispute in 1876.<sup>453</sup> The following year, Margaret found herself again in court charged with riot, and assault.<sup>454</sup> However, this 1877 offence was not just another case of personal dispute, but in fact an incident that sheds light on both a specific subculture amongst young (mostly ethnically Irish) women in Liverpool, and also the clashes of such groups with local authorities. The *Liverpool Mercury* reported that Margaret, and several young men were charged with riotously assembling, and also with maliciously wounding several policemen as they tried to disperse them. The offence was described in court as being 'more like a description by Captain Mayne Reid of a scene of the western prairies among the North American Indians, than anything that could have taken place in an important street in Liverpool among civilised beings' and 'rather like what you might expect to see in a Bulgarian town just delivered from the Turks'.<sup>455</sup> On 23 June of that year, Margaret, her fellow accused, and a good number of others had congregated to celebrate the festival of St. John's Eve. A festival little practiced in England but, according to those in court:

It seemed that on the hills in Ireland on that evening bonfires were lighted and certain festivities went on . . . whether it was

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<sup>452</sup> *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 2661; Folio: 9; Page: 12; GSU roll: 543008.

<sup>453</sup> *Liverpool Mercury*, 19 January, 1876

<sup>454</sup> *England & Wales Criminal Registers*, July 1877, Class: HO 27; Piece: 177; Page: 79.

<sup>455</sup> *Liverpool Mercury*, 9 July 1877.

in celebration of some incident in the life of St. John or whether it was to be traced to the fire worshipers or the worshipers of Baal [was known] not; but it appeared that on that evening fires were lighted and dances and other amusements indulged in, which might be very proper on the heights of the Macgillicuddy Reeks, but when they extended to the streets of Liverpool the complexion of affairs was entirely altered.<sup>456</sup>

Just after midnight on this evening police testified that they headed to the bottom of the Vauxhall and Scotland road corridor, and found a large bonfire in Stockdale Street which was 'blazing fiercely and seriously endangering property in the neighbourhood. There were from 50 to 100 persons round it screaming and yelling'.<sup>457</sup> As police advanced up the street and attempted to extinguish the fire, Margaret and several others began to throw bricks, bottles and other articles at the officers, some even climbed the roofs of houses 'and tore down chimneystacks' for the purpose. Several police officers were wounded in the incident and in court, an Inspector identified Margaret as 'the captain and leader of the rough women of Stockdale Street'.<sup>458</sup> Having been identified as one of the ringleaders of the incident, Margaret was sentenced to eighteen months in prison with hard labour.<sup>459</sup>

Around six months after her release from prison, in February of 1880, Margaret married twenty-seven year old casual labourer John Muldoon, a resident of Stockdale Street and second generation Irish Catholic.<sup>460</sup> Whilst marriage has been found by other scholars to act as a catalyst for desistance from crime for both women and men, unluckily for Margaret, John Muldoon was also a violent offender and had seemingly little motivation to reform. Just two months after their marriage John was convicted of

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<sup>456</sup> *Ibid*

<sup>457</sup> *Ibid*

<sup>458</sup> *Ibid.*

<sup>459</sup> *Ibid.*

<sup>460</sup> Liverpool, England; *Liber Matrimoniorum*; Reference Number: 282 JOS/2/1. Liverpool Record Office.

assaulting Ann Hines and sentenced to five years in prison. Hines had testified for the defence in a trial when John Muldoon had testified for the prosecution just weeks earlier. John was displeased with her statement against his own, so on the 9<sup>th</sup> March, John 'dragged her along the street and then struck her three violent blows on the head with a poker'.<sup>461</sup> Unsurprisingly, Hines was initially reluctant to testify against Muldoon again and went into hiding, the court remarking that she was 'nowhere to be found'.<sup>462</sup> After some delay she was located and eventually convinced by the police to take the stand once more in order to convict him. John's imprisonment posed Margaret with both a personal and economic crisis, newly pregnant, Margaret had lost both emotional and financial support. Upon John's conviction, she returned to live with her parents, where her son (also named John) was born at the end of 1880.<sup>463</sup>

John's attack on Ann was a chastisement for her failure to corroborate his testimony with the authorities in a previous court case. By going into hiding Ann had tried to avoid having to testify against John again, in a bid to not again transgress the communal expectation of her. After eventually going back into the courtroom to secure John's conviction in April 1880, Ann once again disappeared, no doubt concerned that her continued co-operation with the police would end in further reprisals. Unfortunately Ann was only too correct in this assessment. When she reappeared in April 1882, Ann was attacked by Margaret and stabbed in the eye with a knife as recompense for testifying against John. For this offence Margaret was sentenced to five years in Prison, it was her thirteenth conviction.<sup>464</sup> Whilst serving this time in prison, Margaret was written to by her mother, informing her that her two

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<sup>461</sup> *Liverpool Echo*, 24 April 1880.

<sup>462</sup> *Ibid.*

<sup>463</sup> *Census Returns of England and Wales, 1881*, Class: RG11; Piece: 3606; Folio: 13; Page: 21; GSU roll: 1341864.

<sup>464</sup> *England & Wales Criminal Registers*, April 1882, Class: HO 27; Piece: 192; Page: 46.



year old son Jon had died.<sup>465</sup> Both John and Margaret were released from prison in 1884, returning to Stockdale Street.

The death of her son does seem to have been a determining factor in Margaret's desistance from crime. From her release in 1884 Margaret had three more children, and there are no more traceable convictions for her (although she and John continued to live together in the same area and John had several further convictions, in which it is uncertain if she was complicit). Despite seeming to no longer offend, Margaret was not removed from the culture of status, honour, and violence still so prevalent in the local community, for example, in 1891 when the couple were living in Bent Street, John was beaten, kicked, and stabbed multiple times over a drunken exchange of words, yet despite spending considerable time in hospital, John declined to press charges.<sup>466</sup> It was not until after John's death in 1899 that Margaret moved out of her immediate neighbourhood, for the first time she can be traced as having undertaken paid work, having broken with her old community.<sup>467</sup>

Margaret's story illustrates several things. Firstly, despite being born in Liverpool, and living in the city for her entire life, Margaret's identification with, and involvement in, Irish culture was strong. Her offence of riot and assault in 1877 was whilst she and other members of the 'Liverpool Irish' were celebrating an Irish festival, and clashed with police when they tried to impinge on this.<sup>468</sup> Whilst on this occasion it would seem most logical to argue that this police action was concerned with public order rather than anti-Irish sentiment, the exceedingly violent reaction those involved had to police intervention is perhaps indicative of underlying tensions between the two

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<sup>465</sup> *PCOM4*; Piece: 59; Item: 6; p. 6.

<sup>466</sup> *Liverpool Mercury*, 8 July 1891.

<sup>467</sup> *Census Returns of England and Wales, 1911*, Class: RG14; Piece: 22164.

<sup>468</sup> Neal, 'A Criminal Profile of the Liverpool Irish', p.166. The term 'Liverpool Irish' was defined by Neal as 'the Irish born and English-born persons with at least one Irish parent' residing in the city.

groups, and possibly providing an explanation for the huge proportion of ethnically Irish female offenders in the Liverpool cohort. Many young women like Margaret often had convictions for assaulting the police and complained frequently of being met with harassment and ethnic prejudice by the authorities.

Secondly, both Margaret and her husband's offences and experience as victims are clear illustrators of a community and sub-culture that had to a certain extent normalised violence. These 'closely-knit, high density social networks were . . . characterised by a shared set of principles and attitudes regarding behaviour' which commonly hinged on the judicial application of violence.<sup>469</sup> Such traditions of self-policing Carter Wood argues, had been 'deeply ingrained in working-class culture' from the early modern period onward.<sup>470</sup>

Social networks like the Muldoon's were ones in which everyday actions - usually with the addition of alcohol- could soon spill over into offending, be that a personal dispute settled in a fight, an exchange of opinions, conflicting ideas, or insults that spiralled into violence, or retribution retrospectively paid out for perceived slights or wrongdoings. In communities such as these, 'there was little questioning of the biblical notion of an eye for an eye'.<sup>471</sup> This is, of course, not to suggest that the Irish were somehow characteristically violent, but perhaps instead to suggest that as Archer wrote, the ethnically Irish were they were 'bottom of any social and economic barometer by which one would wish to measure society', and thus more commonly constructed notions of respect and status around community standing and reputation,

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<sup>469</sup> Carter Wood, *Violence and Crime*, p.106.

<sup>470</sup> *Ibid*, p. 56.

<sup>471</sup> *Ibid*, p. 48.

which could be created with violence and protected with ferocity, not bought with money.

Although there were far more women identified in the Liverpool cohort as both ethnically Irish, and categorised as committing primarily violent crimes (much like Margaret Carney), this experience was not limited to Liverpool alone. In London, of the eleven women categorised primarily as Irish, two could be traced as having a very similar circumstances and experiences to those outlined above.

Mary Lynch was born in Bermondsey, South London in 1851, she was the daughter of two Irish famine immigrants Johanna, and Thomas. By the Age of thirteen or fourteen, Mary was living away from her parents, residing with a group of other young, second generation Irish individuals in the courts on the Old Kent Road.<sup>472</sup> It was from this point in her life that Mary became involved in crime, primarily public order offences.<sup>473</sup> In 1872, Mary Lynch and her friend Sarah Murray were both prosecuted for 'feloniously wounding with intent to maim' Susan Snellgrove.<sup>474</sup> The case was labelled of a 'very serious and important character, having regard not only to the painful character of the act imputed to the characters but due to the administration of justice'.<sup>475</sup>

In March of 1872, Daniel Harris, a man who cohabited with Sarah Murray as her husband was on trial at the Surrey Sessions for a violent street robbery. Susan Snellgrove was summoned as a witness for the prosecution. Despite Sarah Murray, and her close friend Mary Lynch's repeated pleas and threat that Snellgrove not take the stand against Harris, she proceeded to give evidence at his trial. Harris received eight

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<sup>472</sup> *PCOM4*; Piece: 62; Item: 11; p: 10.

<sup>473</sup> *Ibid*, p.1.

<sup>474</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 20 June 2013), May 1872, trial of SARAH MURRAY (21) MARY LYNCH (21) (t18720506-445).

<sup>475</sup> *Leeds Mercury*, 13 May 1872.

years in prison for the offence.<sup>476</sup> Unhappy with the verdict, as the courtroom cleared, Mary Lynch was heard to say that she would 'gouge her ----- eye out' (omission original).<sup>477</sup> That evening as Snellgrove left her lodgings, just two doors down from the lodgings of Daniel Harris' mother, she was accosted by Lynch and Murray, the former striking her down, and the latter 'struck her a blow in the eye. . . the might of the blow was that the right eye was knocked completely out of the socket'.<sup>478</sup> Lynch, Murray and several companions proceeded to beat and tear the clothes off of Snellgrove until she was eventually found and taken to hospital, where the remains of her eye were removed and she stayed to recover for some time. When apprehended Lynch was reported to have stated 'That bleeding Liz Bassett [a local prostitute] has *rounded on me* for this . . . God strike me blind, I will kill her the first opportunity I get'.<sup>479</sup> When taken to the hospital by police so that she might be properly identified, police heard Lynch say to Snellgrove 'I wish I had stiffened you; may you lie there for ever, you bleeding old cow'.<sup>480</sup> When the case went to court, several witnesses testified as to the motive of the attack, Sarah Peck, a hawker from the area who knew both Murray and Lynch revealed them to have confessed 'we have found the b— cow that lagged [imprisoned] him, and we have done it for her' (omission original).<sup>481</sup> Both Lynch and Murray were sentenced to penal servitude for life for this offence. Murray died in prison, and Lynch was released after serving thirteen years.<sup>482</sup>

The significance of this case is twofold, firstly, despite the protestations of Susan Snellgrove that she was very little acquainted with Murray and Lynch, Lynch's later

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<sup>476</sup> *England & Wales Criminal Registers*, May 1872, Class: HO 27; Piece: 163; Page: 66.

<sup>477</sup> *Leeds Mercury*, 13 May 1872.

<sup>478</sup> *Ibid.*

<sup>479</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 20 June 2013), May 1872, trial of SARAH MURRAY (21) MARY LYNCH (21) (t18720506-445).

<sup>480</sup> *Ibid.*

<sup>481</sup> *Ibid.*

<sup>482</sup> *PCOM4*; Piece: 62; Item: 11; p: 2.

appeals for parole indicate that she had known Snellgrove well for almost ten years prior to the attack, she stated 'Susan Snellgrove had enticed her away from home at the age of 13 and by her was led into all kinds of vice'.<sup>483</sup> It is unclear when the relationship between Lynch, Murray, and Snellgrove (an offender with several previous convictions herself) soured, but it is very possible that Snellgrove's enthusiasm to testify for the prosecution at Daniel Harris' trial was more connected to a complex set of local power relations than it was an inherent passion for the processes of justice.

The attack on Snellgrove by Lynch and Murray was very clearly retribution for this act of betrayal, and for the breach of cultural norms that Snellgrove undertook in involving the criminal justice system in what were personal, local disputes. These events are a clear example of Carter Wood's assertion that 'community feelings against "informers" who cooperated with the authorities was particularly strong' in the poorest working-class communities of Victorian England.<sup>484</sup> In just this one case, further examples of this kind of socially normalised violence are evident. Just a few days after Lynch and Murray were found guilty, nineteen year old Ann Doolan –another young, second-generation Irish woman – was brought up at Southwark Police court charged with 'threatening to stab and use other violence' against Sarah Peck, the local Hawker who had given evidence against Lynch at the trial. It was alleged that after the trial, Doolan approached Peck, shook her fist in Peck's face and stated 'I'll knife you, you bitch'.<sup>485</sup> Doolan claimed she was drunk at the time, and little recalled doing it, also stating that she 'did not know if she had a knife, if she did she had never intended to use it', Doolan was told by the magistrate that if she had, he would sentence her to penal

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<sup>483</sup> PCOM4; Piece: 62; Item: 11; p: 10.

<sup>484</sup> Carter Wood, *Violence and Crime*, p. 49.

<sup>485</sup> *East London Observer*, 18 May 1872.

servitude for life.<sup>486</sup> Herein lies the second point the case of Mary Lynch can illustrate – although the attack on Susan Snellgrove (and the threats made to Sarah Peck) were serious violent offences that required a significant term of penal servitude, it was non-fatal.

The heavy sentence of life imprisonment had less to do with the wounds inflicted on Snellgrove, and much more to do with the awareness of the courts about the cultures of violence, community justice, and witness intimidation present amongst certain sections of society. This sprang out of a particular concern for the potential these practices had to interfere with policing practices, and the authority of the law. These concerns, coupled with a wider milieu of prejudice against the Irish meant that these individuals and their communities were, therefore, policed more heavily and prosecuted more thoroughly for violent legal infractions. Conley suggested in her work on homicide in Britain ‘the Irish were more likely to be convicted and much more likely to be executed than English defendants’.<sup>487</sup> Conley’s study focussed on male violence, but despite this, and although there are no executed women amongst my sample of paroled female offenders, Conley’s arguments provide appropriate support for my findings. When coupled with other evidence illustrating the sub-culture of normalised violence in some of the predominantly Irish communities in both Liverpool and London, it becomes apparent why the sample has larger number of ethnically Irish women than English women convicted of serious violent crimes against other adults.

As significant an illustration of some of the offending patterns amongst the Irish women examples like Margaret Muldoon and Mary Lynch (as serious violent offenders) are, they remain nonetheless very small proportion of the total sample.

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<sup>486</sup> *Ibid.*

<sup>487</sup> Conley, ‘Wars among Savages’, p. 780.

However, thirteen ethnically Irish women (27% of sampled ethnically Irish women) held summary convictions for less serious violent offences, these might range from damage to property committed whilst drunk, fights between neighbours, or assaults on the police. Perhaps many of the conclusions draw for the most serious violent offenders could be applied to these other Irish violent offenders who similarly outnumbered their English counterparts.

**Table 4.2**

Ethnicity	Violent conviction		Total
	no	yes	
English	36	7	43
French/English	1	0	1
Irish	35	13	48
Irish/welsh	1	0	1
Scottish	3	0	3
Welsh	2	0	2
Unknown	1	1	2
Total	79	21	100

Much of the historiographical work on Irish criminality in Victorian England has focussed on just this sort of violent petty offending. Swift argued that;

a good deal of faction fighting in rural Ireland and a tradition of hostility between men from rival villages, counties, and provinces. These rivalries were sustained in English cities, where the drunkenness, noise, and casual violence associated with Saturday night satumalia in the public houses, beer-shops, and lodging houses of "Little Irelands" - not to mention the celebration of weddings, wakes, and St. Patrick's Day-made the Irish more visible.<sup>488</sup>

The activities of the sampled violent female offenders, particularly those from Liverpool, indicate that this cultural antagonism from those of different areas of Ireland, or in particular between Protestants and Catholics was not only undertaken by men. Secondly, although some historians such as Conley argued 'by the 1880s the young men most likely to be involved in brawls were probably the sons and grandsons of the famine immigrants and may not have felt any allegiance to the land of their ancestors', it would appear that 'faction fighting' was still somewhat prominent amongst second and even third generation Irish individuals.<sup>489</sup> For example, shortly before offender Eliza McIntosh – a Liverpool born second generation Irish woman – launched an attack upon John Talbot, she had lured him outside of his home by insulting his wife, labelling her a 'Limerick bitch'.<sup>490</sup> Whilst Fitzpatrick's assertion that 'Irish drunkenness, violent behaviour and party fighting owed more to the harshness of life in Urban Britain than to the cultural inheritance of rural Ireland' rings true in many instances, the cultural antagonisms handed down through the generations cannot be

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<sup>488</sup> Swift, 'Heroes or Villains?', p. 412.

<sup>489</sup> Conley, 'Wars among Savages', p. 786

<sup>490</sup> *Liverpool Mercury*, 3 November 1877.



said to have played no role in the continued violence between neighbours, and between Irish communities and the police.<sup>491</sup>

### Conclusions

Ultimately, the over-representation of Irish women in the entire sample of female offenders, and as violent offenders, is best described not as an issue of ethnic and national identity, but as one of social exclusion, further compounded by the socio-economic class position of the women. Forty-five of the forty-eight ethnically Irish women (93% of ethnically Irish in sample) were identified as being of the insecure working-class in adulthood, whereas only thirty-two of the ethnically English women (74% ethnically English in sample) were.<sup>492</sup> As Archer said of Liverpool's offenders 'it may be possible to conclude that the Irish added to the town's criminal profile because they were poor, not because they were Irish'.<sup>493</sup> Quite simply, a higher than expected proportion of ethnically Irish women exist in the sample of offenders because a disproportionate amount of the very poorest people living in the two cities were Irish. The prejudice that faced the famine migrants of the 1840s lingered to impact the employment and living standards of the children and grandchildren of Irish nationals. These individuals were unsurprisingly those that most often undertook property crime as part of their navigation of financial hardship, those who drank more heavily than their secure working-class peers, or those who lived in areas where violent interactions had become somewhat normalised. Where there are some obvious differences in type of offenders women became, and the type of offending undertaken in different ethnic groups, these differences are not characteristics of a particular ethnicity, but are

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<sup>491</sup> D. Fitzpatrick, 'A Peculiar Tramping People: The Irish in Britain 1801-1870', in W. E. Vaughan (ed.) *A New History of Ireland* (Oxford: Oxford University Press, 1989).

<sup>492</sup> See chapter 4.

<sup>493</sup> Archer, *Monster Evil*, p. 76.

instead indicative of where on the Victorian socio-economic and cultural spectrum such different groups were placed. In Liverpool, police activity was affected by sectarian differences which saw Irish catholic neighbourhoods and cultural practices come under increased scrutiny. The same social and cultural prejudice aimed at the Irish also ensured their economic vulnerability, and difficulty in social integration, making their neighbourhoods and dwellings the poorest in the city, and making the Irish highly visible targets of blame for crime and disorder. In both London and Liverpool – and most likely in other major cities also – policing was heaviest in the most deprived areas as fears over the criminal class and ‘residuum’ shaped conceptions and narratives of crime. In terms of life experience and offending profile, there is more shared in common between the very poorest English and Irish female offenders, than there is between groups of nationally and ethnically English female offenders regardless of class.

## Chapter Six: Family Structure, Intergenerational and Spousal Offending, and the Female Offender

Scholarly investigation of the links between family structure, intergenerational delinquency, and individual offending are few and far between. Most of the studies that exist are modern sociological and criminological accounts that focus particularly on the familial transmission of offending, rather than historical works.<sup>494</sup> Godfrey, Cox, and Farrall's work in 2007 remains one of the only historiographical examinations of the family background and experiences of offenders, offering analysis of the gendered and short term transmission of crime amongst their sample of Crewe offenders.<sup>495</sup> The literature on intergenerational and family offending draws from two datasets, the Pittsburgh Youth Study (PYS), and the 411 male London youths sampled for the Cambridge Study in Delinquent Development (CSDD). Scholars working with these resources have produced a diverse and highly interesting range of findings, however, current scholarly work on this area remain focussed on not only male criminality, but on men who lived, worked, and offended largely in the twentieth century. Clearly, in terms of familial relationships and social interaction, women of the nineteenth century

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<sup>494</sup> T. Thornberry, 'Explaining Multiple Patterns of Offending across the Life Course and across Generations', *Annals of the American Academy of Political and Social Science*, Vol. 602 (2005). See also: S. Besemer and D. Farrington 'Intergenerational transmission of criminal behaviour: Conviction trajectories of Fathers and their children' in *European Journal of Criminology*, 9, 2 (2012), pp 120-141. A. Ramakers, C. Bijleveld and S. Ruiter, 'Escaping the Family Tradition: A Multi-Generation Study of Occupational Status and Criminal Behaviour' in *British journal of Criminology*, 51, 5 (2012), pp. 856-874. S. Besemer, 'The impact of timing and frequency of parental criminal behaviour and risk factors on offspring offending', in *Psychology, Crime & Law*, (2012), pp. 1-22. A. Putkonen, O. Ryyanen, M. Eronen and J. Tiihonen, 'Transmission of violent offending and crime across three generations', in *Social Psychiatry & Psychiatric Epidemiology*, 42, 2 (2007), pp. 94-99. D. Rowe and D. Farrington, 'The Familial Transmission of Criminal Convictions', in *Criminology*, 35, 1 (1997). Pp. 177-202.

<sup>495</sup> Godfrey, Cox and Farrall, *Criminal Lives*, pp. 109-141.

differ significantly from their modern male equivalents. The impact that family structure and intergenerational transmission of offending had on female offenders in the nineteenth century is still very much unknown by historians.

Information available for the profiled female offenders from Liverpool and London offers the opportunity to begin to redress this balance. The information collected over their life course makes it possible to collate information as to their family backgrounds, early life experiences, and subsequent life and offending trajectories. Thus, the object of this chapter is to use the historical data collected for female offenders to explore some of the most prominent hypotheses about the impact of familial background and structure on later offending, offered by modern criminologists. Three primary areas of female offenders' family experiences will be examined. These are parental age and offenders as a product of 'young mothers', the impact of family size in recourse to crime, and most significantly, an investigation of the likelihood of intergenerational transmission of offending.

### Young Motherhood, Parental Death, and Offending

Criminologists have assessed that those 'who were born to women who began childbearing at an early age are at greater risk of criminality'.<sup>496</sup> Those aged twenty-one or under at the time of their children's birth identified by modern scholars as 'young' parents. Two suggested explanation are offered for why this occurs, which seem as if they might hold relevance not only for twentieth century male juveniles, but for female offenders in the nineteenth century also. The first is the 'persistent poor parenting – role model' explanation, which suggests that parents under the age of twenty one transmit a propensity for delinquent behaviour to their children because

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<sup>496</sup> D.S. Nagin, G. Pogarsky and D. P. Farrington, 'Adolescent Mothers and the Criminal Behaviour of Their Children' in *Law & Society Review*, 31, 1 (1997), p . 137.

they themselves are inexperienced and immature. Such parents exhibit perpetually bad parenting techniques towards their children, catering poorly for their moral and social development.<sup>497</sup> The result of this is that their children are at increased risk of becoming offenders. The second impact of young motherhood on children is that of 'diminished resources'. Younger mothers are less likely to be able to provide for their offspring and this can cause long-lasting deprivation in the lives of children who then are more likely to go onto offend. 'Diminished resources' refers not only to financial resources, but also social and cultural resources, such as access to education or tools for development such as books, and also factors like parental attention, and level of supervision given to children.<sup>498</sup> These children, Nagin contends, were more likely to engage in problem behaviours such as 'running away, fighting, stealing, and smoking', and later to other more serious offences.<sup>499</sup>

Only ten of the profiled women (10%) could be traced as being born to 'young' mothers.<sup>500</sup> Two of these women also had young fathers. One additional woman had just a young father. Being born to a young mother, or father for that matter, was not a common factor in the lives and experiences of female offenders. It is perhaps most worth noting that, in terms of Victorian female offenders, modern definitions of 'young motherhood' are largely unhelpful. Whilst men and women below the age of twenty-one in the late twentieth and twenty-first centuries might well be perceived as 'young' by the society to which they belong, in the nineteenth century young men and women regularly entered full time employment from the age of thirteen and fourteen, and particularly for women, marriage and childbirth from the age of sixteen onwards was

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<sup>497</sup> Nagin, Pogarsky and Farrington, 'Adolescent Mothers', p. 144.

<sup>498</sup> *Ibid*, p. 146.

<sup>499</sup> *Ibid*, p. 138.

<sup>500</sup> Young motherhood is here defined as twenty-one years of age or younger, the same as Nagin's modern study, and just below the national average age for women to marry in the Victorian era suggested by Robert Wood (further details below).

not uncommon. In this sense, the current idea of 'young' parenthood becomes a somewhat meaningless category of analysis.

There was a larger proportion of the sampled women (29%) who were the children of women who had become mothers below the age of twenty-one, but very few of these could be traced as being 'young' in the Victorian sense of the word. Yet as Nagin, Pogarsky, and Farrington rightly point out, not enough studies make the clear distinction between the experience of being the child of a woman who gave birth to any child at a young age, and the subject being themselves a child of a young mother - even though there can be an obvious difference in these experiences.<sup>501</sup> For example, Ann Weller was born when her mother was just nineteen, and despite no evidence of material need, Ann went on to commit a number of petty offences, which she claimed were a ploy to get the attention of her family.<sup>502</sup> Whereas Honorah Connell's mother had delivered her first child at twenty-one years old, but she was forty - one by the time Honorah (later an offending domestic servant and mother of one illegitimate child) was born.<sup>503</sup> Both of these women would come under the same 'young mother' bracket, but clearly had completely different experiences, neither of which seem to have been particularly determined by their mother's age. With experiences as diverse as women who committed just one violent crime in an act of desperation, or women who offended a small number of times during the advanced years of their lives, to some of the youngest, and most prolific offenders in the sample, and with women ranging from the comfortable, to the destitute in terms of socio-economic experience, there is no clear trend, or difference between those offenders born to mothers under

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<sup>501</sup> Nagin, Pogarsky and Farrington, 'Adolescent Mothers', p. 139.

<sup>502</sup> See chapter 4.

<sup>503</sup> *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 1490; Folio: 253; Page: 2; GSU roll: 87817-87818. See also; *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 74; Folio: 26; Page: 50; GSU roll: 542568.

twenty-one, and the rest of the offenders in the sample. What is clear, that none of the offenders could be traced as being born to women who would have been classified as 'young mothers' during the nineteenth century.

On average, the age of mothers of offending women at which they had their first child was twenty-two and a half years of age, and mothers were on average twenty-seven and a half years old when they gave birth to the sampled offender. There is not a wealth of historiographical literature pertaining to the age at which Victorian women might have their first child, however, studies of nuptiality and fertility in the period suggest that the average age women marrying in England around the mid-nineteenth century (and thus a good indicator of the ages at which they were likely to have their first children) was nationally between the ages of twenty-two and twenty-five years old. At the county level, women in Lancashire were likely to first marry between the ages of twenty-three and twenty-four years, and in London between twenty-four and twenty-five years of age.<sup>504</sup> Generally speaking then, the mothers of the sampled female offenders appear to have been fairly indistinguishable from mothers of non-offenders, and reflective of the national average age and stage of the life-cycle at which women typically married and had their first children. At over twenty-five years of age when the offenders were born, on average, the parents of the sampled women were certainly not 'young'. This effectively removed discussion of female criminality in the Victorian period as a product of the poor parenting practices of young and inexperienced mothers and fathers.

Yet, as Nagin, Pogarsky, and Farrington do qualify in their modern study, perhaps poor parental practices are not a product of age in and of itself at all, arguing that, 'maternal

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<sup>504</sup> N. F. R. Crafts, 'Average Age at First Marriage for Women in Mid-Nineteenth-Century England and Wales: A Cross-Section Study', in *Population Studies* (March 1978), Vol. 32, Issue 1, p.22.

childbearing age cannot be a causal factor per se rather, it is a marker for problems in the child's environment that are shaping his development'.<sup>505</sup> These factors might relate to the modern problems associated with early motherhood such as social ostracism, poor housing, sustained poverty, and 'diminished resources'.<sup>506</sup> Although these factors are most commonly experienced in the modern era by young mothers and single parent families, in the Victorian age most of these factors persisted in many working-class families, which the majority of the sampled women were part of.<sup>507</sup> Many of these conditions were thus not linked to the age of offenders' mother or father at parenthood, but instead endemic amongst the families at the bottom of the socio-economic scale to which most female offenders belonged.

The death of a parent during childhood or adolescent years was an event that could intensify the social and economic deprivation within a family, and in this way contribute to the conditions outlined above, which have been linked with offending. The death of a parent before adulthood effected a significant number of the profiled women. Twenty-eight (28%) of the women had lost their father before adulthood, with twenty (20%) of the women having lost their father between the ages of birth and sixteen. Likewise, fourteen (14%) of the sampled women had lost their mothers before adulthood, with ten (10%) of them being under the age of sixteen when this occurred. A total of thirty-three (33%) of the women could be traced as having lost at least one parent before the age of sixteen, and more than this had lost a parent before reaching legal adult status. Only four of these women had already begun offending before the death of their parent. Humphries found that 'petty crime', such as shoplifting, or the theft of small amounts of money, carried out by those with diminished resources, was

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<sup>505</sup> Nagin, Pogarsky and Farrington, 'Adolescent Mothers', p. 141

<sup>506</sup> *Ibid*, p. 145.

<sup>507</sup> See chapters 4 & 8.



not only prominent amongst unskilled families, and those in which there were regular bouts of unemployed, but that they were most common to 'one parent families' also.<sup>508</sup>

**Table 5.**

Age of Offender at Death of Father	Frequency	Percent
Adult	54	54.0
Child	14	14.0
Infant	6	6.0
Young Adult	8	8.0
Unknown	18	18.0
Total	100	100.0

**Table 5.1.**

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<sup>508</sup> S. Humphries, 'Steal to Survive: the Social Crime of Working Class Children 1890-1940' in *Oral History*, 9, 1 (1981), p. 24

Age of Offender at death of Mother		Frequency	Percent
Life Stage	Adult	68	68.0
	Child	6	6.0
	Infant	4	4.0
	Young Adult	4	4.0
	Unknown	18	18.0
	Total	100	100.0

For example, Eliza Garrett was born in Pimlico,

London, in 1855, to Eliza, and her blacksmith husband, William.<sup>509</sup> An ordinary family, the Garrett's lived a respectable existence, with their eldest child Jane growing up to be a shopkeeper, and their son William, a printer.<sup>510</sup> Tragedy struck the family when Eliza Snr. died shortly after the birth of her sixth child, Henry, in 1866. It is not difficult to imagine the effect this would have had on the eleven year old Eliza. Although it is not exactly clear how Eliza dealt with this in the following two years, by the age of fourteen, she had left the family home (despite the rest of family continuing to live together) and was passing for sixteen years of age, renting her own lodgings. It was also at this age that Eliza had her first criminal conviction – five years for stealing belongings from passengers on the Great Northern Railway.<sup>511</sup> Although this was Eliza's first recorded offence, her sentence was severe on account of the evidence she had been carrying out this behaviour for some time, and also the inference that she had corrupted other young friends of hers to join in the activity.<sup>512</sup> None of Eliza's older siblings offended, but they were occupied in paid employments. Eliza's first

<sup>509</sup> *PCOM4*; Piece: 56; Item: 1.

<sup>510</sup> *Census Returns of England and Wales, 1871*, Class: *RG10*; Piece: 246; Folio: 56; Page: 37; GSU roll: 824909.

<sup>511</sup> *England & Wales Criminal Registers*, November 1869, Class: *HO 27*; Piece: 153; Page: 248.

<sup>512</sup> *Morning Post*, 4 November 1869.

criminal activity appears to be part of her effort to financially contribute to her own upkeep, and perhaps her family also, it may also have been the product of personal and emotional instability for the fourteen year old after the loss of a parent.

#### Family Size, and Family Position of Offenders

The other familial factor which has been identified by modern criminologists and historians alike as contributing to offending, is family size and structure. The larger a family, the higher the chance were that the diminishing financial and personal resources of parents would have a negative impact on children and contributing to their later offending. For twenty-one of the female offenders (21%) it was not possible to verify if they had siblings. For another twenty women (20%) they appeared to be only or only surviving children of their parents (they were illegitimate children of lone parents, orphans, or the only child that survived the ages of one to nine, for example). For the 59 women whose siblings could be identified, they tended to have on average four siblings. Average family size could of course vary not only by class (working-class families were likely to have more children), but by location also. Several studies have suggested that the average family size in the mid-nineteenth century was between four and six children per household. Whilst Garrett, Reid, Schurer and Szepter suggested that over a third of married women of the offender's generation 'experienced at least seven live births and as many as 15 per cent had ten or more confinements', most population studies place average family size below this number.<sup>513</sup> In his demographic history of England and Wales, Wood suggested that the number of children an average woman might expect to have during her fertile years was between five and six, a figure which he argues sharply declined after the

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<sup>513</sup> E. Garrett, A. Reid, K. Schurer and S. Szepter, *Changing Family Size in England and Wales: Place, Class and Demography 1891-1911* (Cambridge University Press, Cambridge 2006), p. 2.

1860.<sup>514</sup> Of the profiled offenders whose family details could be fully ascertained, the number of children in each family seems to roughly reflect the national average for families at this time, even if the number is smaller than we might reasonably expect in a time period with no effective birth control bar abstinence, and a sample with a large proportion of Irish Catholic families. Work carried out by Farrington and West suggests that the size of a 'large' family did not have to be excessive for it to have an impact on the offending trajectories of children. The 1973 study suggested that, 'if a boy had four or more siblings by his tenth birthday, this doubled his risk of being convicted as a juvenile'.<sup>515</sup> If criminological data suggests that four siblings is the family size tipping point for producing offenders, although most of the Victorian women I have sampled did not offend as juveniles, their crowded homes could well indicate how the social and economic family driven factors that link to offending arose. After all, many of their offences can be described as 'rooted in a context of class inequality and the day to day demands of the family economy'.<sup>516</sup>

The likelihood of large family size contributing to the poverty, diminished resources, and the reduced parental supervision that could lead to offending is thought by some scholars to worsen for each additional child.<sup>517</sup> However, the family structure of the sampled Victorian women would seem to contradict this. The position of women amongst their siblings could be ascertained for seventy- nine of the sampled offenders. Most of the profiled women (51% of sample / 64% of those with traced siblings) were the oldest female child in their family. According to Roberts, as the oldest female children in their families, girls 'acted as apprentices to their mothers, or even their

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<sup>514</sup> R. Woods, *The Demography of Victorian England and Wales* (Cambridge University Press, Cambridge, 2003), pp. 4-5.

<sup>515</sup> D. Farrington, 'Childhood Risk Factors and Risk-Focussed Prevention', in Maguire, Morgan, and Rainer, *Oxford Handbook of Criminology*, p. 614.

<sup>516</sup> Humphries, 'Steal to Survive', p.25.

<sup>517</sup> Nagin, Pogarsky and Farrington, 'Adolescent Mothers', p. 147.

substitutes'.<sup>518</sup> Conditioned into being 'little mothers', these children were encouraged to play an active role from an early age in running the house and caring for younger siblings.<sup>519</sup> Elder female children were very often encouraged to help their families to make ends meet, through a variety of available means, 'the implicit lesson learned by all girls was that, fundamentally, whatever else a woman might do in her life, the ultimate responsibility for the daily home of the care and family lay with her, and not with the male members of the household'.<sup>520</sup> The duty felt by elder children to care and provide for their families could, in cases of clear deprivation, lead to offending. Crimes most commonly took place to directly supplement the family budget. In such families, it was usual that 'the elder members of the family, especially the first and second born, were more likely to become delinquent than the younger members.'<sup>521</sup> Whilst there is no suggestion that parents incited, or expected children to carry out such actions, evidence suggests that they were careful to 'gratefully accept the bounty and to avoid asking too many questions about where it came from'.<sup>522</sup> This offending in deprived families by older children was as likely to be treated with tacit approval as a way to contribute, as it was to be condemned.

**Table 5.2**

Position in family	Frequency	Percent
Middling	23	23.0

<sup>518</sup> Roberts, *A Woman's Place*, p. 23.

<sup>519</sup> *Ibid*, p. 24.

<sup>520</sup> *Ibid*, pp. 22-23.

<sup>521</sup> Humphries, 'Steal to Survive', p.24.

<sup>522</sup> *Ibid*, p.30.

Oldest	14	14.0
Oldest Girl / Middle Child	7	7.0
Only Child	20	20.0
Only Girl / Middle Child	4	4.0
Only Girl / Youngest Child	6	6.0
Youngest	5	5.0
Unknown	21	21.0
Total	100	100.0

### Family Offending Intergenerational Transition of Offending

In his work on the intergenerational transmission of offending, Farrington posited, 'there is no doubt that offending runs in families. Criminal parents tend to have criminal children'.<sup>523</sup> However, several criminological and historical studies have challenged this.<sup>524</sup> All of the children of the female offenders could be traced, and three-quarters of their parents could be traced. An examination of these family members revealed that just ten of the female offenders (10%) were part of an intergenerational cycle of offending, having either a parent who offended, or by having a child who subsequently went onto offend. Very few of the women bore any resemblance to the popular representations of criminal dynasties being bred within the slums of urban England - families like the Grubbs, which contained several offenders and spread across three generations.<sup>525</sup>

<sup>523</sup> D. Farrington, J. Coid, and J. Murray, 'Family factors in the intergenerational transmission of offending' in *Criminal Behaviour and Mental Health*, 19 (2009), p.

<sup>524</sup> Godfrey, Cox and Farrall, *Criminal Lives*, pp. 109-141.

<sup>525</sup> Zedner, *Women*, p. 19.

Thomas Grubb (G) was born in Wiltshire, in 1798. The first trace of his offending was a conviction of theft alongside his brother William (G0) in 1827.<sup>526</sup> Either for legal, personal, or labour purposes, Thomas had moved on from Wiltshire by the mid-1840s, and was living in Glamorgan, Wales, where he worked as a casual labour. It was whilst in Wales that he met Maria (G0), twenty-six years his junior, and a famine migrant from Cork, Ireland. It is unclear under what circumstances the pair met, but as a fellow offender, it is very possible that Thomas and Maria met in occupational circumstances. Whilst Maria and Thomas never formally married they cohabited together as husband and wife for the rest of Thomas' life. The pair had two surviving children, a son Thomas (G1), who was born in 1847, and a daughter Mary Ann (or Minnie as she was known) (G1) who was born in Swansea Prison whilst her mother underwent a term of six months imprisonment for theft in 1850.<sup>527</sup>

Details of the Grubb family's early life together after Maria and Minnie left prison are scarce, but given the subsequent information pertaining to Maria and Thomas Snr. (G0), it is unlikely that it was a loving and stable home in which their children spent their early years. During these years Maria (G0) had several convictions for theft, and Thomas (G0) was prosecuted for sexual assault and other violence, with the likelihood being that his wife and children were on the receiving end of some of these behaviours also.<sup>528</sup> By the time their daughter Minnie (G1) was six, the Grubb family had relocated again, this time to Liverpool. The potential for a fresh, law abiding start was quickly squandered by Thomas who set up a brothel in one of Liverpool's most notorious red-light districts. Further to this, Thomas (G0) was convicted of an assault

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<sup>526</sup> *Salisbury and Winchester Journal*, 26 February 1827.

<sup>527</sup> *England & Wales Criminal Registers*, October 1850, Class: HO 27; Piece: 92; Page: 14. See also, *Census Returns of England and Wales, 1851* Class: HO107; Piece: 2466; Folio: 197; Page: 64; GSU roll: 104215-104217.

<sup>528</sup> *England & Wales Criminal Registers*, July 1855, Class: HO 27; Piece: 112; Page: 603.

on his wife and others in 1857, in a 'quarrel [which] arose through his pulling down the bedstocks in order to get quit of his lodgers'.<sup>529</sup> In the next few years, the Grubb family continued to live in and around the streets next to Lime Street station, running various brothels. As she grew up, it is not clear if Minnie (G1) played a role in the family business or whether she was just an observer to the crime, vice and violence that took place there, but during her adolescence and early adulthood, Minnie cannot be traced as having engaged in any formal paid employment.

The environment Maria and Thomas Snr. (G1) provided for their children does seem to have had a clearer impact on the life trajectory of their son Thomas (G1). His first conviction for violence was in 1866 (although it is likely that he committed other offences prior to this) when he was seventeen years old. Thomas was prosecuted for beating a small boy who sold hot potatoes to travellers at the railway station. Thomas had first tried to extort money from the child, and when he refused to hand over the money, Thomas 'kicked him violently on the side, causing him to fall'.<sup>530</sup> For this offence Thomas Jnr. (G1) spent a month in prison, this did not deter him from subsequent offending. On his release, Thomas continued to live with his family in the brothel on Norbury Street, and sometime after, took employment as a sailor. Despite securing his own income, employment did little for Thomas Jnr's violent temper. On returning from sea in 1869 he was again convicted of assault, this time on a woman named Elizabeth Williams. Williams was a prostitute working at a brothel in Hotham Street. Thomas Jnr. (G1) was reported as a 'notorious disturber of the peace', who at around one in the morning had 'brutally beaten' Elizabeth on the face and body and

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<sup>529</sup> *Liverpool Mercury*, 5 June 1857.

<sup>530</sup> *Liverpool Daily Post*, 15 January 1866.



left her 'in an exceedingly bad state of health'.<sup>531</sup> The exact detail of the motive for Grubb's assault on Williams is unclear, but Hotham Street was a location of several notorious brothels, one of them in all likelihood run by Thomas Grubb Snr (G0). This may have been a personal or professional dispute, but it was an attack very similar to those perpetrated previously by Thomas Snr. In the following years, Thomas Jnr. worked on and off as a sailor, and eventually after the death of his father, became involved with the groups of violent and disorderly men labelled by the press as 'cornermen'.<sup>532</sup>

Minnie's (G1) progress into offending is less clear. Despite her marriage to a local labourer - Joseph Wright - in 1867 at the age of seventeen, Thomas' (G0) hold on Minnie (G1) was such that she and her new husband remained living at the brothel with the Grubb family.<sup>533</sup> Their living arrangement persisted even with the birth of the Wright's two children, John Thomas (G2) and Mary (G2,) during the 1870s. Whilst Minnie's brother involved himself in the wider cultures of violence within the city, life for her parents was becoming more difficult. During the 1870s, the height of social and political fervour over prostitution caused by the Contagious Diseases Acts, the Grubb's way of life came increasingly under scrutiny. Both Thomas and Maria (G0) spent months in prison in 1871 for 'running a house of ill-fame', and were imprisoned again for the same offence in 1873.<sup>534</sup> It was during these times of her parent's imprisonment that Minnie (G1) transitioned from observer, to manager of the family business, running the brothel in their stead. When patriarch Thomas Grubb (G0) died

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<sup>531</sup> *Liverpool Mercury*, 2 June 1869

<sup>532</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 3787; Folio: 114; Page: 9; GSU roll: 841895. See also; *Liverpool Mercury*, 13 April 1875.

<sup>533</sup> *Liverpool Registers*. Liverpool, England: 283 SIM/3/3, Liverpool Record Office. See also; *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 3787; Folio: 114; Page: 9; GSU roll: 841895.

<sup>534</sup> *England & Wales Criminal Registers*, August 1873, Class: HO 27; Piece: 159; Page: 63. See also; *England & Wales Criminal Registers*, January 1873, Class: HO 27; Piece: 165; Page: 13.

shortly after his release from prison in 1873, his wife Maria (G0) left the family home, continuing to offend elsewhere, and Minnie (G1) became the permanent proprietor of her father's brothel. Unfortunately for Minnie, by this time the brothel, and family were well enough known to the authorities that it was only a short time until Minnie herself was arrested and imprisoned on several occasions for keeping a house of ill-fame, reportedly one which was 'of a very disorderly character, and was known to be a resort of thieves'.<sup>535</sup> Under Minnie's (G1) stewardship, the brothel was not only a site of sexual exploitation, but also venue of wider criminal activity. Like many others of its kind, Minnie's brothel acted as an unlicensed drinking establishment, and place for the trading or 'fencing' of illicit goods.<sup>536</sup>

Minnie and Joseph's children grew up in a very similar environment to that of Minnie and her own brother. And although Joseph Wright (G1) does not appear to have been an offender, the results of such an upbringing seem to be remarkably similar to that of Minnie and Thomas (G1), who had two offending parents, the intergenerational transmission of crime within the family seems clear. In 1883 Minnie was arrested for receiving stolen goods – a shawl – and on account of it being her third indictable offence, she was sentenced to five years penal servitude.<sup>537</sup> Next to her in the dock stood her twelve year old son, John (G2), who was charged with stealing the goods from a young child named Edward Garrity. Although this offence is the first that can be traced to John, he was sentenced to spend fourteen days in an adult prison, and five years in a reformatory institution.<sup>538</sup> Upon release in the late 1880s, John Thomas (G2)

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<sup>535</sup> *Liverpool Mercury*, 21 May 1875. See also; *England & Wales Criminal Registers*, April 1876, Class: HO 27; Piece: 174; Page: 50.

<sup>536</sup> *Liverpool Mercury*, 21 May 1875

<sup>537</sup> PCOM4; Piece: 65; Item: 1; P: 1.

<sup>538</sup> *Liverpool Mercury*, 18 May 1883.

could not be traced as having any further convictions, but he nonetheless represents the third generation of a single family to offend.

The explanation for the transmission of offending through three successive generations of the Grubb family could be explained by several modern theories offered by sociologists. Most of the existing studies concerning the intergenerational transmission of delinquent behaviour found the strongest links were between father and son offending.<sup>539</sup> Godfrey, Cox and Farrall's *Criminal Lives* found that 27% of their habitual male offenders had an offending parent. Likewise, just over half of the offenders they profiled that had at least one son had a son that was an offender (but only 33% of those who had at least one daughter had an offending daughter).<sup>540</sup> Yet of the five cases where a female offender had a convicted parent, only two had an offending father (one being Minnie Grubb who also had an offending mother), and a further four had offending mothers. These findings would support much more strongly the results of Bijleveld and Wijkman's Norwegian five generation study which found that there was little difference in gender and transmission of offending by parents – 'mothers offending increased the risk on average to that of (and sometimes more strongly) than fathers'.<sup>541</sup> Their study also found that, 'inherent risk from a delinquent mother was mediated by her inefficient parenting strategies. And concluded that 'within gender transmission stronger than cross-gender transmission.'<sup>542</sup> Certainly, of the five cases of parent offending amongst the sampled women, the majority had offending mothers, and in the three generations of the Grubb family to offend, the first

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<sup>539</sup> R. Hjalmarsson and M. J. Lindquist, 'Like Godfather, Like Son, Exploring the Intergenerational Nature of Crime' in *The Journal of Human Resources* (2012), 47, 2, pp. 550 – 582 See also: Farrington, Coid, and Murray, 'Family Factors' pp. 109-124. and S. Besemer and D. Farrington 'Intergenerational Transmission of Criminal Behaviour: Conviction Trajectories of Fathers and their Children' in *European Journal of Criminology*, 9, 2 (2012), pp 120-141.

<sup>540</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 122.

<sup>541</sup> C. Bijleveld and M. Wijkman 'Intergenerational continuity in convictions: A five-generation study.' in *Criminal Behaviour & Mental Health*. Jun2009, Vol. 19 Issue 2, p. 153.

<sup>542</sup> *Ibid*, p. 143.

two had the influence of an offending mother, and when only John Thomas Grubb in the third generation offended, intergenerational transmission came to an end - although this is much more likely to be coincidence than anything else. As Kevin Beaver found, any parental example of criminality, regardless of whether it were from a mother, father, one parent or both, had a strong link with their children's subsequent offending.<sup>543</sup> We can be sure all of the female offenders who were traced as having a criminal parent went on themselves to offend, but the experiences of the profiled female offenders would seem to suggest that gender of an offending parent was not important in the likelihood of the women going on to offend.

Comprehensive studies of genetic transmission of offending remain few, both historical and sociological literature would suggest it is far more likely that environmental factors rather than personal defect is responsible for offending patterns. For example, if a parent has themselves one or several convictions, what they might pass on to their children, rather than a criminal gene, is a highly selective interpretation of law, legality and criminal behaviour. Something Godfrey *et al.* label 'parenting and socialisation practices'.<sup>544</sup> The case of the Grubb family would certainly provide compelling evidence to support this conclusion. With a range of offending practices taking place across the family in three generations – sexual, public order, property, and violent – different kinds or combinations of which were carried out by each offending member - there would not seem to be a genetic link to their offending. For example, whilst Thomas Grubb (G0) was violent and sexually abusive, Minnie (G1), and her son John Thomas (G2) were not. Likewise, whilst Maria (G0), Minnie (G1), and John Thomas (G2) committed property crimes, Thomas Grubb Jnr (G1) did not. Thus it

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<sup>543</sup> Beaver, 'The Familial Concentration and Transmission of Crime', p. 150.

<sup>544</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 112

would seem prudent to conclude that in cases such as this, and certainly all of the cases within my study, nurture, rather than hereditary factors, seems to have determined the transmission of offending.<sup>545</sup>

If nurture by an offending parent is such a strong determinant in intergenerational offending, in the context of my study, it is surprising there are only four women who can be traced as having an offending child of their own. Surely if both the modern sociological theories and great contemporary links drawn between the moral and social condition of women, and the moral trajectory of their children are correct, there could reasonably be an expectation that a far greater number of the one hundred offending women would nurture their children to delinquency. But perhaps, as Farrington found for modern males, despite a clear intergenerational transmission of offending for roughly a third of the CSDD sample, this did decrease generation on generation.<sup>546</sup>

For the very small number of cases where parental offending played a role in the lives of the sampled women suggest that for the women of Victorian England, parental offending should be considered more coincidental, or linked to sustained environmental factors, than it was indicative or causal in its own right. Alongside dismissing gendered theories of transmission, Bijleveld and Wijkman's study showed that transmission of delinquency occurred in what they labelled 'marginalised families'.<sup>547</sup> These were families suffering from sustained deprivation in both a financial and socio-cultural sense that caused, in the words of Farrington *et al.*, 'intergenerational continuities in exposure to multiple risk factors. . . each generation

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<sup>545</sup> Bijleveld and Wijkman, 'Intergenerational continuity' p. 142

<sup>546</sup> Farrington, Coid, and Murray, 'Family factors', p. 117 For example Farrington found that 35% of 'Generation two males' (G2) had been convicted by the age of 25, but only 26% of 'Third generation males' (G3) had a conviction by this age.

<sup>547</sup> Bijleveld and Wijkman, 'Intergenerational continuity', p. 144.

may be entrapped in poverty, disrupted families . . . living in the most deprived neighbourhoods'.<sup>548</sup> This should be considered by far the biggest impact on intergenerational offending amongst the sampled women. Godfrey Cox and Farrall suggested that parents movement from a rural to an urban environment, or several residential moves whilst in a city, might play a significant role in the transmission of offending from parent to child.<sup>549</sup> This is certainly something that featured heavily my sample of women who were the second generation of their family to offend. Far more women were the children of rural and migrating parents, than the parents of children who went through this experience. Where intergenerational offending did occur, it seems to have been caused by the inability of that minority of families to improve on many of the socioeconomic problems linked to crime generation on generation. Thus, the most common external and environmental factors present in the lives and offending careers of the sampled women simply persisted in a small selection of families longer and more thoroughly than in others, causing the 'transmission' of offending.

Godfrey, Cox, and Farrall suggested that 'the geographic concentration of lower-socio-economic groups in the sorts of areas with multiple risk factors which endure over time, and which would tend to produce generations of offenders, is another explanation of the strong relationship between parental and child offending'.<sup>550</sup> Whilst the women sampled for my study did not show the same strong link between child and parent, it did show clear links based on these factors between siblings, spouses who went on to offend. Whilst not strictly intergenerational, exposure to some of risks outlined above might explain much of the family offending present within the sample.

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<sup>548</sup> Farrington, 'Childhood Risk Factors and Risk – Focused Prevention', p. 614.

<sup>549</sup> Godfrey, Cox and Farrall, *Criminal Lives* pp. 139-40.

<sup>550</sup> Godfrey, Cox and Farrall, *Criminal Lives* p. 111

Thirty of the sampled women had an offending sibling, an offending spouse or common-law spouse, or both. Suggesting that their offending should be understood as part of a much wider process of deprivation and marginalisation present in their time and location which promoted resort to crime.<sup>551</sup>

There are two processes that modern criminologists have linked to just this kind of ‘concentration offending’, when criminal activity takes place amongst several members of a genetically or legally related group. The ‘labelling’ or criminal families is the term used in the identification and particular policing of those known to come from delinquent families.<sup>552</sup> ‘Labelling’ also pairs with the theories surrounding ‘official bias’ - occasions of which occur when ‘official justice systems such as the police and the court, are biased against known criminal families, which means the family members are more likely to be caught, prosecuted and processed by the criminal justice system and thus appear in official statistics more often’.<sup>553</sup> The second process is that of imitation offending and the social learning of crime – instances where criminal behaviour is learned and reproduced between peers.<sup>554</sup>

The case of the McCrave family from Liverpool indicates precisely how familial concentration of offending could manifest, and most interestingly shows indications of both ‘imitation offending’ and official bias in family offending.

Mary and Henry McCrave (G0) were both born in Ireland around 1813. The couple moved to Manchester shortly before the birth of their first son William (G1) in 1839.<sup>555</sup>

Mary and Henry’s son James (G1) was born in 1843, following which the family moved

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<sup>551</sup> See chapter 10.

<sup>552</sup> Bijleveld and Wijkman, ‘Intergenerational continuity’, p. 145.

<sup>553</sup> S. Besemer, D. Farrington and C. Bijleveld, ‘Official Bias in Intergenerational Transmission of Criminal Behaviour’ in *British Journal of Criminology*, 53, 3 (2013), p. 438.

<sup>554</sup> . Beaver, ‘The Familial Concentration’, See also Besemer, Farrington and Bijleveld, ‘Official Bias’.

<sup>555</sup> *Census Returns of England and Wales, 1841* Class: HO107; Piece: 574; Book: 7; Civil

Parish: Manchester; County: Lancashire; Enumeration District: 10; Folio: 16; Page: 26; Line: 6; GSU roll: 438726.

to Liverpool. The city did not offer advanced employment prospects for either Henry (G0), a Hawker, or for Mary (G0), yet following the heavy immigration of the late 1840s Liverpool did become home to their extended family, with whom they went on to live and socialise with.<sup>556</sup> Two further surviving children were born to the McCraves, a son called John (G1) in 1855, and a daughter called Mary (G1) in 1857. As an Irish Catholic immigrant family, the McCraves lodged in the most crowded, unsanitary, and cheapest housing available. Streets such as Cheapside, Vernon Street, and Dale Street were slums within the heart of the city centre. For individuals within these deprived areas drinking at the many local pubs, or socialising on the streets with their neighbours, provided light relief from the poverty, deprivation, and social stigma so dominant in their lives.<sup>557</sup>

For all of the McCrave children (with the exception of William who was significantly older than his siblings) life was rife with the environmental factors modern criminologists have linked to latter offending.<sup>558</sup> The McCraves were the children of a poor family, cultural entertainments and amusements were rare for them, or more likely non-existent, as was their access to education. The childhood deprivation of John and Mary was exacerbated in 1863 by the death of their father Henry (G0).<sup>559</sup> This was not only a severe personal loss – John and Mary (G1) being not yet ten years old, but also a financial disaster as Henry (G0) was the family's sole breadwinner.<sup>560</sup> From this point, a hard life became even more difficult for the family, a situation further compounded by the death of the children's mother Mary McCrave (G0) the following

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<sup>556</sup> *Liverpool Mercury*, November 3 1877. See also *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 2667; Folio: 88; Page: 29; GSU roll: 543009.

<sup>557</sup> Archer, *Monster Evil*, pp. 18-24.

<sup>558</sup> Nagin, Pogarsky and Farrington, 'Adolescent Mothers', p. 145.

<sup>559</sup> Liverpool, England; *Records of Ford Cemetery (Roman Catholic)*; Reference Number: 282 FOR. Liverpool Record Office.

<sup>560</sup> *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 2667; Folio: 88; Page: 29; GSU roll: 543009.



year.<sup>561</sup> With their elder brothers William and James (G1) married and living apart from them, unable or unwilling to take them in, John and Mary (G1) went to live with their extended family, the Quinns. From their later teenage years, Mary and John (G1) lodged with their nineteen year old cousin Joseph Quinn, and his seventeen year old wife Elizabeth, in Dale Street outside of the supervision of any of their older relatives.<sup>562</sup> It was during these teenage years that both Mary and John (G1) begun offending.

John McCrave (G1) became involved with various other young men and families in his residential area, known to cause trouble with their drunkenness and public order disturbances, identified by the press at different times as ‘rogues’, ‘savages’ or ‘roughs’.<sup>563</sup> Groups of young, unemployed men and boys who gathered about the streets of Liverpool causing ‘trouble’ or hassling passers-by, most notoriously loitering around the city’s public houses looking for drink. They were identified in popular consciousness and occasionally the press as ‘cornermen’.<sup>564</sup> By his late teens John was the ringleader of a group of such youths, his sister Mary (G1) and her own group of friends never far from their influence.<sup>565</sup> In late 1873, Mary even became romantically involved with one of John’s fellows, Peter Campbell. The pair had a daughter, Joanna (G2), in 1874.<sup>566</sup> Just a month later Peter Campbell, John McCrave, and brothers Michael and Thomas Mullen (G1) were indicted for the brutal murder of Richard Morgan in what became known as the Tithebarn Street Murder, one of the most

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<sup>561</sup> Liverpool, England; *Liber Defunctorum*; Reference Number: 282 HIG/3/1, Liverpool Record Office.

<sup>562</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 3773; Folio: 6; Page: 6; GSU roll: 841887.

<sup>563</sup> Archer, *Monster Evil*, pp. 93-98.

<sup>564</sup> Macilwee, *Liverpool Underworld*, p. 249

<sup>565</sup> For example, at the age of fourteen Mary and her friend Ann Riley were sentenced to three months hard labour for the theft of a knife and 10s. From a man whilst loitering just two roads away from her lodgings. See *Liverpool Mercury*, 17 August 1871.

<sup>566</sup> Liverpool, England; *Liber Baptizatorum*; Reference Number: 282 HIG/1/12. Liverpool Record Office.

infamous crimes in Liverpool's history. Campbell, McCrave, and Michael Mullen were all found guilty, all but Campbell being executed for their crime.<sup>567</sup>

Just a month or so after the highly publicised execution of John McCrave (G1), his older brother James (G1) – up to that point a seemingly law-abiding man - was brought up on charges of using 'threatening language' towards a woman. Under the subheading 'Disregard of an Awful Warning' The *Liverpool Mercury* Reported:

James McCrave an elder brother of one of the men recently executed at Kirkdale for being concerned in the Tithebarn Street outrage was bought up in custody . . . Prosicutrix stated that the prisoner had lodged for some time in her house in Chaucer Street, and, although she had frequently asked him to leave he would not do so. She was afraid to lock him out as he had threatened to kick her to death and "do for her". Beyond this he had also said he would "put his knife into her husband". They both feared the prisoner's violence – McCrave denied that he had threatened the prosicutrix and alleged that she was continually fighting with her husband. – Mr Raffles (to prisoner): If you won't be warned by the awful fate that overtook your brother a few weeks ago, nothing that I can say will have any effect on you I am sure. . . The prisoner was ordered to find two sureties of £20 each and to keep the peace for three months and to be imprisoned until the sureties were obtained.<sup>568</sup>

Discerning the truth from an account like this is difficult, not only because cases of this type were very often the word of one person against another, but also because with many Victorian court reports it is never quite clear to what extent editorial flair plays a role in what is presented. We can be fairly certain that a dispute did occur between McCrave and the women he lodged with, but less so of the origins and details of this encounter. Whilst it is very easy to believe that James McCrave (G1), exposed to many of the same environmental factors as his younger siblings, may well have been violent

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<sup>567</sup> *England & Wales Criminal Registers*, December 1874, Class: HO 27; Piece: 168; Page: 108.

<sup>568</sup> *Liverpool Mercury*, 26 February 1875.

and unruly, how likely is it that he would threaten to kick someone to death just weeks after his younger brother was hung for the same offence? Similarly, whilst being bound over to keep the peace and to provide monetary sureties to do so was a common outcome of disputes such as this one, forty pounds worth of sureties would seem excessive for a case of threatening. Particularly when an unrelated case of burglary, threatening with a weapon, and a case of arson in October of the same year only required twenty pounds worth of sureties.<sup>569</sup> James McCrave's (G1) real offence may in fact have been coming to the attention of the courts with a surname that marked him out as part of a notorious criminal family, and just weeks after the close of a violent episode of national significance involving his brother that had redefined how the population, courts, and the press were talking about violent crime and violent criminals.

Two years after both John and James' convictions, Mary McCrave (G1) was embroiled in a court case of her own. In September 1877, She and a number of associates – Eliza McIntosh, Thomas Mullen, and Martin Kelly – were loitering around some of the courts in the north end of the city, drinking. An argument broke out after an exchange of insults between McIntosh and the wife of John Talbot. Talbot emerged into the courtyard to confront the group of young men and women, and was shortly knocked to the ground and kicked repeatedly. After his attackers retreated, Talbot was able to get up and walk inside, it was not until later that he was taken to the dispensary where he subsequently died. Mary and her three companions were all arrested and put on trial for his murder. Despite several pieces of evidence to suggest that the incident was only a contributory factor to Talbot's demise, not the entire cause, McCrave and

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<sup>569</sup> *Liverpool Mercury*, 12 October 1875.

McIntosh were sentenced to ten years imprisonment for his manslaughter, and Mullen and Kelly to twenty years for his murder.<sup>570</sup> The close of the newspaper report for this incident reported, 'this case appears to have some remote connection to the Tithebarn Street tragedy of 1874. Mullen and McCrave who were two of those hung for the murder of the man Morgan in Tithebarn Street were brothers of the prisoners of that name now'.<sup>571</sup> This allowed the reader to draw their own conclusion as to the nature of the attack, and suggests that although there can be little doubt that Mary McCrave (G1) perpetrated a violent attack against John Talbot, the readiness of the court to believe her responsible for his manslaughter despite a deal of evidence suggesting otherwise perhaps provides an interesting example of how official bias could again increase the likelihood of a McCrave being convicted for a violent offence.

Farrington found that 'the convictions of one family member were strongly related to convictions of every other family member'.<sup>572</sup> From the McCrave case study, it seems likely that Mary began offending because her big brother, and closest relative from the age of seven or eight, was an offender. This not only set her an example of offending from which she could learn, but also brought her more regularly into contact with other offenders who became her social group. Much like the analysis of my sampled offenders, modern sociological studies have found that co-offending, and 'social learning' offending between siblings like Mary and John McCrave (G1) is more evidenced and common than parent-child co-offending or transmission.<sup>573</sup>

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<sup>570</sup> Testimony included the fact that none of Talbot's assailants were wearing shoes at the time of the attack, and also that his cause of death – peritonitis, or inflammation abdominal wall lining – was equally likely to be caused by a fight he had had three days previously with a Man named Tooney, or a fall he had taken the day of the attack by McCrave and her companions, or from the ingestion of a fish bone or similar. See *Liverpool Mercury*, 3 November 1877. See also: *England & Wales Criminal Registers*, October 1877, Class: HO 27; Piece: 177; Page: 124.

<sup>571</sup> *Liverpool Mercury*, 3 November 1877.

<sup>572</sup> Farrington, Coid, and Murray, 'Family factors', p. 111.

<sup>573</sup> Bijleveld and Wijkman, 'Intergenerational continuity', p. 145.

Of the eight women who had siblings that offended (and in most cases that they offended with), three of them – Elizabeth McDermott, Esther Yates, and Minnie Wright – also had offending parents, and thus it is possible that the same material conditions and parenting practices that contributed to their own offending also contributed to their siblings offending. For four of the women – Mary McCrave, Margaret Muldoon, Louisa Bishop, and Esther Pullinger – their offending of their sibling(s) appeared to be a social learning process, much like that described for the McCrave siblings, where the behaviour of one offending sibling drew their other siblings into contact with offenders, and the opportunity to commit crime. For the last remaining offender – Catherine Gardiner – it is unclear to what extent parenting practices or social learning from other offending siblings played a role in her offending. But her earliest offences around the age of thirteen or fourteen were a product of not only wider ethnic prejudice present in Liverpool at the time, but also from the labelling and official bias of the authorities, who contested ‘the prisoner is one of those creatures who appear to inherit crime, her family for years past have been known to the police as notorious thieves’.<sup>574</sup> Yet whilst the small number of cases of sampled women with parent and sibling offenders does show evidence of imitation offending and social learning, most of the female offenders were lone offenders, or those that had an offending paramour. These women’s first contact with the police and courts came not through family reputation, or as a junior member of a perceived ‘criminal family’, but as lone operators. For almost all of the sampled women, recognition as criminal by the police and official bias in the courts became far more of a problem for them after several offences saw them labelled as a habitual offender, rather than at the outset of life as a member of a criminal family.

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<sup>574</sup> *Liverpool Mercury*, 2 September 1864. See chapter 8.

Beaver found in his modern study of the U.S that not only was the majority of crime concentrated within a small number of families, but that siblings would be similar in 'criminal justice outcomes'. Beaver argues 'having one criminal child more than doubles the odds that the child's sibling will also be criminal.'<sup>575</sup> Given that my sample of offenders constitutes over half of those paroled between 1882-1887 after trial at the Liverpool session, and almost half of all the women paroled in the same time period after trial at the Old Bailey or Middlesex sessions, if familial concentration of offending and intergenerational transmission were as prevalent amongst women in the Victorian period as found in the modern studies of male offenders, surely there would have been more related offenders within the sample of my study.<sup>576</sup> Whilst a couple of offenders in the sample knew and offended with others from the sample, just two women out of one hundred were actually related.<sup>577</sup>

Compared to the small number of women that were either intergenerational offenders, or family concentration offenders, a much bigger proportion of the sampled female offenders were assortive maters – those who married or cohabited with another offender. This is a phenomenon best explained as, 'when people select partners, they often select people similar to themselves'.<sup>578</sup> Modern studies have likewise supported the idea that 'people tend to marry people who are like them, and delinquents thus seek delinquent partners'.<sup>579</sup> Johnson and Booth's study on marital quality found that there are many variables that might affect this experience. An Idea that certainly holds true for the sampled women who might experience several

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<sup>575</sup> Beaver, 'Familial Concentration', pp. 149 – 152.

<sup>576</sup> *Ibid*, p. 150.

<sup>577</sup> See chapter 9.

<sup>578</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 111 see also D. Johnson and A. Booth, 'marital Quality: A product of dyadic Environment or Individual factors' in *Social Forces*, 76, 3 (1998).

<sup>579</sup> Bijleveld and Wijkman, 'Intergenerational continuity' p. 145.

relationships of which only one was with a fellow offender. However, their further claim that 'a good marriage can alter previously bad behaviour, and encourage those with previous offenders to desist' is little evidenced within the profiles of the female offenders, of whom many more offended on account of the influence extended by a husband or common-law spouse, than reformed from criminal activity on account of it.<sup>580</sup>

For the profiled female offenders, assortive mating took place in one of two ways. Either a female offender would meet a fellow offender during the course of her offending career, or she would meet and cohabit with an offender prior to any of her own criminal activity, but then subsequently commit an offence with, or under the influence of this person. Minnie Holman was an orphan from an early age, but other than that, she was to all extents and purposes a respectable young woman, in the employ of a furrier.<sup>581</sup> Minnie met John Evans - former sailor and lodging house keeper, and at that time dealer in second hand clothes – at the end 1882, and the pair soon began to cohabit. Over the course of eleven months, John and Minnie used their small income to buy and insure furniture for their lodgings.<sup>582</sup> When Minnie became pregnant in 1883, Evans was presented with the prospect of financial responsibility for both Minnie and her child. In September of that year Evans convinced Minnie to assist him in collecting the insurance money for their furniture, the plan for which he had clearly been laying the foundations for in the previous months. Evans set light to their lodgings in two separate areas, had Holman attract the attention of a policeman on the street, and then the two escaped the building from an upstairs window with a

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<sup>580</sup> Johnson and Booth, 'Marital Quality', p.900

<sup>581</sup> *Census Returns of England and Wales, 1871* Class: RG10; Piece: 1323; Folio: 102; Page: 14; GSU roll: 828270. See also *Census Returns of England and Wales, 1881* Class: RG11; Piece: 434; Folio: 19; Page: 2; GSU roll: 1341094.

<sup>582</sup> *Morning Post*, 29 September 1883.

strong rope purchased for the purpose.<sup>583</sup> An investigation of the fire soon uncovered the particulars and culprits of this not particularly sophisticated plot, Evans was sentenced to seven years in prison for the arson, and despite the fact it was her first offence, Minnie's part earned her five years penal servitude.<sup>584</sup> This was the only conviction that could be traced for Minnie, even after her parole and the birth of her illegitimate child later in the 1880s, Minnie was neither a recidivist, nor a habitual offender. Also, despite being orphaned, Minnie had an elder brother, Henry, who worked as a waiter and had housed and helped support her prior to her cohabitation with Evans, and remained in contact with her throughout her imprisonment and release.<sup>585</sup> To all appearances, her life prior to cohabitation with Evans had not required her to offend. In short, Minnie's involvement in the only crime she was ever convicted of - the arson of her lodgings - can seemingly be directly attributed to her choice to become involved and cohabit with John Evans. Whilst just over half of the assortive maters (13% sample) offended with their spouse or common-law spouse, like Minnie Holman, only five (5% sample) did not already have offending histories. Far more of the twenty-five women (25%) traced to be assortive maters were pre-existing offenders before they married or cohabited with a fellow offender.

Bridget Lacking was an Irish prostitute who lived and worked in London. By the age of forty-six she had been convicted of over forty offences, with the likelihood being that she committed many more offences.<sup>586</sup> Most commonly, these offences were summary convictions for drunkenness, public disorder, and low level assaults.<sup>587</sup>

During her offending career, Bridget cohabited with three other offenders, whose

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<sup>583</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 31 July 2013), October 1883, trial of JOHN EVANS (42) MINNIE HOLMAN (22) (t18831015-935).

<sup>584</sup> *England & Wales Criminal Registers*, October 1883, Class: HO 27; Piece: 195; Page: 277.

<sup>585</sup> PCOM4; Piece: 59; Item: 13.

<sup>586</sup> PCOM4; Piece: 72; Item: 5; P: 1.

<sup>587</sup> *Ibid.*



surnames she used as her own at various times. The most notable of these was John Connor, a pimp and violent offender who Bridget described as her husband.<sup>588</sup> Connor and Lacking cohabited from their early thirties despite his brutal treatment of her. On one occasion, displeased with her failure to provide him with enough earnings, he 'kicked her savagely in the stomach, felling her to the ground'.<sup>589</sup> As Godfrey *et al* explained, 'historical studies assert that the damage done by a criminal conviction to a woman's reputation would lead her to consider mates that she would not otherwise have considered suitable. In bald terms this would often lead female offenders to 'select' or 'end up with' offending husbands'.<sup>590</sup> Bridget Lacking - like Catherine Murphy, Mary Brenan, Mary Lynch, and several others – had not so much selected her offending partners, as had their prospects diminished to the extent that men such as John Connor were some of the only realistic options.

#### Difference between cohorts

For family make-up, intergenerational offending, concentration offending, and assortive mating, there were very few differences between the women in London and the women in Liverpool. In terms of parental death, parental age, and intergenerational offending, there was no notable difference at all. The women sampled from London were more likely to have traceable siblings. Thirty-four (68%) of London women had siblings traced in contrast to just twenty-five (50%) of the women in Liverpool. This is likely to be a reflection not of inherent differences in family makeup, but more reflective of the fact that a much higher proportion of the Liverpool sample came to England as lone or adult famine migrants, separated from their parents and siblings who remained in Ireland or settled elsewhere. There was no

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<sup>588</sup> *Ibid.*

<sup>589</sup> *Reynold's Newspaper*, 28 May 1882.

<sup>590</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 112.

difference in how likely women in either cohort were to offend with their siblings. Women in the London cohort were traced as twice as likely to have an offending common law spouse – eleven of the women from London (22% cohort) verses just five women (10% cohort) in Liverpool (although rates of offending with a common-law spouse were very similar between the two cohorts). This difference is caused in all likelihood by the higher rate of formal marriage amongst the women in Liverpool. The chance of having an offending spouse was virtually the same between the two cohorts. However, almost every women in the London sample that had an offending spouse (four out of the five women) went on to commit offences with that spouse, whereas none of the four women from Liverpool that had an offending spouse actually offended with them. Overall, fifteen women from the London sample (30%) practiced assortive mating, compared to just ten of the women from Liverpool (20%). The similarities in intergenerational offending, and familial offending between cohorts would suggest that these issues are not controlled by personal factors, but are instead impacted by some wider – not location specific- environmental factors, that affect only a small minority of individuals and families, such as identification and labelling of ‘problem’ or ‘criminal’ families, the result of which is to damage the reputation and thus social and employment prospects of each new generation, thus making offending increasingly likely for such individuals. The end result of this process being a perpetual cycle of intergenerational and familial concentration of offending.

### Conclusions

The majority of the sampled female offenders came from unremarkable, if poor families. Offenders were not typically the children of young or inexperienced parents. They were not from excessively large families, but had enough siblings to make

division of parental attention difficult, and to make resources scarce. The death of one or more parent before the offenders adulthood affected around one third of offenders, and in these cases, responsibility for other family members and scarcity of resources that may eventually contribute to offending may well have been intensified. If their family position could be traced, the female offenders were usually the eldest female child in their family, and thus likely to be made partly responsible for the care and subsistence of other members. Just over one in ten of the female offenders had an offending parent or an offending child. The intergenerational transmission of crime was not a common experience. Likewise, only a small number of women could be traced as having offending siblings. The sampled were far more likely to come from a family that contained no other offenders, than they were to have an offending family member. Despite both historical and sociological findings of high rates of the intergenerational transmission of offending between parents and male children, this is not the case amongst the profiled serious female offenders in this study. There was a slightly higher chance that the sampled women to have a spouse or common-law spouse that offended, and that they offended with, than it was for them to have a blood relative that offended. But these women were again the minority of the sample. For the few families in which there was more than one offender, there was usually a particular concentration of offenders, such as one or both parents and more than one child, several siblings from the same family. This appears to be a result of both police and court labelling of families they considered to be predisposed towards crime, but mostly because the factors –such as poverty, poor housing, material deprivation and social ostracism- affected these families more acutely and more persistently than in others. The profiled women offended more often as a product of their own immediate socio-economic condition and personal experiences, rather than as a product of

parental nurture towards offending, any genetic link to crime, or from an abnormally sized or structured family. Offending, quite simply, was not a result of the families the women came from, but a result of the deprivation and scarce resources that their families contended with on an almost daily basis.

## Chapter Seven: Personal relationships, Illegitimate Children, and Female Offenders

Contemporary Victorian narratives of female crime often focused on some kind of personal life crisis as a catalyst for criminal behaviour. More often than not the breakdown of a marriage, a tale of seduction and abandonment, or the birth of an illegitimate child were heralded as the starting point of a woman's steady decline into destitution, desperation, and vice. Whether these narrative tropes appeared in court reporting, or popular fiction, they offered both a cause for the unsettling spectre of female crime, and at the same time a soothing explanation for female deviance that had the ability to reconcile offending with contemporary notions of gender division and ideal femininity. Zedner argued that the figure 'of the innocent virgin ruined by the worldly male seducer who abandoned her, pregnant, and un-provided for' was by far the most popular representation of the origins of a female criminal.<sup>591</sup> The seduced and abandoned woman was doubly exposed to the dangers of vice, 'she had lost all right to reputation, was barred from respectable employment and decent company, and so was left with no other means of supporting herself.'<sup>592</sup> This in the eyes of many social commentators led inevitably and all too often to crime and prostitution.

Historians have worked for decades to unravel the elements of truth from these popular narratives. A wealth of historiography tells us that the balance of women's existence in Victorian England was precarious. Many historians have identified that certain points in a woman's lifecycle left her more socially and economically vulnerable

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<sup>591</sup> Zedner, *Women*, p. 57.

<sup>592</sup> *Ibid.*

than others, such as old age or adolescence. The Victorian period is recognised as an era in which deep gender divides laid the cost of moral transgression more heavily on a woman, than on her male counterpart; premarital sex could cost a woman everything, 'for a single lapse of virtue, they could be thrown into misfortune, perhaps into crime'.<sup>593</sup> The judgement of a woman's respectability could mean the difference between employment, and crushing poverty, or between marriage and disgrace. There are amongst the ranks of women offending in the Victorian city some examples of real life experiences that seem to legitimise these classic narratives.

When forty year old Lucy Brent was brought up at London's Worship Street Police Court, charged with being drunk and incapable in 1889, she was commented to be 'well known to some of the officers of this court'.<sup>594</sup> Twenty years previously, Lucy, then of 'girlish appearance and a style and manner of good breeding and education' had made her first appearance at the court, charged with attempted suicide after attempting to drown herself in Regents Canal.<sup>595</sup> On her arrival at a philanthropic home, details of Lucy's story (her original name being Ellen Bennett) began to emerge. Her initial fall from good society was owed to a man, who had induced her to live with him in a 'luxurious home' in Dalston. He subsequently abandoned her. She claimed she 'had neither a friend nor relative in the world' and in her distress, Lucy had attempted to end her own life.<sup>596</sup> Lucy stayed at a refuge for a short while, but was unable it would appear, to cope with the life and routine of the institution. She subsequently left after a few weeks, only to appear again at Worship Street Police Court a month

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<sup>593</sup> F. Barret-Ducrocq, *Love in the time of Victoria: Sexuality and Desire amongst Working-Class men and women in nineteenth-century London* (London: Verso, 1991), p.30.

<sup>594</sup> *Lloyd's Weekly Newspaper*, 19 May 1889.

<sup>595</sup> *Ibid.*

<sup>596</sup> *Reynolds's Newspaper*, 14 February 1869.

later, charged with drunkenness.<sup>597</sup> She frequently appeared before the same group of magistrates in the intervening years, 'at short and long intervals, refusing all help, and yielding herself up to a life of drink and prostitution'.<sup>598</sup>

In over twenty years of offending, Lucy appears to have had the kind of experience that typifies the 'fallen woman' model of offending. She supposedly came from a good home, she was seduced, abandoned, and although she did not bear an illegitimate child, she was ruined. With no network of support, she fell into drinking, and disorderly behaviour. This fall from respectability limited her employment opportunities, and unable to make a living from the meagre wages of sweated labour, she declined further into prostitution and violence.<sup>599</sup> Whilst some of Lucy's story will have been of her own creation, and other parts a press narrative produced by numerous court reports, we can assume that at least some of the fundamental aspects of her story are true. Lucy did attempt to kill herself by jumping in a canal at the age of twenty. She attributed this action to the breakdown of a serious personal relationship.<sup>600</sup> She went on from these events to lead a life of habitual offending.<sup>601</sup>

Yet as familiar as Lucy's story would have been to contemporary commentators, and as recognisable as it is to us as present day scholars, should Lucy Brent's experience be interpreted as the exception or the rule? Did the breakdown of a marriage or serious relationship really play a significant role in the commencement of offending? Likewise, how does the birth of an illegitimate child fit into the life-cycle of a Victorian female offender, and what kind of impact did the event have on recourse to crime?

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<sup>597</sup> *PCOM4*; Piece: 69; Item: 19; P: 1.

<sup>598</sup> *Lloyd's Weekly Newspaper*, 19 May 1889.

<sup>599</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 462; Folio: 67; Page: 47; GSU roll: 823365.

<sup>600</sup> *Reynolds's Newspaper*, 14 February 1869.

<sup>601</sup> *PCOM4*; Piece: 69; Item: 19.

From the sample of female offenders in this study, around one third (35%) were formally married at some point in their lives. Slightly more of the women (46%) could be traced as having a serious, but not legally recognised relationship during their lifetimes. Overall a total of eighty-one female offenders (81%) in this study experienced a traceable personal relationship during their life-course. Interestingly, despite Frost’s assertion that, for the general population, ‘[cohabitations] were the exceptions, not the rule in nineteenth Century England’, the largest single proportion of women from this sample were those in common-law unions rather than formal marriages.<sup>602</sup> A total of forty-six women (46%) gave birth to an illegitimate child at some point in their life, almost half of the entire sample. Thus, both relationships and illegitimacy would seem prudent lines of enquiry in determining how personal relationships and childbirth could impact upon the offending and offences of Victorian women.

**Table 6.**

Cohort	Birth of Illegitimate Child?			Total
	Unknown	no	yes	
Liverpool	8	20	22	50
London	0	26	24	50
Total	8	46	46	100

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<sup>602</sup> G. Frost, *Living in Sin; Cohabiting as Husband and Wife in Victorian England* (Manchester: Manchester University Press, 2008), p. 225.



### Marriage and Offending:

Of the one hundred offenders, twenty-five of the women (25%) began offending before they were legally old enough to marry. Of the remaining seventy-five women (75%), only twenty-one (21%) were married before they began offending, and fourteen (14%) married during or after their offending had already begun.

Firstly this indicates that only a minority of the women in this study had the opportunity to have a marriage breakdown contribute to their offending. However, of these women, just one of them actually experienced a marital breakdown before their offending began. Sophia Martha Todd was of questionable psychological health when she was convicted of killing a child during her practice of 'baby farming' in 1874.<sup>603</sup> She had married Thomas Jackson at Liverpool in 1872, but the pair had separated after just a matter of months. She then went on to have a common-law husband.<sup>604</sup> It seems unlikely that her crimes were driven by economic necessity, and thus it is doubtful that the breakdown of her marriage was a major causal factor in her later offending.

Just one woman from the entire sample experienced the breakdown of her marriage before she began offending. As a result of this, marital breakdown cannot be considered a significant factor in the onset of offending of Victorian Women. It should also be noted that of the women sampled, only three had a marital breakdown during their period of offending, indicating that spousal estrangement was also not a common consequence of female offending.

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<sup>603</sup> *Birmingham Post*, 27 March 1877. See Chapter 4.

<sup>604</sup> *Liverpool Mercury*, 27 March 1877.

### Personal Relationships and Offending:

Eighteen female offenders (18%) were too young on their first offence to have the opportunity to experience a serious relationship, out of the remaining eighty-one (81%), there was only evidence to suggest that twenty-nine (29%) of the women in this sample experienced the breakdown of a serious relationship during their life time. A stark contradiction of contemporary perceptions, just eight women (equally split between the two cities) experienced a relationship breakdown of this kind before the onset of their offending. Of these offenders, the only woman to not also have the added burden of an illegitimate child was Lucy Brent, whose story was detailed above.

It would appear then, that Lucy Brent's experience was indeed the exception rather than the rule. In every other case in this study, the breakdown of a relationship by itself was not enough to trigger the onset of a woman's offending. Even in the case of Lucy Brent, it is questionable whether if she had had a stronger network of friends and family, the breakdown of her relationship alone would have occasioned such a life crisis. The most logical suggestion for this would seem to be that unless other factors were also in play, on the breakdown of most relationships, women were able to move on and adjust their lives accordingly – whether that be a geographical relocation, or a new relationship.

The seven other women who experienced the breakdown of a relationship before the beginning of their offending all had the added difficulty of an illegitimate child to contend with. In over half of these cases, the birth of an illegitimate child in itself had not been the trigger for offending, it was the subsequent hardship caused when a partner left.

In 1883, William Kennedy wrote a letter to the superintendent of Woking Prison, enquiring after his mother Elizabeth Higgins, who had been incarcerated in 1878 for a term of seven years, after having stolen 3lbs of butter. In enquiring after his mother's health and general wellbeing, William disclosed, what he believed to be the root cause of his mother's plight, he stated 'my father left about twenty-four years ago to New Zealand, caring not a straw about those he left behind'.<sup>605</sup> The family had not seen him since. This, William insinuated, was the reason his mother stole.

Elizabeth had been born in Ireland in 1840. She had first come to Liverpool as a young child in the 1840s, as the deprivation of the Irish famine raged.<sup>606</sup> Elizabeth came to England with her four older sisters, but not her parents. By the time she was sixteen, she had met general labourer Joseph Kennedy. The pair entered into a serious relationship and cohabited, but did not formally marry. A daughter, Ellen, was born to the couple in 1857 and a son, William, followed in 1858.<sup>607</sup> The relationship between Elizabeth and Joseph broke down around 1860, and the couple had ceased to live together by 1861.<sup>608</sup> Up until this point in her life, Elizabeth had had very little, or most likely no, experience of formal work. She had been at first dependant on the earning potential of her older sisters, who had subsequently married and moved on. From the age of sixteen she had been reliant on Joseph for financial support. When Elizabeth and Joseph's relationship broke down, Elizabeth found herself unable to find employment, and with two children under the age of five to provide for.

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<sup>605</sup> *PCOM4; Piece: 63; Item: 21; P:21*

<sup>606</sup> *Census Returns of England and Wales, 1851, Class: HO107; Piece: 2179; Folio: 93; Page: 33; GSU roll: 87177-87178.*

<sup>607</sup> *England and Wales Civil Registration Indexes, Birth Index, 1837-1915 (1857), Vol 86, p. 85. See also: England and Wales Civil Registration Indexes, Birth Index, 1837-1915 (1858), Vol 86, p. 143.*

<sup>608</sup> *Census Returns of England and Wales, 1861, Class: RG 9; Piece: 2652; Folio: 108; Page: 12; GSU roll: 543006.*

In early 1861, records indicate that Elizabeth had begun to offend, we can assume as a tactic to support herself and her children. Elizabeth's first major term of imprisonment came in 1862, when she was imprisoned for nine months.<sup>609</sup> In the next fifteen years, Elizabeth's life became a cycle of offending, release and recidivism. She had formed another common-law relationship, but it was with a fellow offender, William Thompson, and evidently did not provide stability enough for Elizabeth to be able to desist from offending.

In 1878, the *Liverpool Mercury* reported:

An elderly female named Elizabeth Thompson pleaded guilty, to having, on the 19<sup>th</sup> of September last stolen 3lbs of butter . . . In sentencing the prisoner, the recorder said that the case was one of those which it was difficult for the judge to deal with. She had become, years ago, charged with stealing butter, but she then got off. In the same year she was again charged with stealing butter and got two months imprisonment: in 1862 she had nine months for stealing butter: in 1866 seven years for stealing bacon; and in 1873 when she could only just have been released, she was again sentenced for stealing butter to seven years penal servitude. She appeared when out of prison to live upon those who dealt in butter, and was a most dangerous person.<sup>610</sup>

Elizabeth Higgins' experience can be said to be broadly similar to at least three other women who experienced both the breakdown of a serious relationship, and the birth of illegitimate children before the onset of offending. For these women, offending began at the point which a relationship failed, but was much more closely related to the incumbency of illegitimate children. In Elizabeth's case it seems that the breakdown of her relationship with Joseph Kennedy was not in itself a trauma that caused her to offend. The small crisis that the failure of her relationship caused was compounded by the fact she had two young illegitimate children – a situation for

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<sup>609</sup> *England & Wales Criminal Registers*, February 1862, Class: HO 27; Piece: 135; Page: 58.

<sup>610</sup> *Liverpool Mercury*, 9 October 1878.

which society offered little moral or economic assistance. This circumstance rendered employment and other respectable aspects of life difficult, in a way widowhood would not have, and hindered Elizabeth's prospects of forming new stable relationships. Whilst there were legal recourses that allowed women with illegitimate children to seek formal support from a former lover, these tactics were rarely employed for a number of reasons. A woman would have to submit to an assessment by the court of her respectability and morality, paternity was very difficult to definitively prove (particularly if the former was in doubt), and for many women, obtaining any financial support from an unemployed or casual labourer remained an unlikely prospect in any event.<sup>611</sup>

Nevertheless, it remains clear that if just eight women in the sample (8%) experienced the breakdown of a serious relationship before offending, the impact of this on the onset of female offending would seem minimal. Interestingly, of the women profiled, well over double the number of those that saw a relationship breakdown before offending, saw a relationship breakdown during their period of offending. In most of the twenty-one cases (21%), it would appear that the failure of a relationship was almost uniformly on account of offending. The experience of these women might range from Sophia Martha Todd's estrangement from her Common-law spouse upon her arrest in 1877, to thief and prostitute Bridget Lacking's inability to maintain a lasting relationship on account of her transient lifestyle, drinking, and violence.<sup>612</sup>

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<sup>611</sup> B. Reay, 'Sexuality in Nineteenth-Century England: the social context of illegitimacy in rural Kent', *Rural History*, 1 (1990), p. 234

<sup>612</sup> *Liverpool Mercury*, 3 August 1877. See also for Bridget Lacking: *PCOM4*; Piece: 72; Item: 5.

### Illegitimate Children and Offending:

Illegitimacy has long been a subject of historiographical interest, scholars have explored areas as diverse as childbearing as a product of rape, or the experience of illegitimacy by the child itself. There remains however, very little in the way of existing literature that deals with the impact of illegitimacy on the mothers of such children. The excellent work of Barret-Ducrocq strove to profile the mothers of children delivered to the foundling hospitals, charting the diverse experiences that had seen them arrive there.<sup>613</sup> Yet as enriching these accounts are, Barret-Ducrocq himself is only too aware that the testimony women gave was often a product of their ardent wish to get their children into the institution. These accounts were all too often tinged with embellishments in order for the mother to preserve some modicum of respectability. 'True' accounts of the circumstance and impact of illegitimacy remain few and far between, particularly because in most cases very little documentation relating to the mothers of illegitimate children exists.

Illegitimacy was identified by contemporaries as a root cause of criminal behaviour in women. The birth of an illegitimate child does appear to have been a somewhat common factor in the lives of the female offenders in this study. Sixty-six women (66%) profiled gave birth to at least one child in their lifetime. For the majority of these women (46% sample / 69% those with children) at least one of their children was illegitimate. Of those that had children, more had illegitimate children than those that did not. So to what extent did illegitimacy impact upon offending for these women? For just over half of those with illegitimate children (29% women), the birth of an illegitimate child was a product of a lifestyle in which offending was already a factor.

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<sup>613</sup> Barret-Ducrocq, *Love in the time of Victoria*, P. 45.

Just seventeen women (17%) gave birth to at least one illegitimate child before they started to offend.

Two of these women, Rose Garrity from Liverpool, and Esther Pullinger from London, had an illegitimate child with a man they subsequently went on to marry. Neither of these women had a marital breakdown before they offended, and to all extents and purposes, their marriages legitimised their illegitimate offspring, and negated their fall from respectability. This is a phenomenon that Barry Reay refers to as 'legitimising illegitimacy' and one which he compares to the relatively minor crisis of 'prenuptial pregnancy'. This outcome, Reay argues, removes such cases from the mainstream discussion of illegitimacy.<sup>614</sup> This effectively removes the two women in question from the number of women who experienced a direct link between illegitimacy and offending.

Of the fifteen women that remained, illegitimacy played varying roles in their lives and offending. Two of the women, Kate Williams and Bridget Lacking worked on and off for much of their lives as prostitutes. Lacking was a famine refugee from Ireland at an early age, Williams was from Wales, neither of the women seem to have had any family support network to speak of. Both of these women had an illegitimate child by the time they reached their twenties. It is difficult to ascertain, for both of these women, when their activity as prostitutes began and whether the birth of their children preceded or post-dated that point. However it seems most likely that in these cases the child was a product of each woman's prostitution – as no potential fathers are evident - rather than that they had both given birth to an illegitimate child and then been forced into prostitution and crime as a result. It is perhaps surprising that

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<sup>614</sup>Reay, 'Sexuality in Nineteenth-Century England', p. 225.

female offenders of this kind make up such a small proportion of the sample, as Barret-Ducrocq tells us, it was supposed by many Victorian contemporaries that women who gave birth to illegitimate children with no stable relationship in place, 'formed the bulk of the battalions of prostitutes who haunted the London Streets'.<sup>615</sup> Yet in this study, not only were prostitutes a minority, but cases where it was evident that an illegitimate child had directly led to prostitution were wholly absent.

Of the thirteen remaining women, seven women were in serious relationships prior to their offending, most with the father of the child. Three of these women maintained those relationships during their offending, two of them – Mary James and Mary Edith Palmer- even went on to marry their partner after being paroled from prison. Four of the women –all from Liverpool- who had partners saw their relationships break down prior to offending, leaving the women to cope alone with their offspring. The narrative of Elizabeth Higgins' experience, outlined earlier, is fairly representative of the life experience this fostered. For example, Ellen Robinson's cabinet-maker common law husband abandoned her and their infant son John shortly before Ellen began habitually property offending, the same can be said for Cecilia Tierney. In the case of Margaret Spencer she began operating a brothel to support her young children, William and Elizabeth, after her partner left when both of her children were under the age of five. In these cases, the onset of offending could be more accurately attributed to the loss of a provider and the inability to find work in the cities male dominated labour market, than in the crisis of illegitimacy itself.

For the six remaining women, all but one from London, their illegitimate children were the products of more casual liaisons. In the case of four women: Elizabeth McDermott ,

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<sup>615</sup> Barret-Ducrocq, *Love in the time of Victoria*, p. 31.



Mary Williams, Bridget Kelly, and Mary Ann Heard, all remained living at home with their parents after the birth (or some cases, multiple births) of illegitimate children. For these women, offending cannot be said to have been caused as a result of a crisis occasioned by illegitimacy, or lack of support from the father of a child. These women had a network of family support strong enough that the birth of a child does not seem to have compelled them economically or socially to offend.

For the two remaining women, Emily Church and Sarah Swann, saw the impact of having an illegitimate child play a much more defining role in their offending. Church and Swann are two of just four women from this sample, all from London, that exhibited one of the key experiences which both contemporaries and historians have conceptualised as a significant impact of illegitimacy on offending. Sarah Swann, Mary Edith Palmer, Emily Church and Mary James were all singular offenders, indicted for just one crime: the murder, or attempted murder, of an illegitimate child. By outlining these cases, it is possible to compare and contrast these instances and assess the impact different factors played in this most serious reaction to the experience of illegitimacy.

Emily Church was born in Oxfordshire in 1856, herself an illegitimate child. Until the age of six Emily lived with her aunts and her grandparents Mary and Abel Church. The family supported themselves, for the main part, through agricultural labour.<sup>616</sup> When patriarch Abel Church died in 1869, much of the stability in Emily's life was lost.<sup>617</sup> Although she continued to live with her grandmother for two years, by the age of seventeen Emily was living with her aunt Alice, working as a general servant.<sup>618</sup> Whilst

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<sup>616</sup> *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 884; Folio: 98; Page: 16; GSU roll: 542716.

<sup>617</sup> *England & Wales, FreeBMD Death Index, 1837-1915*.

<sup>618</sup> *PCOM4*; Piece: 55; Item: 16; P: 1.

in this employ, Emily had given birth to an illegitimate child, Caroline Beatrice Church. Emily was dismissed from her aunt's house and life in the small village of Swyncombe became untenable.<sup>619</sup> Emily moved with her daughter to Essex, on the outskirts of East London less than a year later. Here she lodged for some time with another aunt living in Stratford. Early in 1876, Emily went to the neighbouring parish of Barking, in order to look for work, leaving her child in the care of her aunt.<sup>620</sup> According to newspaper reports, Emily's aunt soon tired of the inconvenience and cost of supporting a child that was not her own, she sought out Emily's lodgings and left the child there.<sup>621</sup> Emily was, by all accounts, agitated and distressed at having been made immediately responsible for her child for whom it was evident she did not have the resources to care. In July of 1876, the dead body of Caroline Beatrice Church was found in a brook, having sustained two broken limbs, and having died from internal bleeding caused by these injuries.<sup>622</sup> Upon trial, Emily was found guilty of causing her child's death, and sentenced to death. She was however spared this fate, the jury recommending mercy 'on account of her destitute condition, and secondly on account of her extreme youth'.<sup>623</sup> A newspaper remarked that the case was a painful one, on account of 'as long as her circumstances had allowed, she had taken great care of it [Caroline], and the child appeared to be very fond of her [Emily]'.<sup>624</sup> Clearly, the birth of an illegitimate child without even a common-law partner to turn to for support was a defining moment in the onset of Emily Church's offending.

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<sup>619</sup> *Census Returns of England and Wales*, 1871, Class: RG10; Piece: 1428; Folio: 96; Page: 15; GSU roll: 828776. See also, England & Wales, FreeBMD Birth Index, 1837-1915.

<sup>620</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 12 November 2012), November 1876, trial of Emily Church (24) (t18761120-51).

<sup>621</sup> *Lloyds Weekly Newspaper*, 26 November 1876.

<sup>622</sup> *Ibid.*

<sup>623</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 12 November 2012), November 1876, trial of Emily Church (24) (t18761120-51).

<sup>624</sup> *Lloyds Weekly Newspaper*, 26 November 1876.

Mary Edith Palmer was born in Clerkenwell, London in 1858. She lived with her parents until around the age of eighteen, when she left to take a position as a servant elsewhere in the city. Mary became pregnant by 'an illicit connection with a young man with whom she had become acquainted'.<sup>625</sup> The identity of this man is not known, the association between them does not appear to have lasted very long, and his name does not appear on any subsequent documentation. When Mary's daughter, also named Mary, was born in 1879, she was destitute and living in Holborn workhouse. Mary eventually managed, from February 1880, to place her infant daughter with a child-minder, Catherine Wilkes, in St Pancras.<sup>626</sup> For the price of five shillings a week Wilkes cared for the child enabling Mary to find gainful employment again as kitchen maid, and even to start a new relationship with greengrocer, Thomas Cantwell.<sup>627</sup> Neither her employers, nor Thomas had any knowledge of Mary's past transgressions. Rapidly, Mary became unable to keep up with the payments for her daughter, and by 1881 Caroline Wilkes was no longer willing to keep the child for only two shillings a week. It would appear that Mary became increasingly concerned that her inability to afford childcare would have her daughter brought back to her, exposing her secret to her world, jeopardising her employment and her domestic stability. On the 11 June, 1881, Mary took her daughter away from Wilkes home, with the intention to murder her. Only luck, rather than judgement prevented this. Later that evening, the child was found wandering in the street, with a penknife protruding from her neck, just an inch from the jugular vein.<sup>628</sup> Mary Palmer was arrested and made no denial of the charge against her. She was sentenced to seven years penal servitude, but was released early

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<sup>625</sup> *Morning Post*, 4 August 1881.

<sup>626</sup> *Census Returns of England and Wales*, 1881, Class: RG11; Piece: 389; Folio: 38; Page: 1; GSU roll: 1341084.

<sup>627</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 6.0, 12 November 2012), August 1881, trial of MARY PALMER (23) (t18810802-686).

<sup>628</sup> *Morning Post*, 4 August 1881.

in 1883.<sup>629</sup> She subsequently went on to marry Thomas Cantwell, and regain custody of her daughter.<sup>630</sup>

Mary Palmer clearly had a partner that was willing to support her (and in fact did, despite her serving time in prison for the attempted murder of a child he did not know she had), yet it was the economic and social impact of illegitimacy that seemed to determine this kind of offending, not personal support networks. Mary James had a case similar to that of Mary Palmer. Despite being in a serious relationship with the father of her illegitimate child, James had attempted to drown her son, and also herself, in an act of desperation.<sup>631</sup>

Whilst cases such as Palmer's or James' did cause concern and outrage amongst many social observers, the murder or harm of new-born infants, or neonatalcide as it has since been termed, was of even greater concern to Victorian commentators. The Life Protection Society warned 'the first born of unmarried parents are the class of infants most exposed to violent deaths'.<sup>632</sup> From the mid-nineteenth century there were growing fears of the rising rates of this offence. There was particularly a perception that circumstances of this were becoming particularly acute in London. Whilst it is true that from the women sampled for this study every case of the murder or attempted murder of a child was from the London cohort, these made up, by far, the smallest group of offenders, with only one case of neonatalcide in the entire study.

Sarah Swann was born in Islington, London, in 1854, into a poor but respectable working-class family. By the age of seventeen, she had moved away from home and

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<sup>629</sup>PCOM4; Piece: 52; Item: 9; P: 1.

<sup>630</sup>Census Returns of England and Wales, 1891, Class: RG12; Piece: 87; Folio: 119; Page: 44; GSU roll: 6095197.

<sup>631</sup>England & Wales Criminal Registers, June 1878, Class: HO 27; Piece: 181; Page: 126.

<sup>632</sup>A. R. Higginbotham, 'Sin of the Age': Infanticide and Illegitimacy in Victorian London', *Victorian Studies*, 32, 3 (1989), p. 319.

was working as a nurse in the Metropolitan Asylum at Hampstead.<sup>633</sup> By 1874, and the age of twenty, Sarah had had her first illegitimate child, a son, Edwin. Sarah had been obliged to leave her work as a nurse and began to work as a domestic servant in the George IV pub just down the road from her family's lodgings on Goswell Road. Whilst Sarah worked there, Edwin resided in the care of his grandparents.<sup>634</sup> By 1880, Sarah was again pregnant by an unknown man. In November of that year, Sarah's pregnancy had been uncovered by her employers, and she was under notice to leave her employment. Whilst at work she went into labour. Sarah took herself into the coal cellar of the pub to deliver her child.<sup>635</sup> Sarah's groans had alerted other members of the house and she was found in the cellar, with a newly born infant suffering from wounds to the head caused by lump of coal. Sarah and her daughter were taken to the local infirmary, where the child subsequently died, and Sarah was arrested. She was sentenced to five years penal servitude for manslaughter.<sup>636</sup>

Sarah Swann's is a fairly typical narrative of neonatalcide, which much preoccupied Victorian Society. A young woman gave birth alone to an illegitimate child, in full knowledge that her discovery would lead to dismissal without a reference, inability to find other employment and thus an inability to support herself or the child. Even with a job, historians have charted how 'it was almost impossible to feed a child, let alone pay for boarding . . . on a salary barely sufficient for the ordinary costs of one person'.<sup>637</sup> Cases such as Swann's offered credence to the contemporary adage that 'there are only two courses before the unfortunate mother, either to kill her child or

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<sup>633</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 198; Folio: 90; Page: 1; GSU roll: 824589.

<sup>634</sup> *Census Returns of England and Wales, 1881*, Class: RG11; Piece: 360; Folio: 13; Page: 19; GSU roll: 1341078.

<sup>635</sup> *Leeds Mercury*, 14 January 1881.

<sup>636</sup> PCOM4; Piece: 56; Item: 2; Pp: 1-2.

<sup>637</sup> Barret-Ducrocq, *Love in the time of Victoria*, p .155.

support it by sin'.<sup>638</sup> This kind of offending was what Higginbotham would label a spur of the moment reaction to an 'immediate crisis'.<sup>639</sup> In cases such as Sarah Swann's, the birth of an illegitimate child was the sole factor that caused the onset of offending.

In many ways, the life experiences of these four women would seem to typify the popular narrative seduction, abandonment and downfall. Yet, despite contemporary claims that there were hundreds (or even thousands) of cases a year, these cases make up just 4% of the sample of this study. Swann, Palmer, Church and James were the only four women tried at either the Middlesex sessions or the Old Bailey sessions for such offences that were released on parole between 1882 and 1887. Surely the circumstances and experience of these women cannot be so exceptional as to make them the only women to take this recourse? On this point, Higginbotham makes the valuable observation that infanticide, particularly in the manner of Sarah Swann's, was unlikely to gain a full criminal conviction after the 1850s. It was much more likely that a woman would receive a pardon or a verdict of not guilty, on the strength of sympathy from the jury or the judge.<sup>640</sup> According to Higginbotham, it was much more common for women to be given a lesser conviction and smaller sentence – a few months or acquittal for infanticide or neonaticide – which would explain why offenders of this kind are not more prevalent in this sample. Crimes of this kind may indeed have been more common than this sample suggests, but perhaps for a variety of reasons, prosecution figures cannot indicate this sufficiently. However, of the other forty-six women from this sample who had illegitimate children during their life course - almost half of the total sample, not a single one was even tried for the murder, attempted murder, manslaughter, or concealment of birth of a child. Suggesting that the link

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<sup>638</sup> 'Home of Compassion' *Seeking and Saving*, 2 (1882), p. 73, as quoted in Higginbotham, "Sin of the Age", p. 322.

<sup>639</sup> Higginbotham, 'Sin of the Age', p. 334.

<sup>640</sup> *Ibid*, p. 335

between illegitimacy and acts of violent crime was more complex than most Victorian commentators inferred. What the cases of these four women are perhaps indicative of, are the local and environmental nature of this experience in relation to offending. All of these offences took place in London, not a single case from Liverpool resembled this kind of offending, suggesting that the particulars of local labour markets and familial and cultural factors may all have played a larger role in the onset of these offences, that the woman's relationship status, or purely the fact that she had an illegitimate child. Such an analysis would seem particularly apt, as all but one of the offenders discussed had managed to exist with the stigma of illegitimacy for up to three years, before resorting to harming their child.

Previous works on illegitimacy have shown that usually, infanticide occurred either immediately, or within the first few months of a child's life, rarely after the age of one year.<sup>641</sup> Three of the four cases in this sample were the murder, or attempted murder of a child aged eighteen months upwards. Palmer, Church and James had already come through the stress, pain, and difficulty of bearing an illegitimate child. For these women, it appears that it was not their failure to marry, or establish a serious relationship that determined the impact of illegitimacy on the onset of offending, but in fact the deterioration of economic circumstance or when the threat of social upheaval became imminent that they resorted to offending. In each of these cases, the women had fallen behind on the payments due to other women who cared for their child. They were then almost invariably forced to reclaim that child. In each case, the woman perceived that keeping the child would cause a more acute life-crisis than disposing of it. Despite crimes of this kind being the most recognisable narrative of the

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<sup>641</sup> *Ibid*, p. 325.

peril posed to women by illegitimacy, in terms of the experience of female offenders, these cases constitute just four per cent of the sample. Such a minute proportion of cases reacted to illegitimacy in this way that it can be taken as nothing other than a good representation of the exceptionality of this kind of experience.

### Conclusions

Illegitimacy was a more common experience than this sample might suggest. There were, of course, many who suffered the plight of a relationship breakdown, of illegitimacy, or both, and did not go on to offend. There were, similarly, many women (over half of the women in this study) that experienced neither before the onset of their offending. It would seem appropriate to suggest that neither illegitimacy nor relationship breakdown were responsible for the onset of female offending. Rather, these findings indicate that there is clear work to be done on what role those factors played in the minority of cases where these things occurred. Whilst the combination of serious relationship breakdown, and illegitimacy, or in fact either separately, could lead directly to the onset of a woman's offending, in the majority of the women sampled, these experiences were either a secondary factor, compounding a primary factor responsible for the onset of offending, or they were something a woman experienced on account of her offending. The popular narrative tropes used to explain and explore female offending by the Victorian press and social commentators show little relation to the experiences of most of the profiled women. The majority of the women experienced neither marital or relationship breakdowns, nor the birth of an illegitimate child, before the onset of their offending. From the sample of offenders, it is clear that neither separation or abandonment, nor the birth of an illegitimate child were predominantly responsible for the onset of women's offending.



## Chapter Eight: Paid Employment and Female Offenders

Employment for women in any study of the nineteenth century must be split into two groups, that which is visible to historians from the formal records kept by the institutions of the time, and that which is invisible. Both visible and invisible forms of female labour pose problems to researchers. Visible traces of female employment come from the records created by penal and charitable institutions and others like the census and parish records. These sporadic snapshots, which might hint at an individual's employment status every few years or so, may tell us that how a woman defined her own economic contribution – how she primarily understood herself as employed – or much more likely, they divulge what clerks and enumerators evaluated such women's contribution to 'working life' to be. In the first instance, the declaration of a female offender herself may accurately reflect the trade or business in which she was currently engaged, but it might also refer to the previous training or work a woman had experienced which helped her to identify as a worker, but was in an employment in which she was not currently engaged. Also, given the irregular and infrequent mode of collection of this information, just because a woman neglected to identify herself with a particular kind of work, be that paid or unpaid, formal or informal (factory work, hawking, child-minding, or domestic labour in her own home), it does not mean that she at no time in the intervening years between data collections engaged in any of these activities. Similarly, women may have had many informal and irregular ways of bringing in money, but not felt any one of these to constitute and employment. As Hollen Lees suggested in the case of Irish hawkers in nineteenth

century London 'if one took to the streets to sell for only a few days a month, why mention it to the census taker?'.<sup>642</sup>

In regards to criminal records too, prisoner's accounts of their employment could be prone to adulteration. Tobias argued 'a new arrival in prison would describe himself as of whatever occupation was most convenient for that particular prison. Many would declare themselves to be painters in order to have a chance of the most favoured work'.<sup>643</sup> Documents which represent the view of their creator, in respect to someone's employment, rather than the view of their subject, offer an even less accurate portrait of a women's employment. Higgs suggested in his work on census data 'women often worked on a casual or part time basis, and this labour frequently does not appear to have found its way into the returns as an "occupation"'. Higgs added 'the recording of seasonal, casual or part-time labour is more problematic'.<sup>644</sup>

This is especially true of the work of women.

Even more problematic is that second category of female employment – the invisible.

As Hudson and Lee noted:

We know that much of women's work throughout different historical periods has been concentrated outside of this formal economy in the vast range of tasks surrounding home and hearth and in irregular low-status employments which do not really enter historical record.<sup>645</sup>

A lack of knowledge about the more informal and less visible kinds of women's work was attributed by these authors to a 'male perspective' dominating how women's economic and labour experiences have been recorded and discussed by scholars. Ayers

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<sup>642</sup> L. Hollen Lees, *Exiles of Erin: Irish Migrants in Victorian London* (Manchester: Manchester University Press, 1979), p. 113.

<sup>643</sup> Tobias *Crime and Industrial Society*, p. 22, cited in Phillips *Crime and Authority*, p. 152.

<sup>644</sup> E. Higgs, *Making sense of the Census* (London: HMSO Books, 1989), pp. 78-81.

<sup>645</sup> Hudson and Lee *Women's Work and the Family Economy*, p. 2.

suggested that what most histories of female labour leave out 'is the interface between the formal economy and the web of interpersonal community and familial relationships which comprises an important dimension of how people earned, spent and stretched out what were often highly irregular or insubstantial incomes, to cover the day-to-day needs of living.'<sup>646</sup> Hudson and Lee explain that whilst some women may have been working in highly visible formal paid employments such as domestic service or factory work, for many more, particularly married women, supplementary income could come from a diverse range of little recorded or acknowledged employments including 'child-minding, casual cleaning and washing, and by taking in lodgers.'<sup>647</sup> Ayres likewise contended that many women and communities relied upon other "less visible income" which could be small donations to personal income in the form of money, food, or accommodation from family members or close friends.<sup>648</sup> August noted 'women in poor neighbourhoods earned cash in a number of different ways that did not appear in the census records. Women minded children, took in laundry and offered aid during childbirth to their neighbours, often receiving some cash payment'.<sup>649</sup> This is, of course, to say nothing of the legions of women for whom the unwaged labour carried out in their own homes constituted an exhausting full-time occupation which went largely unacknowledged by contemporary society or subsequent histories. Importantly, Higgs also reminds us, 'the work of women in the family home was either directly or implicitly excluded from consideration in the census'.<sup>650</sup>

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<sup>646</sup> Ayers, 'The Hidden Economy', p. 271.

<sup>647</sup> Hudson and Lee, 'Women's work and the Family Economy', p. 30.

<sup>648</sup> Ayers, 'The Hidden Economy', p. 284.

<sup>649</sup> A. August, *Poor Women's Lives: Gender, Work, and Poverty in Late-Victorian London* (London: Associated University Press, 1999), p. 23.

<sup>650</sup> Higgs, *Making Sense of the Census*. p. 81.

There must be an acceptance that there are a range of informal and invisible occupation that many women heavily relied upon for subsistence, but for which little evidence remains. These are employments which no doubt played a role in the lives and experiences of some - if not all – of the women sampled for my study. Alas, on account of the scarcity of evidence left by these activities there is little opportunity to measure or discuss such arrangements in this study. Thus the primary investigation carried out here will focus upon the traceable and ‘visible’ paid employment of female offenders. These employments are both formal - typified by regularly agreed wages, and an immediately traceable employer - for which examples include domestic service and factory labour, and also informal paid work – typified by no regularly agreed wages, set workplace, or immediately evident employer – for which examples include street selling (hawking), and piecework.

Eighty-six (86%) of the profiled female offenders could be traced as being engaged in paid employment at some point during their lives - that is either before or during their time offending. Only a minority of cases of women displayed no evidence of paid employment whatsoever and suggested that they survived by no other means than crime, vice, or perhaps the earnings of others. Existing scholarly works in both current criminology and history have investigated the precise role played by a fluctuating economy, or unstable labour market, in offending, questions that remain pressing in the history of women and crime. For the majority of women profiled here (as in other studies), rather than being wholly dependent on the proceeds of their crime, offending was an activity that took place around a more conventional pattern of employment and everyday life.

The attention scholars have paid to the role of employment in the lives and offending patterns of women has overwhelmingly focussed on those in domestic service. Contemporary commentators, most famously Henry Mayhew, contended 'there are a great number of felonies committed by servants over the metropolis . . . Some of these servants are not a fortnight or month in service before a heavy burglary is committed in the house'.<sup>651</sup> However, despite such perceptions, historians such as Horne have shown that the number of domestic servants tried for any kind of crime was fairly small.<sup>652</sup> When examining women in local prisons Zedner likewise found that the majority of women who testified to having been employed prior to their incarceration claimed not to be domestic servants but workers in casual and unskilled trades such as labouring, street-selling, or cleaning. In Zedner's study fewer than 10% of women in local and national prisons identified themselves as domestic servants.<sup>653</sup> Zedner went on to argue that alongside challenging common contemporary assumptions that the majority of female offenders were drawn from the ranks of domestic service, this also illustrated the relatively privileged and protected existence of servants – a lifestyle that 'sheltered women from circumstances liable to lead to crime'.<sup>654</sup>

Whilst the experiences of the women from Liverpool and London seem to broadly correspond to the work of these previous historians - with only nineteen women in the entire sample (19%) being involved with domestic service prior to their offending, and just ten women (10%) working in domestic service during offending – the explanation for these results appears to be more closely related to the low levels of female

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<sup>651</sup> Mayhew, *London Labour*, p. 234.

<sup>652</sup> P. Horne, *The Rise and Fall of the Victorian Servant* (London: Macmillan, 1975), p. 133.

<sup>653</sup> Zedner, *Women*, pp. 153-155.

<sup>654</sup> *Ibid*, pp. 153-155.

employment in that sector rather than a workplace environment that protected employees from the necessity of crime.

Although few in number, out of the ten women who worked as domestic servants at the time of their offending, seven of them were dismissed or arrested for a workplace crime. Examples of this include Mary Ann Reid who was indicted for the theft of various items from her place of work on three separate occasions, from three separate employers, or Harriet Glover, who was convicted in 1869 of setting fire to her mistress's house whilst robbing it and went on to serve seven years in penal servitude.<sup>655</sup> These women provide a good example of the problematic figure of the domestic servant not fully explored by Zedner. Many contemporaries were keen to lament that it was only after women lost their domestic positions and therefore good character and references that they were exposed to crime and vice.<sup>656</sup> However just nine women (9%) from the overall sample appeared to have had this experience and the remaining ten women (10%) who had worked as domestic servants prior to their offending remained in that occupation until their dismissal for a crime and subsequent arrest. In many of these cases, far from the women experiencing a 'sheltered' existence that protected them from the world of crime, domestic employment provided the opportunity and incentive for offending.

The majority of pre-existing scholarly works on employment and crime have either focused primarily on male labour patterns and criminality, or when women have been included, there has been a concentration upon those in domestic service as discussed above. The attention given to other forms of female employment and the relation of

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<sup>655</sup> *PCOM4*; Piece: 65; Item: 10; Page: 1, See also; *England & Wales Criminal Registers*, July 1869, Class: *HO* 27; Piece: 154; Page: 138.

<sup>656</sup> Zedner, *Women*, p. 155.

these employments to offending have been somewhat neglected. More recent studies such as Godfrey and Cox's *Policing the Factory* have begun to redress this balance. Godfrey and Cox ascertained that although female factory workers constituted only a minority of those prosecuted for work-place thefts during the nineteenth century, as a proportion of the workforce, female 'workplace appropriation' was a noted problem in this period. Low wages and abundant opportunity could provide the occasion and incentive to offend.<sup>657</sup> However, despite these contributions, there remains a distinct need for a more comprehensive understanding of the role of paid work in the offending patterns of women in Victorian England, the beginnings of which are offered here through an examination of the profiles of the sampled women from Liverpool and London.

General rates of employment for the sample of women this study remained relatively high, and fairly consistent prior to and during offending, in much the same way as previous historiographical investigations have ascertained. When Godfrey, Cox, and Farrall sampled serious habitual offenders they found that many offenders were employed in manual labouring jobs, and only a minority of offenders were unemployed or had an employment status that was 'unclear'.<sup>658</sup> *Serious Offenders* found that for many employment and offending careers substantially overlapped. A large proportion of the individuals in Godfrey, Cox, and Farrall's sample experienced employment either before or during their period of offending.<sup>659</sup> Rates of employment amongst these habitual criminals from the *Serious Offenders* study remained virtually the same prior to and during periods of offending. Similarly, in the sample of women

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<sup>657</sup> B. Godfrey, D. Cox, *Policing the Factory* (London: Bloomsbury 2013), p. 44.

<sup>658</sup> Godfrey, Cox and Farrall, *Serious Offenders*, pp. 123-124.

<sup>659</sup> *Ibid*, p. 127.

from Liverpool and London sixty-seven women (67%) were employed in some way before they began offending, and sixty-one women (61%) were engaged in some form of employment during their offending. Indicating that there was less than a 10% drop in the overall rate of employment amongst women when offending occurred.

Both the studies Godfrey, Cox, and Farrall, and the work of Zedner, ascertained that the majority of female offenders came from the 'lower-end' of the job market. These women were subject to regular bouts of unemployment and poor wage rates. Findings well supported by the results from my sample. Whilst in general terms the majority of women had some kind of employment during their period(s) of offending, the overall number of women recorded as employed incorporates those engaged in both formal and informal modes of employment, suggesting a more diverse relationship between female employment and crime than typically perceived.

Perhaps most surprisingly, thirty-five women (35%) were in formal employment before they began offending. The numbers of women working in domestic service positions, shops, and factories were more or less equal. The rates of formal employment dropped to twenty-three women (23%) during the period indicating that around one third of those engaged in full time employment prior to offending lost this employment and then went on to gain a first conviction. Although this provides a likely motive for the onset of offending, the loss of formal employment can only be considered a defining aspect of offending for a small minority of the cases.

The initial employment profiles of the women contrast with the findings of habitual offenders in Crewe, in which Godfrey, Cox, and Farrall determined that the majority of sampled offenders 'enjoyed generally stable employment' throughout the majority of



their lifetimes.<sup>660</sup> Although the differences in the local labour markets of large urban centres like Liverpool and London and those of smaller towns such as Crewe no doubt play a role in the divergent results, the clearest explanation for this difference in the relationship between stable employment and offending is that the sample of offenders for the *Criminal Lives* study were overwhelmingly male. The findings from the women in Liverpool and London indicate that the experience of stable employment in relation to offending is very much gendered, with just under one third of women (29%) sampled engaged in formal and stable employment up to the act of offending or point of their arrest. Whilst not an insignificant proportion, this pattern of employment and offending was a minority experience, with seventy-one women (71%) not experiencing stable employment for long durations over their life course.

Sixty-five of the sampled women (65%) were not engaged in formal employment either prior to or during their offending. These women would fit much more closely with prevailing historiographical understandings of the link between insecure employment and crime. In terms of engagement in informal employment, around one third (32%) of the women were traced as working informally before they began offending. Surprisingly, rather than decreasing, this number rose to forty-two women (42%) during periods of offending. This could indicate that those who lost formal employment first gravitated to informal employment as a means of subsistence before they could no longer sustain the cost of living, at which point they ceased to work, or paired an informal occupation with offending. It would, of course, have been much easier for women with one or multiple convictions to their names to undertake informal employment when released from court or prison. For known offenders,

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<sup>660</sup> Godfrey, Cox and Farrall, *Criminal Lives*, p. 39.

obtaining another formal paid position would have been very difficult. The negotiation of employment and the pattern of offending in relation to labour practices amongst the women could take multiple forms. The case of property offender Emma Stevens exhibits a range of these employment experiences, and illustrates how easily formal employment, informal labour, and offending could all play a role in a single individual's life.

Stevens was born in Islington, London, in 1842. She spent her early life living with her widowed mother and grandmother.<sup>661</sup> By the age of nineteen, Emma was working as an 'assistant in a fancy shop'.<sup>662</sup> From around 1863, Emma was cohabiting with Francis Gale, an unemployed labourer. In August 1867, Francis was indicted for a theft from a shop, and Emma was called in as a witness. The couple's relationship had broken down just weeks before the trial and accusations of who was responsible for the offence were flung back and forth between the pair.<sup>663</sup> As in many incidents of this kind, it is unclear whether Emma was involved or not. In this case Francis was remanded in custody, and Emma walked free from the court. Yet many details of the case, and Emma's personal life, had been reported in the press.<sup>664</sup> In light of this it is perhaps unsurprising that Emma's employment was terminated. Emma worked for some time after this as a laundress, an informal and insecure form of paid employment, which saw her take in the washing of her neighbours in the surrounding areas for a diminutive sum per item. By 1870, it is clear that this employment was no longer sustaining Emma, and she was convicted of theft from a dwelling house and sentenced

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<sup>661</sup> *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 1518; Folio: 198; Page: 21; GSU roll: 87852.

<sup>662</sup> *Census Returns of England and Wales, 1861*; Class: RG 9; Piece: 75; Folio: 127; Page: 2; GSU roll: 542569.

<sup>663</sup> *Daily News*, 4 October, 1867.

<sup>664</sup> *Ibid.*

to six months' imprisonment and seven years' police supervision.<sup>665</sup> Police supervision did little to improve either Emma's prospects of regaining employment, or successfully carrying out thefts. She was again arrested and convicted in 1871 for obtaining goods under 'false pretences', and sentenced to a further five years in prison.<sup>666</sup> Emma was once more arrested, almost immediately after her release from prison, and sentenced in 1879 for theft and receiving stolen goods to a further seven years in prison.<sup>667</sup>

During the early part of Emma's life, she had been able to maintain a steady and formal mode of employment, and in this period she did not receive any convictions for offending. After the loss of her regular employment, there is evidence to suggest that Emma made an attempt to gain a living through more informal labour practices, yet fairly rapidly resorted to crime as a means of subsistence. Whilst the specifics of Emma Steven's case revolve around a fairly unique set of circumstances, Emma's seems a somewhat typical experience for those offending after formal employment and during informal employment. Emma was one of just ten women profiled (10%) who seem to have gravitated towards informal employment after the loss of formal employment. Overall thirty-six of the women profiled (36%) in this study combined their offending with informal employment in this way. Only four women from the entire sample showed signs of engagement in both formal and informal forms of employment during their offending. None of the women prior to their offending undertook both formal and informal employment.

Thirty-two women (32%) showed no signs of engagement in either formal or informal employment during their offending. These findings differ from those of previous

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<sup>665</sup> *England & Wales Criminal Registers*, August 1870, Class: HO 27; Piece: 156; Page: 229.

<sup>666</sup> *England & Wales Criminal Registers*, November 1871, Class: HO 27; Piece: 159; Page: 211.

<sup>667</sup> *England & Wales Criminal Registers*, October 1879, Class: HO 27; Piece: 183; Page: 242.

studies of employment and offending which have focused on male offenders.<sup>668</sup> Fourteen of these women (14%) could not be traced as having been engaged in paid employment. This group of women bore most resemblance to those Victorian social commentators labelled the 'criminal class'.<sup>669</sup> Inability to engage in a visible paid employment was clearly not the dominant experience of female offenders. The small group with no trace of paid employment do offer some interesting insight into the experience of this type of offending which very much differs from the experience of women who offended in conjunction with employment.

When profiling their sample of serious offenders, Godfrey, Cox, and Farrall found that only around one quarter of individuals could be relegated to ranks of offenders that Victorian commentators labelled the 'criminal class' (those individuals that displayed no sign of employment, and seemed to exist almost solely through the profits of crime).<sup>670</sup> There were fourteen women (14%) in my sample that did not appear to undertake any paid employment and for whom crime appeared to provide the primary source of income and mode of survival. However, closer inspection indicates that they were not without some form of employment, though this formed part of the illicit economy, and allowed contemporaries to perceive them as 'career criminals'.<sup>671</sup>

Eight women (8%) showed traces of being employed in the illicit 'shadow economy'. Three of these women (all from Liverpool) were self-employed, running one or more

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<sup>668</sup> Philips, *Crime and Authority*, pp. 165–168: Philips' work on the Black country in which he found that unskilled and manual workers were over represented in the Black Country figures, with three quarters of those committed falling into this category, most he found were 'general labourers', with the remaining quarter predominantly made up of skilled and semi-skilled workers. Philips found that those listed as having no form of employment at the time of committal made up only a minute section of the sample. The high rates of employment among offenders up to the point of arrest is once again a reflection of both the impact of a particular labour market, and most importantly the predominance of male offenders in his sample.

<sup>669</sup> Emsley, *Crime and Society*, pp. 75–84.

<sup>670</sup> Godfrey, Cox, and Farrall, *Serious Offenders*, p. 127. See also G. Stedman Jones, *Outcast London: A study in the Relationship Between Classes in Victorian Society* (Oxford: Oxford University Press, 1971).

<sup>671</sup> See chapters 4 & 10.

brothels during their lifetime. Margaret Grey, Margaret Shertlock, and Minnie Wright, did not at any stage have traces of 'legitimate' paid employment, but were clearly independent business women. Similarly, a fourth woman Winifred Curran, was technically recognised as employed in running a variety of public houses, but in reality this was little more than a thinly veiled attempt to conceal various illegal activities, such as procuring girls for the purpose of prostitution, running a brothel, and trading in stolen goods.<sup>672</sup> A further five women that had no record of paid employment, held fairly regular prosecutions for prostitution and related offences such as public obscenity. These self-employed women who appeared to derive their sole-earnings through the prostitution trade, fit Walkowitz's definition of a 'common prostitute'. They were street workers who had, broadly speaking, not originally designed to earn money in this way but found little other option open to them. These were women who's 'life-styles and traditional participation in a distinctive female sub culture set them apart from the rest of the labouring poor community'.<sup>673</sup> Just two of these women came from the London cohort, Lucy Brent and Lydia Lloyd.

Lydia was originally from Staffordshire, and was convicted on a regular basis of prostitution, in Hampshire, Oxfordshire, and London, exhibiting no signs of employment as she travelled from place to place. The remaining four 'full-time' prostitutes who had who showed no signs of employment came from Liverpool; Elizabeth Grace, Bridget McCormick, Mary Ann Rawsthorne, and brothel owner Margaret Shertlock (who worked as a prostitute before beginning to procure girls to work for her). Much of Mary Ann Rawsthorne's life is typical of the narrative that was often presented by the Victorian media as the archetypal experience of a woman who

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<sup>672</sup> *Liverpool Mercury*, 2 October 1865. See Also *Liverpool Mercury*, 3 February 1864, and *Liverpool Mercury*, 28 September 1878.

<sup>673</sup> Walkowitz, *Prostitution*, p. 15.

'fell' into prostitution. Contemporary commentator William Acton discussed a number of pathways into prostitution that women might experience, but his suggestion that often street prostitutes were young and vulnerable girls from an impoverished or neglectful home who were enticed into the trade by an unscrupulous Madame, was one that paired very nicely with more conservative social sensibilities at the time.<sup>674</sup> As such it became a narrative of prostitution most often replicated in fiction or sensational journalism. For these poor neglected girls, once seduced into prostitution their reputation was irreversibly tarnished and they would find it virtually impossible to regain a respectable mode of life.<sup>675</sup>

Mary Ann Rawsthorne was born in Liverpool in 1855, the daughter of James Rawsthorne, a painter, and his wife, Mary. Mary Ann was first arrested at the age of thirteen for the theft and the illicit pawning of a shawl, for which she was sent to the Mount Vernon reformatory school for five years.<sup>676</sup> Mary promptly absconded from the reformatory school and under the headline 'A Juvenile Incurable', the *Liverpool Mercury* reported in 1869;

Mary Anne Rawsthorne, a child of only 14 years of age was bought up charged by Mr Graham, reformatory agent under the following circumstances: In March 1868 she was sent to a reformatory, from whence she absconded twice, the last time being about two months since. A letter sent by Mr Cropper stated that the authorities in the reformatory were totally unable to manage her. She was found on Saturday last in one of the vilest brothels in Ben Johnson Street and it was found, had been walking the streets of the town as a prostitute. Mr, Aspinall sentenced her to three months' hard labour, after which an endeavour would be made to get her into a penitentiary.<sup>677</sup>

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<sup>674</sup> W. Acton, *Prostitution Considered in its Moral, Social, and Sanitary Aspects* (London: John Churchill, 1857).

<sup>675</sup> *Ibid*, pp. 28-30.

<sup>676</sup> *Liverpool Mercury*, 3 March 1868.

<sup>677</sup> *Liverpool Mercury*, 19 October 1869.

Rawsthorne served three months for absconding, but was then released. She continued to work as a prostitute and commit low-level thefts. She was sentenced to one month's imprisonment in 1870 for the theft of trousers, seven years' penal servitude in 1871 for the theft of a shawl, and finally a further seven years for theft from a dwelling house in 1876.<sup>678</sup> Rawsthorne was released in 1883, and returned to Liverpool, where she worked for a short while as a prostitute, before she died in 1886 at the age of thirty-three, most likely from the latent effects of syphilis, from which she had suffered since the age of eighteen.<sup>679</sup>

To the popular media then, Mary Rawsthorne's experience was representative of that of most prostitutes. She appeared to be little more than an uncontrollable child from an impoverished background who was seduced into the world of crime and vice at the tender age of just twelve or thirteen. The typical perception followed that, there was little way of escaping such an environment and mode of existence, a life of prostitution as a full-time way of earning money to survive would surely follow. The idea that prostitution could be combined with employment at certain time of economic crisis was given little thought. Prostitution has often been represented as the last refuge of the destitute woman, fallen from all respectable society, prostitution was an occupation, and mode of life, from which there was no way back.<sup>680</sup>

However in reality, the links between prostitution and economic survival were far more fluid than this stereotype suggests, a fact that even Acton explored at length in his *Prostitution Considered in its Moral, Social, and Sanitary Aspects*. Modern scholars too have striven to include a more diverse range of narratives in the history of

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<sup>678</sup> *England & Wales Criminal Registers*, December 1876, Class: HO 27; Piece: 159; Page: 38. See also; Class: HO 27; Piece: 174; Page: 111.

<sup>679</sup> General Register Office. *England and Wales Civil Registration Indexes*, Death Q4, Oct-Now-Dec 1886, Vol. 8b, p. 291.

<sup>680</sup> Walkowitz, *Prostitution*.

prostitution and prostitutes. In her work on prostitution Walkowitz acknowledged the difficulty in estimating the number of 'dollymops' – or women who supplemented their meagre earnings from legal formal or informal employment by working occasionally in prostitution – amongst the ranks of London's prostitutes.<sup>681</sup> Yet, whilst there will always be an unknown number from the general population of who were involved in prostitution but left no legal or institutional trace of their activities, in this study of female offenders it is possible to derive that eleven (11%) profiled women were engaged in a traceable form of paid employment and also held convictions for working as prostitutes or related offences. The women who worked in prostitution in this more casual way had very little to distinguish them from 'the large body of poor women who had to eke out a precarious living in the urban job-market', and constituted more than double the number of women from the sample who appeared to work as full-time prostitutes.<sup>682</sup>

The examination of another female offender can help to contextualise these figures. The case of Jesse Burt offers an example of an offender who paired employment as a prostitute with another form of paid employment, as well as a range of offences during different periods of her life. Jesse was born in Whitechapel, London, in 1842 in fairly unremarkable working-class circumstances. Until her late twenties, Jesse's life was fairly typical of an impoverished working-class woman living in the east-end of the capital. She worked, for the most part, as an 'outworker' – carrying out piece work as a dressmaker. It would appear that Jesse also paired this employment with work as a prostitute in times of economic strife.<sup>683</sup> Jesse had no criminal convictions until the age

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<sup>681</sup> *Ibid*, pp. 13-14.

<sup>682</sup> Walkowitz, *Prostitution*, p. 15.

<sup>683</sup> *Census Returns of England and Wales 1861*, Class: RG 9; Piece: 266; Folio: 61; Page: 31; GSU roll: 542603.



of twenty-nine.<sup>684</sup> She eventually entered the legal system after the attempted robbery of a potential customer, William Sheared – a soldier on leave in the city.<sup>685</sup> After her release for this offence, employment in a respectable trade became harder for her to obtain and Jesse began uttering counterfeit coins in order to supplement her wages. These offences saw Jesse gain three further convictions during the 1870s.<sup>686</sup> Jesse Burt, like a number of women in this study, had a trade and at least one significant period in life when she was engaged in employment. Despite a clear period of hardship in the 1870s, Jesse never obtained her sole living through prostitution.

Within the overall sample, it was almost twice as likely for a female offender to engage in prostitution sporadically, as an attempt to supplement other earnings, or to navigate particular periods of hardship, than it was a female offender to derive a living solely from the proceeds of prostitution. It would also suggest that female offenders employed a range of coping techniques in the navigation of a difficult labour market or economic downturn. In simpler terms, it would appear that despite contemporary perceptions, in the urban centres of Victorian England there were more women that experienced prostitution and employment like Jesse Burt than women who experienced life like Mary Rawsthorne.

#### Employment Experience by Category of Offending

In relation to type of offending, employment status would initially seem most relevant to property offenders, who constituted the majority of the sample. However, in terms of engagement in formal or informal labour, and rates of employment amongst

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<sup>684</sup> *England & Wales Criminal Registers*, June 1871, Class: HO 27; Piece: 159; Page: 238.

<sup>685</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org) Version 7.0, 2013), June 1871, trial of Catherine Maloney (t18710605-428).

<sup>686</sup> *England & Wales Criminal Registers*, June 1871, Class: HO 27; Piece: 165; Page: 201. See also: Class: HO 27; Piece: 178; Page: 126, and: Class: HO 27; Piece: 183; Page: 274.

women during offending, there is a deal of information that can be gathered by examining the experience of employment in relation to category of offending more closely.

**Table 7.**

		Traceable Employment				Total
		*	no	yes	yes*	
Category of Offending	Legal	0	0	1	0	1
	Property	7	11	57	7	82
	Violent	1	3	9	4	17
Total		8	14	67	11	100

(In this table \* indicates only traceable employment being either running a brothel or working as a prostitute, yes\* indicates combining the former with another form of paid employment)

The majority of both property and violent offenders were traced as being employed at some point of life either prior to or during offending. Prior to offending, fourteen violent offenders (82% of violent offenders with traced employment) were employed, whilst only fifty-eight property offenders (70% property offenders with traced employment) were employed. During offending, rates of employment amongst property offenders remained at a similar level (65% property offenders with traced employment). However, for violent offenders, the proportion of those employed during offending dropped significantly (35% of violent offenders with traced employment).

**Table 7.1**

		Employed pre-offending?		Total
		no	yes	
Category of Offending	Legal	0	1	1
	Property	24	58	82
	Violent	3	14	17
Total		27	73	100

**Table 7.2**

		Employed during offending?		Total
		no	yes	
Category of Offending	Legal	1	0	1
	Property	21	61	82
	Violent	10	7	17
Total		32	68	100

Loss of employment prior to criminal activity would seem to be a precursor to offending more often in cases of violent crime for women than in property offending. Unlike the mix of formal and informal employments undertaken by women who were primarily categorised as property offenders, employment among violent offenders was almost uniformly formal. Just one violent offender, Catherine Kenny from Liverpool, was recorded as having experienced informal employment prior to and during her offending.<sup>687</sup> The rest of the violent offenders, if employed, worked as domestic servants, factory operatives, barmaids, or shop assistants. All the violent offenders who were employed worked prior to their offending. Half of these women went on to lose their positions before their offending began. The high rate of unemployment amongst violent offenders during offending seems to suggest a link between employment and violent offending.

In his examination of working-class youth gang culture in Victorian Manchester and Salford, Davies found that it was most common for working-class women, including those involved in gang disputes, to find employment in the city's mills and factories – at least until marriage.<sup>688</sup> The casual disputes, street violence, and gang involvement many young women undertook slotted in to their everyday lives, not seeming to overly affect their employment prospects.<sup>689</sup> However, the women from Liverpool and London fall into two categories of violent crime, which perhaps contrasts with the experience of young female violent offenders in Manchester. The first, are those motivated by economic need – almost all of these women came from London, the core group of these women committed violent acts against their own children when destitution left them to see little other option. The second and largest group of violent

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<sup>687</sup> *PCOM4*; Piece: 54; Item: 12; Page: 1.

<sup>688</sup> Davies, *Gangs*, pp. 278-280.

<sup>689</sup> *Ibid*

offenders, predominantly from Liverpool, were women whose experiences typify the narrative that Archer identified as contributing to male violence in the city during the Victorian age. Archer stated 'in a city like Liverpool with its high levels of casual labour, underemployment, slum housing and deep poverty, men had few avenues open to them for gaining status, reputation and self-esteem'.<sup>690</sup> Many of the women involved in both summary and indictable violence lived in such an environment, for most, no trace of paid employment could be found. In the few cases where paid employment was evident, it would usually be one of the few factory jobs Liverpool had on offer for women. For many women such as Elizabeth McDermott, Eliza McIntosh, Mary McCrave, the loss of formal employment divested them not just a source of income, but also their position in society, status in their families, and a site of personal identity and self-worth.<sup>691</sup> It seems more than coincidental that the type of offence this second set of violent women undertook bore no relation to economic gain, but instead seem to have been the product of disputes regarding their status within their peer group, or when the respect of their local community was at stake.

#### Offending and Employment by Cohort

Although the rate of employment amongst female offenders in the sample was relatively high, when examined by cohort, some stark differences become apparent. Given the different labour markets of the two cities, it is perhaps no surprise that the overwhelming number of those showing no signs of ever being employed (epitomising the 'career criminal' stereotype) came from Liverpool. Forty-eight women (98%) from London could be traced as having engaged in paid employment either before or during their offending, and thus, just two women from the city could be classed as 'career

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<sup>690</sup> J. Archer, "'Men Behaving Badly'? Masculinity and the Uses of Violence, 1850-1900', in S. D'cruze (ed.), *Everyday Violence in Britain, 1850-1950* (Harlow: Longman, 2000), pp. 52-53

<sup>691</sup> See chapter 2.

criminals’ - one of these women, Ellen Roberts had originally lived and offended in Liverpool.<sup>692</sup> In the Liverpool cohort only thirty-seven women (74%) could be traced as having paid employment during their lifetime, a much bigger proportion of the Liverpool cohort – thirteen women (26%) – fell into the stereotypical ‘career criminal’ bracket.

**Table 7.3**

		Traceable Employment				Total
		*	no	yes	yes*	
Cohort	Liverpool	6	13	26	5	50
	London	2	1	41	6	50
Total		8	14	67	11	100

(In this table \* indicates only traceable employment being either running a brothel or working as a prostitute, yes\* indicates combining the former with another form of paid employment)

The explanation for this seems fairly straight forward. Rates of employment for women in England only attained a national average of around 45%, with urban centres such as London offering a fairly good range of employment opportunities for working-class women. Yet in Liverpool, the rate of employment for women fell significantly below the national average, with only around 36% of women in employment.<sup>693</sup> Also, in contrast to the experience of women from London, for women in Liverpool the range of employment prospects were limited, the primary form of employment for women in the city being domestic service. Like many female occupations this work was both

<sup>692</sup> *Census Returns of England and Wales 1881*, Class: RG11; Piece: 121; Folio: 64; Page: 17; GSU roll: 1341027.

<sup>693</sup> Cooper-Taylor, ‘Black Spot on the Mersey’, p.84. See chapter 10.

labour intensive and fairly poorly paid, and lacked appeal for many women on account of the severe social restrictions that came with a domestic position. Further to this in Liverpool many women who were already economically vulnerable to offending would have found themselves disqualified from what little formal employment existed, – particularly domestic service, by other local social and cultural factors such as hostility to those with Irish ethnic backgrounds or those previous criminal convictions.<sup>694</sup> Such heavy differences between the cohorts of women would suggest that contrary to contemporary perceptions, those who made a living solely and habitually through criminal activity were individuals who *could not* find work, rather than those who *would not* find work – or those that found crime preferable to regular employment. Of course the lack of paid female employment did not create a uniform experience amongst women. Yet for many of the female offenders from Liverpool, their life experience did exhibit several similar characteristics such as high rates of recidivism, regular changes in residence, and family breakdown. Catherine Gardiner provides an example of many of the more usual life experience for the majority of the sample's 'career criminals'.

Born in County Roscommon, Ireland in 1833, Catherine and her parents Patrick and Mary Donough came to Liverpool in the first year of the Irish famine. Patrick was a 'saw maker' by trade, but an economic downturn and hostility towards immigrants during the 1840s saw him unable to find work on arrival in the city.<sup>695</sup> The Donoughs and their seven children had to take the most basic, shared accommodation in Bevington Bush in the slums just north of the city centre.<sup>696</sup> Problems with

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<sup>694</sup> See chapter 5.

<sup>695</sup> R. Swift 'The Outcast Irish in the British Victorian City', in *Irish Historical Studies*, 25, 99 (1999), pp. 264-276.

<sup>696</sup> *Census Returns of England and Wales, 1851*, Class: HO107; Piece: 2176; Folio: 511; Page: 16; GSU roll: 87169-87171.

employment and ethnic discrimination made it virtually impossible for Patrick's wife Mary, or their three teenage children, Mary Ann, Jane, and Catherine, to contribute financially to the family economy either. In 1847, aged fourteen Catherine was found begging on the streets of Liverpool and arrested as a vagrant.<sup>697</sup> Hostility towards the influx of immigrants in the 1840s and 1850s had seen Liverpool parish authorities re-enact sections of the 1795 Poor Law Removal Act, specifically the clause that allowed removal of 'vagrants' back to their parish of origin. Primarily this was used as thinly veiled means to control and persecute the many destitute Irish filling the streets of the city. Those who like Catherine were begging in order to feed and house themselves were threatened with deportation back to famine-sickened Ireland. For most this would have been tantamount to a death sentence. After a second arrest for vagrancy, Catherine must have become perilously aware of the precariousness of her position. Unable to find employment, and probably no longer willing to risk begging, Catherine began to commit a succession of fairly low level thefts. By June of 1847, Catherine was arrested, not for a particular crime, but rather for being a 'reputed thief'.<sup>698</sup> Over the next couple of years Catherine was regularly arrested and spent between seven days and three months in prison on various charges of theft, being a known thief, and being a vagrant.<sup>699</sup>

By the age of eighteen Catherine had met William Gardiner, a casual dock labourer from Bristol, although never formally married the two lived together as husband and wife with the rest of Catherine's family at the Donough's lodgings.<sup>700</sup> Frequently out of work, William was also no stranger to crime as a way of subsistence. By the time

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<sup>697</sup> *PCOM4*; Piece: 64; Item: 19; P.46.

<sup>698</sup> *PCOM4*; Piece: 64; Item: 19; P.46.

<sup>699</sup> *Ibid.*

<sup>700</sup> *Census Returns of England and Wales, 1851, Class: HO107; Piece: 2176; Folio: 511; Page: 16; GSU roll: 87169-87171.*



Catherine was twenty-two, she was committing increasingly serious property crimes, with the full knowledge and encouragement of her husband. In 1858, The *Liverpool Mercury* reported:

Catherine Garner [sic], Catherine McKewn, Mary Redwood, and William Garner [sic] were charged with obtaining a quantity of wearing apparel, worth £6 belonging to a lady named Ball, and pledging it with various pawnbrokers. The clothing had been left in the care of a Mrs Skerner . . . The prisoner Catherine Garner obtained it by representing that Mrs. Ball had sent her for it, at the same time paying the old woman the price of her labour. No proof was offered against the male prisoner and he was discharged; the other prisoners were each committed for two months.<sup>701</sup>

This was a pre-meditated and highly ambitious group crime that saw Catherine take a central role. Catherine was so well known to police and magistrates by her mid-twenties, that obtaining legitimate employment was no longer a realistic prospect, yet her notoriety also meant that even though there is every possibility that Catherine committed a large number of crimes that went undetected, she was still regularly arrested for fairly minor legal infractions. Catherine spent three months in prison for pick pocketing in 1856, and made two separate appearances for theft, and theft and wounding, in 1858 whilst pregnant with her first child.<sup>702</sup> The arrival of her son Francis only served to lock Gardner into an impoverished existence dependent on crime. Catherine's first indictment came in 1860 when she was sentenced to three years' penal servitude for the theft of a single petticoat. Released in 1862, Catherine was back in prison in 1864 serving a seven year sentence for the theft of multiple items of clothing. On this occasion the *Liverpool Mercury* gave a particularly powerful depictions of her life and career:

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<sup>701</sup> *Liverpool Mercury*, 26 January 1855.

<sup>702</sup> *England & Wales Criminal Registers*, April 1858, Class: HO 27; Piece: 120; Page: 48.

At the police court on Tuesday, a married woman named Margaret Redford, but who's aliases are legion, and whose husband is a drunken, idle, worthless fellow, was bought before Mr Raffles. . . . The prisoner is one of those creatures who appear to inherit crime, her family for years past have been known to the police as notorious thieves; and she herself, although only about 34 [sic] years of age has been no fewer than some 26 times in bridewell, 16 times of which she has been sent to gaol . . . Most of her relatives are now undergoing the same treatment. . . . The prisoner is considered by the police to be one of the most expert "house thieves" or "snakes" in existence.<sup>703</sup>

After this term of imprisonment Catherine continued her illicit activities. She was sentenced to ten years' penal servitude in 1870, a further twelve months in 1881, and five more years in 1882.<sup>704</sup> As Catherine entered the later stages of her life she found herself estranged from her two surviving children, one at sea, one in an industrial school. She was also widowed when her common-law husband William died in 1884, although the pair had been estranged for some time.<sup>705</sup> As she entered her fifties, Catherine's offences became less profit driven, and based more around survival. She took to stealing food, or other items of need. Up to the turn of the century, Catherine remained in this cycle of small offences, short prison sentences, and survival. She died in 1913.

Catherine's criminal career spanned over forty years, by far the majority of her lifetime. It must be acknowledged that offending was a conscious decision on Catherine's part, as a means of survival. However we cannot assume that it was a choice Catherine arrived at easily. Evidence suggests that she was far from happy with her mode of living. In 1858 she showed little care for her own safety when jumping from a moving

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<sup>703</sup> *Liverpool Mercury*, 2 September 1864.

<sup>704</sup> *England & Wales Criminal Registers*, April 1881, Class: HO 27; Piece: 156; Page: 15. See also; July 1882, Class: HO 27; Piece: 189; Page: 38, and; Class: HO 27; Piece: 192; Page: 86.

<sup>705</sup> *Liverpool Registers, Walton Park Cemetery*, Reference Number: 283 WAL/4/1/17. Liverpool Record Office.

train in order to escape prison, and in 1869 whilst serving a period of imprisonment in Liverpool, Catherine attempted to hang herself.<sup>706</sup> Whilst offending is a matter of personal choice, it is not always the first choice, in many cases it becomes the last resort. In Catherine Gardiner's case a determining factor that led to her choice to offend was the lack of viable employment for herself and other members of her family. Such circumstances propelled her into a life-time cycle of offending. Unfortunately much female employment in England, and particularly in Liverpool (with its high rate of domestic service), was dependent on a women's maintenance of their reputation and good character'. Failure to secure employment may have led in the first instance to a woman like Catherine committing an offence, if caught or labelled as a 'known rogue', this could irreparably damage her character and future prospects of gaining reputable employment. The balance of employment and offending could often interlock in this cycle of diminishing returns.

Whilst it is true that many of the career offenders like Catherine Gardiner could have taken up more informal employments at any time - for example charring or hawking - for many women the prospect of such low pay for such demanding labour can hardly have been appealing when a relatively minor offence in an afternoon could garner money equivalent to a week's worth of wages or more. Around half of the women that showed no trace of formal employment tended to have an existence not unlike Catherine's, and early onset of offending and a long offending history, Elizabeth Grace, Alice Rowlands, Ellen Cooper, Susan Livingstone, and Esther Lovatt all followed this trend. However, it is important to note that a range of supplementary factors could contribute to this kind of experience, whether that be family background,

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<sup>706</sup> PCOM4; Piece: 64; Item: 19; p. 36. See also *Liverpool Mercury*, 2 September 1864.

bereavement, addiction, or (like Catherine), ethnicity.<sup>707</sup> Similarly to the differing rates of employment amongst female offenders in the two cities, rates of the involvement of female offenders in the sex trade were divided. All the women involved in running brothels or procuring girls for the purposes of prostitution were, as previously mentioned unemployed and from the Liverpool cohort. Of the nineteen women from the total sample (19%) involved in prostitution, the majority did at some point prior to or during offending have employment - eleven women (11% sample / 22% cohort) from Liverpool and eight women (8% sample/ 16% cohort) from London. Given the reduced opportunity for formal employment in Liverpool, it is unsurprising that a higher proportion of the women from this cohort paired prostitution with informal employment in order to subsist.

Another of the major differences in experience of employment between the cohorts is the reality and practicalities of informal employment in the two cities. When the sample of offenders are examined as a single group there appears to be little difference in the numbers of women employed in informal paid work which took place on the street and that which took place in the home. Yet when the women are split into their constituent cohorts, it becomes clear that barely any of the women from Liverpool were engaged in 'home employment', either prior to or during a period of offending. Women from Liverpool constituted the majority of those who experienced informal street work in conjunction with their offending, whilst women in London accounted for the majority of women who experienced offending in conjunction with informal home employments.

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<sup>707</sup> See chapter 5.

**Table 7.4**

		Paid Home Employment		Total
		no	yes	
Cohort	Liverpool	40	10	50
	London	18	32	50
Total		58	42	100

**Table 7.5**

		Paid Street Employment		Total
		no	yes	
Cohort	Liverpool	28	22	50
	London	37	13	50
Total		65	35	100

Clearly, although there are similarities between the cohorts as to the overall rate of traceable paid employment of women, there is a clear difference between cohorts in what kinds of employment women undertook. Criminal activity seems to have been a calculated response to the need to supplement poor wages by women in a range

mostly informal street employments, rather than any spontaneous and opportunistic activity carried out by women whilst they worked at home.<sup>708</sup>

The rates of women that experienced formal employment prior to offending is roughly equal between the two cohorts. Eleven women (22% cohort) from the London cohort and eight women (16% cohort) from the Liverpool were in domestic service prior to their offending. Likewise, the rates for factory and shop work amongst women prior to offending are identical, despite there being little factory employment in Liverpool, and a much larger opportunity for this employment in London.

**Table 7.6**

		Formal paid employment		Total
		no	yes	
Cohort	Liverpool	42	8	50
	London	35	15	50
Total		77	23	100

During offending, we can see some noticeable differences in the experience of employment. Fifteen of the London women (30% cohort) maintained a formal employment whilst they offended. Just eight women (16% cohort) from Liverpool did this. Yet, the type of formal employment undertaken by women in the two locations was not particularly different, with fairly equal proportions of the women working in domestic positions, factories, and shops. Only a very small minority of women

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<sup>708</sup> See chapter 10.

undertook other kinds of formal employments such as working in pubs or restaurants, labouring, or working in education. Women who experienced employment in these sectors came almost uniformly from London, and although they do not constitute a group representative of general experience, they do serve to illustrate the diversity of London's local labour market as compared to Liverpool.

### Conclusions

Clearly there was no uniform experience amongst women when it came to employment, or the relation of that employment to offending. However what is clear is that much like their male counterparts, only a minority of female offenders did not have any traceable paid employment during their lifetime. The majority of the sampled women were property offenders, and thus we can ascertain that crime did not replace employment for women, but more often functioned alongside it - to supplement poor wages, or to bridge periods of economic difficulty. Similarly it can be seen that the links between prostitution and female deviance are much smaller than contemporary commentators held them to be, with less than a fifth of the overall sample identified as working at any time as prostitutes. Further to this, the combination of legal employment, prostitution, and property crime was a far more common experience for the sampled women than prostitution as a sole mode of subsistence, or the combination of prostitution and property crime alone. Of course, for violent offenders, the links between employment and offending are more complex. Location would appear to be one of the most significant factors affecting the type of employment women would experience, particularly in terms of informal labour. These local differences in opportunities for work could also have a clear impact upon the spread and form of offending. What is most surprising is that the rates of female employment

prior to offending and during offending are very similar, with less than a 10% disparity between the two. Contrary to contemporary notions of female criminality during this period, the loss of employment only played a significant role in offending for a small minority of cases, suggesting that in a much larger proportion of female offending, particularly property offending, there were other more long-term economic factors that could lead to crime such as disparity between the cost of living in urban areas and wage rates for women. Whilst the difficult landscape of employment played a significant role in the offending of many of the women examined, female offending can clearly not be attributed solely to the experience of employment, or the lack thereof.



## Chapter Nine: Deprivation, Disadvantage, and Female Offending

The personal and familial background of the sampled women, several elements of their socially constructed identity such as class and ethnicity, as well as their experiences of employment, have indicated what kind of women most commonly became convicted offenders, and which circumstances could see women become particularly vulnerable to undertaking crime. Yet it is the day to day existence of women in which most experienced sustained disadvantage, and poor standards of living that can truly help us to understand why offending was particularly prevalent amongst those Gatrell termed 'chronically poor and socially powerless'.<sup>709</sup> There are, of course, a multitude of personal experiences women could undergo and areas of disadvantage in life that could lead to offending. Moreover, there remains much validity in the argument that, 'poor people broke the law for all the diverse, intimate and unpleasant reasons rich people broke the law: they stole because they were greedy or dishonest as we all may be, or because it was easier to make ends meet that way than to work'. If not, we might reasonably expect that all those who faced disadvantage and deprivation would have offended. Yet, as Gatrell continues 'this is not inconsistent with the view, however, that they also stole because theft was a sensible way of dealing with deprivation and often the only way of dealing with it.'<sup>710</sup> In this way individual agency and the identification of circumstances that promoted offending are mutually reinforcing ideas. At the same time as acknowledging the agency each woman exerted when she offended, there are several fundamental areas

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<sup>709</sup> Gatrell, *Crime and Authority*, p. 305.

<sup>710</sup> *Ibid*, p. 304.

of life in which women experienced deprivation and disadvantage that have the capacity to help contextualise the motivations and actions which culminated in their convictions.

There are of course far too many variables in life to make a comprehensive examination of the nuances of life a possibility, especially given the limited information available from historical sources. However, what information remains for each of the women helps to identify a few key areas of disadvantage commonly present in the lives of convicted offenders. The following discussion will examine these factors, as they appear to be the most significant in the sampled women's life experiences and offending trajectories. These are: standard of living and nutrition as indicated by weight and health, quality of housing, support and social networks, and literacy. Lastly, this chapter examines an experience both symptomatic of deprivation, and responsible for continued disadvantage in the lives of a number of female offenders, and that is the problematic use of alcohol.

#### Weight Change and Imprisonment

Meticulously kept admission records for the women admitted to convict prisons chart not only their physical appearance on admittance, but also their weight upon entry, and at reception of every subsequent prison until their assessment on discharge. This allows for a rudimentary measure to be taken for each woman that indicates whether the prison regime and diet saw her gain weight, or lose it. Information on standard prison diets are available, and can thus give a good indication of how well each woman was eating outside of prison. Sampling the weight profiles of the women on their first term of penal servitude allows for a much fairer account of the impact prison diet had on women entering a convict institution for the first time. As all the women would

have been entering prison on their first indictable conviction, we can broadly assume that all of the women were at similar stages in their offending careers – either desperate enough to be committing a first offence that was serious enough to result in penal servitude, or continuing to offend after previous summary convictions, knowing the risk of a heavily increased penalty if they were caught.<sup>711</sup> Thus the weight and health profiles of the women at this landmark point in their lives can further understanding of the economic and social circumstances that led to offending. As Horrell, Meredith and Oxley argued ‘weight change in prison becomes an index to the severity of life outside’.<sup>712</sup> Weight change has been taken for each convict on their first term of penal servitude. Although many of the convicts had several terms of penal servitude, through which a much longer period of weight fluctuation could be measured, not all do. Daily, female convicts could expect a pint gruel (2 Oz of oatmeal and water) and 6 Oz of bread for breakfast and usually 3 Oz of meat (sometimes in soup), half a pound of potatoes and 6oz. of bread for dinner. This was followed daily by another pint of gruel and 6oz. of bread for supper.<sup>713</sup> Whilst the diet of convicts could change according to the class they were placed in, labour they undertook, or punishments they received, all food available to them was likely to be a variation of this diet.

Over half of the women sampled (55%) gained weight under the prison regime. The average weight gained amongst the fifty-five women was twelve pounds each. Weight gain, and such a clear amount of weight gain, whilst in prison ‘suggests that life outside was yet more miserable than life within those grey walls where food might be meagre,

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<sup>711</sup> A very small minority of the women served penal servitude before weight measurements on entry and exit were uniformly recorded. In these cases, the woman’s next term of penal servitude has been used.

<sup>712</sup> Horrell, Meredith, and Oxley, ‘Measuring Misery’, p. 110.

<sup>713</sup> Prison diet for Wandsworth house of correction, 1860. Source: J. Binny, *The criminal prisons of London and Scenes of Prison Life* (London 1862), p. 505

but it was regular".<sup>714</sup> Weight gain whilst in prison is therefore a good indicator of the deprivation these women underwent in everyday life.<sup>715</sup> A further indicator of the bleak life these women were living outside of prison is the fact that that thirty-eight of those who gained weight whilst in prison (69% of women who gained weight) did so whilst suffering a range of illnesses, very few of which excused them from prison labour.

**Table 8.**

Weight Change	Frequency	Percent
Gain and Loss	2	2.0
Gain	55	55.0
Loss	35	35.0
No Change	8	8.0
Total	100	100.0

Mary Metcalf (Nee Grace) was born in Childwall, a village just outside the city of Liverpool, in 1823.<sup>716</sup> The daughter of two agricultural labourers, Mary lived in rural Lancashire until she married George Metcalf, a stone mason, in 1845.<sup>717</sup> The pair settled in Liverpool. Mary and George's first child, Ann, was born in 1847. Mary went on to have other children - roughly every two years - until the birth of their last child James in 1869.<sup>718</sup> In total the Metcalfs can be traced as having had twelve children,

<sup>714</sup> Horrell, D. Meredith, and D. Oxley, 'Measuring Misery', p. 110.

<sup>715</sup> *Ibid.*

<sup>716</sup> *Childwall, Lancashire, England*; Date Range: 1759 - 1851; Microfilm Number: 1068853.

<sup>717</sup> *Liverpool Registers*. 283 BRL/3/3. Liverpool Records Office.

<sup>718</sup> *Census Returns of England and Wales, 1851* lass: HO107; Piece: 2183; Folio: 128; Page: 41; GSU roll: 87185-87187. See also: *Census Returns of England and Wales, 1861*, Class: RG 9; Piece: 2698; Folio: 128; Page: 34; GSU roll: 543014. And: *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 3794; Folio: 130; Page: 28; GSU roll: 841900.

nine of whom survived into adulthood. Although George's status as a skilled worker meant that he could expect more favourable working conditions and wages than many of his unskilled counterparts, even a stone mason's wages were not sufficient to support his wife and at any one time six young children comfortably. Both on account of the difficult labour market for women in Victorian Liverpool, and also on account of the heavy domestic labour involved in raising a large family, Mary does not appear to have undertaken paid employment at any stage of her adult life. Therefore, we must assume that the family was solely reliant of George's wages for subsistence.

In the 1870s the Metcalfs appear to have undergone a period of financial hardship. In 1871, Mary and George were raising six children all of school age and presumably not working, They also had nineteen year old son George who went to work with his father as a marble mason. Added to this, the Metcalf's oldest daughter Ann had moved back into the family home with her husband Peter, a brass finisher (who presumably did not earn enough to support his family alone), and Ann and Peter's ten month old son also named George.<sup>719</sup> With such a number of people to feed and care for, it is perhaps unsurprising that the wages of George, his unqualified son, and his son-in-law were not enough to provide for the family.

It was during this period of hardship that Mary – to all accounts a law-abiding woman – was first convicted of an offence. In November of 1873 Mary was sentenced to two months imprisonment for the theft of two buckets, and in April 1876 she was given nine months for stealing a pan, followed by twelve months in August 1878 for stealing a singlet.<sup>720</sup> These were all fairly petty offences for the theft of relatively low value goods. We can assume Mary was taking these items with the intention to pawn or sell

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<sup>719</sup> *Census Returns of England and Wales, 1871*, Class: RG10; Piece: 3794; Folio: 130; Page: 28; GSU roll: 841900.

<sup>720</sup> *PCOM4*; Piece: 49; Item: 20; P: 1.

them in an effort to raise funds to help feed and house her large family. Unfortunately Mary's fourth and final recorded offence came in November 1879, when she cannot long have been released from prison, and was met with considerably more force by the criminal justice system. Although the offence was still relatively minor – stealing from the person – Mary's criminal history worked against her. Categorised as a habitual criminal, for this offence she was sentenced to five years penal servitude.<sup>721</sup> We can only imagine the material and nutritional hardship that Mary and her dependents faced if she was willing to risk such a punishment for relatively little financial gain. When Mary entered the convict prison, she weighed 118 pounds. In the three years she spent inside of various convict institutions, she gained a not insignificant ten pounds in weight.<sup>722</sup> That gain was not only in spite of a far from generous diet, which would have mostly consisted of gruel, soup, bread and potatoes, but even more surprisingly, Mary gained weight despite a severe illness (causing amongst other things painful abscesses and lymphedema in her thigh) from which she died just months after her discharge from prison in April 1883.<sup>723</sup>

The profile of Mary's weight change during her stay in prison, like over half of the women sampled, is a vital insight into why women like her might offend. All the records available for Mary indicate that until the 1870s, she had not been a regular offender. The large size of the Metcalf family, and the additional burden of housing and feeding her adult child and son-in-law, and grandson that saw resources stretched untenably tight. At 118 pounds in weight upon reception in prison, Mary was described as being of 'slight' build, and it is not difficult to imagine the meagre diet on which she

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<sup>721</sup> *England & Wales Criminal Registers*, November 1879, Class: HO 27; Piece: 183; Page: 114.

<sup>722</sup> *PCOM4*; Piece: 49; Item: 20.; P:3

<sup>723</sup> *Ibid*, p.2-4. See also General Register Office. *England and Wales Civil Registration Indexes Oct-Nov-Dec 1883, Vol 8b. P.216*. Prison Records do not indicate that Mary's illness afforded her dispensation from prison labour.

had been living for many months if not years prior to her incarceration. Mary's gain in weight despite the prison diet, and her prolonged serious illness, serve to confirm the level deprivation Mary must have been living with in the outside world. As Horrell remarked 'weight gain in these conditions reflects very badly on life outside. To gain weight on a diet of so few calories and such little protein, points to a level of deprivation outside in the free world that is hard to comprehend'.<sup>724</sup> Mary Metcalf's story is just one of the many there are within the sample. Horrell *et al.* found that it was married mothers much like Mary who were in greatest nutritional need upon arrival at their study site, Wandsworth House of Correction.<sup>725</sup>

Certainly, amongst the profiled women there were a number of women who appeared to be offending to keep themselves and their families quite literally on the bread line. Whilst of course not every women gained as much as Mary Metcalf, or the average of twelve pounds – some gaining five pounds in weight or under - over a number of years, we can still intimate that the prison regime was more than enough to sustain the fifty five women who gained weight during their first time in a convict prison. The most severe weight gain was that of Rose Garrity. Rose's years of life as an impoverished alcoholic had no doubt taken a toll on both her standard of living and her nutrition. She gained forty-one pounds in weight after a period of just two years on the convict prison diet.<sup>726</sup>

But what of the thirty-five women (35%) that lost weight under the prison regime? These women lost, on average ten pounds each. It is possible to conclude that these thirty-five women (35%) had fuller diets and less physical labour to undertake outside

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<sup>724</sup> Horrell, D. Meredith, and D. Oxley, 'Measuring misery', p. 111.

<sup>725</sup> *Ibid*, p. 113.

<sup>726</sup> *PCOM4*; Piece: 68; Item: 21. P: 4.

of prison, and so experienced a worse standard of living within prison walls? Almost half of these women were suffering from illnesses such as tuberculosis, painful abscesses, general paralysis, and bronchitis during their incarceration which may well have contributed to their weight loss. Of the five (5%) women who had lost the most weight whilst in prison (between seventeen and twenty-seven pounds) four of them were suffering from illness. Of the nineteen (19%) women who lost weight whilst in prison but were not recorded as suffering from an illness, the majority of them lost less than ten pounds.

**Table 8.1**

		Illness in Prison?		Total
		no	yes	
Weight Change	Gain and Loss	1	1	2
	Gain	17	38	55
	Loss	19	16	35
	No Change	4	4	8
Total		41	59	100

Only a few patterns for weight change amongst the women emerged. Age at time of first conviction does not seem to have made any difference in whether a woman would gain or lose weight in prison. In this light it seems that being sent to a convict prison is what mattered rather than the age at which women did this. Unsurprisingly, fifteen of the twenty-one Irish migrants (71% Irish nationals in sample) gained weight



in prison.<sup>727</sup> There were also significant differences in health and weight between cohorts, with the women in Liverpool being more likely to gain weight whilst in prison, and less likely to lose it. Thirty-three women from Liverpool (66% of cohort) gained weight whilst in prison, and just eleven of them (22% of cohort) lost weight. In London, the sampled women had almost as much chance of gaining weight as they did losing weight. Twenty-four of the women from London (48% cohort) gained weight in prison, and twenty-two (44% cohort) lost weight. A possible explanation for this, reflecting findings in the wider historiography of this subject, is that not only were women in Liverpool marginally more likely to be married and to have children, but on average, those that did have children tended to have more than their London counterparts. On average, the London women that had children would have two to three children, whereas the Liverpool women would have on average three to four children. Although this does not seem like a significant difference, each extra mouth to feed could see mothers (not breadwinning fathers) receiving smaller and smaller portions of the family's food allowance.<sup>728</sup> London women also had better prospects for paid employment than their Liverpool counterparts, and may well have come from households with more money to purchase food. Both of these are simple explanations for the difference in weight change between cohorts.

### Health

Alongside a high rate of general malnourishment, fifty-nine (59%) of the sampled women received medical care for a recognised illness during their first incarceration in a convict prison. The other forty-one women (41%) we must assume were either

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<sup>727</sup> Almost all of these women were refugees from famine era Ireland. See chapter 5.

<sup>728</sup> Horrell, Meredith, and Oxley, 'Measuring Misery', p. 115. See also: S. Horrell and D. Oxley, 'Bargaining for basics? Inferring decision making in nineteenth-century British households from expenditure, diet, stature, and death', in *European Review of Economic History*, 17 (2013), 147–170.

healthy, or not suffering from a medical ailment recognised at the time. Prison doctors seem to have been fairly diligent in their assessments of a patient's health: for example when offender Ann Wignall complained of haemoptysis (the coughing up of blood), a common symptom of bronchitis, pneumonia, and tuberculosis, he assessed 'this prisoner has being feigning haemoptysis by mixing menstrual fluid with mucus coughed up', but treated her for numerous other legitimate complaints.<sup>729</sup> Likewise, the doctor of Milbank prison noted of Louisa Mason, 'this woman has a way of assuming a cough' when attempting to get out of labour, or church.<sup>730</sup> There is not a particularly big difference in the likelihood of illness when the women are divided by cohort, with only five more women in Liverpool having recorded illnesses than those in London. Across the entire sample, the most common recorded illnesses amongst the women were bronchitis or respiratory problems, debility (general weakness and fatigue,) tumours, and lymphatic problems. A number of the women also had pitted skin after previous bouts of smallpox. Most of those treated by prison physicians had a recurring malady, or a number of separate complaints, rather than a single bout of illness, suggesting that the health of such women was generally low.

Nineteen (19%) of the women were listed at one time or another on their medical forms as suffering from syphilis. Of course, the number may in fact be much higher than this. Unless on inspection the woman in question had recently been infected and was suffering from the sores, ulcers and open lesions of primary syphilis, or the individual was suffering from the neurological impact and physical disfigurements of tertiary syphilis, there would be little outward indication of an infection that could lay dormant for years. Medical officers would in these cases have struggled to identify the

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<sup>729</sup> *PCOM4*; Piece: 61; Item: 4; P: 6.

<sup>730</sup> *PCOM4*; Piece: 49; Item: 19; P: 15.

condition. Many women may not have been aware they were suffering from syphilis to inform those questioning them, or if they were, they may have been unwilling to admit it. Contemporaries such as William Acton, and other influential proponents of the Contagious Diseases acts drew great parallels between the spread of syphilis and the actions of prostitutes, and other deviant women - like the sampled offenders - for whom sexual promiscuity was thought to be a general trait and symptomatic of their deep-set moral failing.<sup>731</sup> Yet, not only is the number of women confirmed as suffering from syphilis much lower than Victorian rhetoric would lend us to believe, but also, only five of the infected women were confirmed prostitutes. For the unfortunate individuals who contracted syphilis, modern insight and medical knowledge would tell us that it is just as likely that the infection passed from an infected spouse or common-law partner, or from a one off liaison, than it was indicative of any collective way of life amongst sufferers.

The examination of prisoners' bodies in microscopic detail also left records of the external and aesthetic condition of prisoners for use in future identification. The physical descriptions contain information relating to the scars, tattoos and disfigurements of each individual. From this it is possible to glimpse some of the daily interactions these women may have had when outside of prison. For example, almost all of the women were listed as having scars on their body, on the arms, legs, and most commonly the face. Eighty-one of the women had facial scars (commonly scars on lips, above eyebrows, cheeks, and on foreheads). These scars ranged from the barely noticeable or 'slight' to very heavy and distinctive scarring. Of course for some of the women the odd scar would have been the product of an accident, but for many with

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<sup>731</sup> Acton, *Prostitution*, and: G. Richelot, *The Greatest of Our Social Evils: Prostitution, as it Now Exists in London, Liverpool, Manchester, Glasgow, Edinburgh and Dublin* (London: H. Bailliere, 1857).

several facial scars and disfigurements such as 'torn ears', broken noses, and cut lips, this is indicative of a life incorporating fighting or other violence.<sup>732</sup> Mary Brennan was noted as having scars on her 'forehead, nose, left temple, [and] outside left eyebrow'.<sup>733</sup> Although it is not possible to say exactly how Mary obtained them, it is possible to trace her as living with a notoriously violent man – Francis Knight - who on one occasion committed a 'murderous assault' on Mary's mother after she had attempted to intervene in a quarrel Francis was having with Mary. Francis 'took up a heavy poker and struck her across the mouth with it, the poker cut through the side of her face to the teeth, and loosened several of them . . . [he] again struck her on the shoulder and the wrist with the poker and again felled her to the ground'.<sup>734</sup> In this context, it is not difficult to assume that Mary received some of her own injuries in a similar situation. A few other women with facial scars like Mary could be traced as the victims of domestic violence, but for many more, their injuries could well have been the product of attacks or fights with neighbours or associates as well as in a domestic setting.<sup>735</sup> Around a third of the women had missing teeth, most commonly two or three. Missing teeth could be a product of many things, most commonly poor oral health, violence, and age.

Nineteen of the women (19%) had tattoos. For most these were the names or initials of loves ones, but for a few the tattoos were little more than blue dots or marks, positioned above the eye or on the hand. Relatively little is known by historians about the meaning of such tattoos - particularly for female convicts. These body modifications were most likely codified to communicate information about the

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<sup>732</sup> *PCOM4*; Piece: 56; Item: 1. P: 1.

<sup>733</sup> *PCOM4*; Piece: 61; Item: 6; P: 1.

<sup>734</sup> *Lloyds Weekly Newspaper*, 22 November 1868.

<sup>735</sup> See chapter 5

number or type of an individual's offences or incarcerations, signified by the type, number, and location on the body of such items.<sup>736</sup>

Unsurprisingly, as a sample, the female offenders do not seem to have been a healthy, well nourished, or well cared for group. The descriptions of their bodies and medical records create a sense of a physically difficult, exhausting, and in some cases punishing, existence when outside prison. The medical records of the sampled women and the overall poor nourishment and health experienced by offenders clearly contextualises crime within lives in which individuals could often face a daily struggle to procure sustenance, to keep warm, and to keep well.

### Housing

The exhaustion and poor health experienced by many of the sampled offenders, and the patterns of offending it could lead them vulnerable to were often exacerbated by the poor material conditions in which they lived. For the majority of women, multiple traces of them in consecutive census entries, in newspaper reports, or other institutional records mean that it is possible to assess the kind of environment in which they spent their time when not in prison. Eighty-three (83%) of the women could be traced to one or more (most often multiple) residential addresses, indicating a low level of residential stability in their adult lifetimes. For the remaining seventeen (17%) women, they were either incarcerated in an institution for the majority of census data – be that convict prison, local prison, refuge, workhouse, or asylum – or they were noted as being of 'no fixed address' or 'vagrant'.<sup>737</sup> Whilst a few of the sampled women were highly visible to the police on the streets of the city, most of the sampled women lived and operated side-by-side with their law-abiding, or similarly offending

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<sup>736</sup> Godfrey, Cox and Farrall, *Serious Offenders*, pp. 130-131.

<sup>737</sup> *Morning Post*, 25 February 1879.

but never convicted neighbours. This is not to suggest that the sampled women were living in the same kind of housing as their skilled manual worker and artisan counterparts, instead almost all of the women were living in the poorest and lowest quality accommodation available.

**Table 8.2**

Type of Residence	Frequency	Percent
Brothel	4	4.0
'Common Lodging House'	22	22.0
None Traced	17	17.0
Private house or rooms	11	11.0
Court Housing	46	46.0
Total	100	100.0

In Liverpool, almost all of the women resided in the in the north end for the duration of their adult lives, the women who did not reside here tended to move about of the city, or in and out of it around Lancashire. In London, the women did not, as we might expect, cluster around the east end of the capital. This area, closest in comparison to Liverpool's north end in both reputation for material conditions and the extent of residents poverty, was constructed in the popular press as a black spot on the capital's map, the home of vagrants and thieves in which 'thousands of desperate working-class people were falling to their doom'.<sup>738</sup> Although some of the women did live and offend

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<sup>738</sup> D. Gray, *London's Shadows: The Dark side of the Victorian City* (London: Continuum, 2010), p.62 See also: C. Booth, *Labour and Life of the People* (London: Williams & Norgate, 1891).

in the wider east-end in areas such as Whitechapel, Spitalfields, and Shoreditch, many of the others were scattered around the city. Popular locations amongst the female offenders from London included Marylebone, St. Pancras, Clerkenwell and St. Luke's, and Lambeth. Women in London also tended to be more likely than those in Liverpool to move not just around residences, but around the city over the course of their lives.

It more or less goes without saying that none of the women - even those considered 'middle-class' offenders - owned their own property. This is on account of both the inherent difficulty of women owning property for most of the Victorian period, and more importantly, the financial inability of all of the women to do so. Eleven (11%) of the women were lucky enough at some point to live in private accommodation. This may have been anything from a small house which they shared with their families – like Mary Metcalf and her marble mason husband George, to a set of rooms that an individual had the exclusive use of – like governess and baby farmer Sophia Martha Todd. Four of the women were traced as living in brothels. These women were in all cases the proprietor of this establishment, it was home and business rolled into one. Forty-six (46%) of the women lived, at one or several times in their lives, in the cramped and shared accommodation of court housing, 'small spaces built up on all four sides and having but one entrance, a narrow, covered passage-way, the whole ordinarily very dirty and inhabited exclusively by proletarians'.<sup>739</sup> Known for their overcrowding, abysmal sanitation, and overall poor material condition, it is unsurprising that residents in such materially poor circumstances might turn to both property crime and violent crime.<sup>740</sup> Despite their reduced circumstances, the female offenders dwelling in court housing were relatively lucky when compared to the

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<sup>739</sup> F. Engels, *The condition of the Working Class in England in 1844* (London: S. Sonnenschein, 1892), p.

<sup>740</sup> See chapter 5.

twenty-two (22% ) women who when not in an institution could only be traced to a variety of common lodging houses, where they were charged a nightly fee to stay on temporary bedding or on the floor in shared rooms with other lodgers. Common lodging houses were both a costly and dangerous resort for women who could not afford or obtain a more permanent situation in the courts and cellar dwellings of each city. As White explained in his examination of nineteenth century London:

there was nothing of even the semi-permanence of a one room home here. They catered for a mobile population for whom mobility was an aid for avoiding arrest or summons – thieves, beggars, prostitutes. Just as important, the lodging houses sheltered the very poorest of Londoners for whom mobility was no choice but necessity.<sup>741</sup>

From the courts to the common lodging houses, the accommodation that most of the sampled women (72%) lived in illustrates the level of material deprivation in which they found themselves. Very few of these residences saw the offending women living next to more affluent neighbours. Instead, the majority of housing that the women used throughout their lives saw them firmly within the slum-districts and ‘working-class neighbourhoods’ of each city, resulting in ‘class-based cultural estrangement’.<sup>742</sup> Not only did these kind of environments and experiences make crime seem a viable and necessary option for the improvement of living conditions, but these residences also offered the anonymity and flexibility required for successful criminal activity. This was particularly the case with regards to property crime, as brothels, lodging houses, and even some of the courts housed a vital network of other offenders who they could work in conjunction with. For example, a prostitute could have the opportunity of pass on stolen goods to a receiver at a common lodging house, and a wider community of

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<sup>741</sup> J White, *London in the 19<sup>th</sup> Century* (London: Vintage, 2008), pp. 324-325.

<sup>742</sup> Carter Wood, *Violence and Crime*, p. 98.



similarly impoverished individuals would use this space, willing to purchase their wares. Chesney identified residence such as these as places where, from a young age, there was nowhere more likely to provide a 'thorough grounding for a life of crime'.<sup>743</sup> The impoverished, and in many cases highly unpleasant, living environments used by most of the women also acted as a catalyst not only for the violent brawls and other offences committed, but some of the lower level summary offences – such as drunkenness and disorderly behaviour. The use of alcohol, discussed in more detail below, became both a cheap and easily accessible leisure activity for those with limited means, and the pub a social venue that allowed brief respite from the deprivation of court and communal living. Alcohol also provided a much needed escape from the more harrowing smells, sights and sounds of the slums of the Victorian city.

The material deprivation clearly suffered by all but a minority of the sampled women, and the psychological impact of years – if not a lifetime - lived in cold, damp, squalid and crowded accommodation would, on some level have played a role in many of the offences these women committed. As a contemporary social investigator concerned with housing noted, 'in a dark, dirty, crowded, ill-ventilated court or back street . . . it is difficult for health or virtue to exist'.<sup>744</sup> But the relationship of poor living-conditions to crime was one that reformers and philanthropists struggled to accurately understand. Victorian social commentaries occasionally recognised that men and women like those in the sample were living lives 'depressed almost to the last stage of human endurance'.<sup>745</sup> However, it was these same social commentators that questioned whether poor housing created criminals via the erosion of morality and decency, or whether those responsible for crime and depravity were drawn to the

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<sup>743</sup> Chesney, *Victorian Underworld*, p. 100.

<sup>744</sup> J. Hole, *The Homes of the Working Classes, with suggestions for Their Improvement* (London 1866), p. 1.

<sup>745</sup> T. Archer, *The Pauper, The Thief, and The Convict* (London: Groomsbridge, 1865), p. 10.

dark, dingy and highly populated areas of each city. Such debates taking place throughout the nineteenth century saw those living in the court and cellar dwellings of cities like Liverpool and London face scrutiny, suspicion, and attack almost as often as sympathy and charity, leaving crime to present another option.<sup>746</sup> Just over a quarter of the sampled women resided in conditions synonymous with vice and illegal activity – the brothels and common lodging houses. The majority of the sampled women in both cities did not. Interestingly, the proportion of female offenders living in each type of accommodation was remarkably similar in both cohorts. The places and conditions in which the sampled women lived were for the most-part a product of poverty, rather than characteristic of a specific way of life. For the most part, these women were indistinguishable from their poor, materially deprived neighbours who were never caught or prosecuted for offending, or only ever prosecuted at the summary level. At different periods of life these women were likely to have been the non-offending neighbours of others undertaking in illegal activity. The poor housing standard that most of the women endured was therefore symptomatic of general and sustained material deprivation that could result in offending, and such poor standards of may well have provided motivation for a number of their crimes.

### Social and Support Networks

Historians have found that one of the few advantages of court and multiple occupancy living in the nineteenth century city was the opportunity for the preservation of family networks, and the formation of strong communal bonds between neighbours.<sup>747</sup> But to

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<sup>746</sup> G. Goodwin, *London Shadows* (London: Routledge & Co., 1854).

<sup>747</sup> Ross, 'Fierce Questions and Taunts', pp. 335-336 In this article Ross discussed the role that community and neighbours played in preventing domestic violence, reproaching perpetrators, and protecting and sheltering victims.

what extent did such networks of friends and family help, support, or hinder the law-abiding lives of female offenders?

Accurately judging the social network of the sampled female offenders is, at best, difficult. The only evidence that remains of who the sampled women knew, relied upon, and communicated with, comes from the prison and police information on convict letter writing. Of course, details of who convicts wrote to are not comprehensive dossiers of those who awaited their release, or who was most important to them in their lives away from prison. Communication with others outside of the prison walls was a privilege which could be easily revoked for unruly prisoners, and for such individuals, no friends or family are evident. In other cases the women themselves may have chosen not to write to anyone, or only to write to select members of their friendship and family networks. Thus we must remember that, whilst offering an interesting indication of who the women turned to, correspondence records alone cannot provide a definitive picture of family and social networks.

In order to ensure that convicts were cut off from their former life of crime, those that they attempted to correspond with in their letters were checked against local police records. Police in such an individual's area would be asked if the person was known to them, and were asked to assess whether they were a suitable person for the convict to be writing to. Commonly, one of three answers were returned. When Julia Mead wanted to write to her brother, it was found that her 'nothing was known to his prejudice by the police' and her letters were allowed.<sup>748</sup> In the case of Bridget Lacking, when she attempted to write to her 'friend' Mrs Martin, of 8 Albert Square, police replied 'that the house is a brothel, of which Mrs Martin is the landlady beyond which

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<sup>748</sup> *PCOM4*; Piece: 61; Item: 20; Pp: 11-12.

the police know nothing prejudicial to her character. She states that convict is known to her but that she does not wish to correspond with her'.<sup>749</sup> For Mary Brett's letter to 'friend' Kate Flynn, it was assessed that she was of 'a questionable character' and was not deemed a fit person for a convict to correspond with.<sup>750</sup> Although far from a comprehensive list of associates, these checks can indicate how many of the sampled women were in close contact with other known offenders, and likewise how many were in touch with friends and associates who held no convictions.

Unsurprisingly, seventy-three (73%) of the sampled women were recorded as having attempted to contact a criminal associate. The remaining twenty-seven women either did not associate with other known offenders, or more likely, did not try to contact them from prison. Whilst many of these associations cannot be verified further, it seems fair to assert that with such high rates of criminal associates amongst the women, that crime was not something women carried out in isolation, but something that was part of an existence that brought them into regular contact and friendships with other offenders and their activities. This might also suggest that offending at was very common amongst others in their neighbourhoods, and general social circles, even if it was only ever dealt with at summary level.

Other than the three pairs of women in the sample that offended together, there is little evidence to suggest that any of the sampled women knew each other. Of course, only a few of the sampled women were not repeat offenders, so it is very likely that the social networks that saw the sampled women mix with other offenders were formed over the length of their offending careers, rather than a world in which they were immersed prior to their first offence. Only twelve (12%) of the women had no

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<sup>749</sup> *PCOM4*; Piece: 72; Item: 5; P: 20.

<sup>750</sup> *PCOM4*; Piece: 52; Item: 2; P: 18.

contact with anyone whilst they spent years in a convict prison, and we should perhaps intimate from this that they had very little in the way of friendship or familial support in their lives outside of institutions. For this small number of women, the lack of friends or family to turn to in times of financial or personal crisis may well have impacted upon their decisions to offend. Yet, in reality, of these twelve women, some may well have had friendship and support networks in place, but were prohibited from writing as restriction of privileges was a common punishment for prison transgressions.

Through the records of the women's prison visits, the picture that emerges of female offenders whilst incarcerated is a lonely one. During their years of incarceration in convict prisons, only thirty-six of the women (36%) received a visit from friends or family, this means that the majority of the women (64%) spent years in prison without seeing a member of their family or social group. There are several explanations for why this might be. It may be that the majority of women whilst in prison preferred not to have visits from relatives or acquaintances from their lives outside of the institution as it made incarceration all the more difficult for them. It may likewise be that upon conviction and incarceration many of the women forfeited their respectable social connections. Perhaps non-offending family and friends did not wish to visit or offending associates knew better than to willingly set foot inside a prison. However, as all of the women wrote letters and eighty-eight (88%) of the women received at least one letter (from a person the prison authorities deemed suitable to correspond with a convict) during their time in prison, it would seem that most of the women had at least some form of friendship or family connections that supported them during their time in prison, but were perhaps kept away from visiting physically by distance. This final

explanation is rendered most likely when prison visits are broken down by cohort. In London, thirty-four of the women (68% of cohort) received at least one visit from a friend or a family member. For the Liverpool convicts, just two women (4% of cohort) received a visit. The relatives of the other 96% of the cohort were no doubt kept away by the significant time and financial cost of visiting a relative in London.

Association with other offenders seems to have been something that benefited the sampled women in some way, be that financial, social, or legal terms, or something that occurred naturally within the areas and residential dwellings in which these women lived. For the most part, forming these associations was something that the sampled women were complicit in, rather than something that developed purely because offenders had no-one else. For the majority of the women sampled there existed support networks of non-convicted friends and family also. These networks most commonly incorporated family members, who offered support and solace through letters, if not their physical presence, during the women's imprisonment, and most likely provided this both before and after terms of imprisonment. Several of these women were released to 'suitable' friends or relatives upon their parole. In any event, with the exception of the female offenders who killed their children in acts of desperation, and one or two other unlucky women, there is little evidence that having 'no one to turn to' in times of need and crisis played a major role in offending. The majority of the sampled offenders did have both law-abiding family or friends that played some role in their lives and the criminal associations they built up over time.

### Literacy

The same documents that kept a record of who the female convicts were writing to also assessed how likely it was that they were practically able to do so. From these

records the majority of the women traced were assessed as having some form of basic literacy skills in adulthood. Almost three quarters (74%) of the women were assessed by prison authorities as able to read at a basic level, and just under half of the sample (47%) had basic writing skills also. Only the very few middle-class offenders were credited with any advanced literacy skills. Given their years of birth, most of the women would have been too old to benefit much from the education reforms such as the 1870 Education Act. It seems unlikely that many would have encountered much, if any, formal education. The literacy skills possessed by the women, assessed by both their ability to sign their name on formal documents, such as a marriage register, and the assessment carried out on each woman on their reception into a convict prison, seem most likely to have come from teaching they received whilst in prison. In these institutions Zedner notes, 'basic literacy skills were taught primarily as a means as access to the scriptures'.<sup>751</sup> Not only did literacy allow better access to a religious and therefore moral education, but this in turn was thought by magistrates and law reformers to be the key to the creation of more law-abiding citizens, and thus, the reduction of criminal activity amongst the poor.<sup>752</sup> The likelihood of such education of prisoners being responsible in and of itself for their reform aside, it remains unlikely that many of the women sampled had acquired reading and writing ability that allowed them to carry out more than basic functions, and offered little opportunity for their social or cultural advancement.

Crone's work found that the links between poor education and crime were enduring throughout the Victorian era, explaining, 'a range of statistical studies which combined criminal and educational data demonstrated that crime was most prevalent in the

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<sup>751</sup> Zedner, *Women*, p. 194.

<sup>752</sup> Phillips, *Crime and Authority*, p. 154.

districts which boasted the highest rates of illiteracy'.<sup>753</sup> However, Crone notes that the socio-economic explanations for the connection between poor education and crime were largely ignored, in favour of suggestions that the link was a moral one. As modern scholars, we can clearly see that a lack of good literacy amongst offenders limited the employment opportunities for such individuals (which directly relates to their wage prospects and standard of living). But, even more fundamental than this, poor literacy limited prospects for social and cultural mobility, helping to ensure that poor men and women were continually 'denied access to the spheres of economic influence and power', identified by Gatrell as a key experience amongst offenders.<sup>754</sup>

Most of the women had already spent periods, or several periods of time in local prisons by the time they ended up in a convict prison and were evaluated as being literate or semi- literate. It is impossible to ascertain the level of schooling the sampled women undertook, even for those who in their childhood were listed as scholars, as females it is unlikely they experienced a coherent and uninterrupted period of schooling.

In her oral history of women's lives between 1890-1940, Roberts found that for many young girls, time off of compulsory schooling was common, as they were expected to take a full role in domestic work and childcare from an early age. Roberts laments that, 'the cost of such a lost childhood and lost education is incalculable'.<sup>755</sup> Almost all of the sampled female offenders would have been children in the 1840s 1850s and 1860s when education was not compulsory, and a time when education was not often made

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<sup>753</sup> Crone, 'Reappraising Victorian Literacy', pp. 8-9.

<sup>754</sup> Gatrell, *Crime and Authority*, p. 303.

<sup>755</sup> E. Roberts, *A Woman's Place* (Oxford: Blackwell, 1984), p.24.



a priority for working-class girls.<sup>756</sup> A number of the sampled women may well have attended Sunday schools, however, the quality of education in such institutions could not seem to account for the fairly high rate of semi literacy they exhibited as adult prisoners.<sup>757</sup> It seems most likely that the literacy skills they obtained were largely acquired within the prison system, and thus skills that were acquired too late for the women to use them in pursuit of employment or mode of life that would prevent them becoming offenders to begin with.

When Crone compared the literacy rates of female prisoners to the general literacy rates of women in the marriage registers in selected towns, she found that in Berkshire, Suffolk, and Lancashire female prisoners were significantly behind their non-offending counterparts in the area.<sup>758</sup> Those from the poorest sections of society were not only more likely to be convicted as criminals, but also less likely to be literate than their better off peers. She noted that those from Lancashire (many from Liverpool), were the least educated group.<sup>759</sup> In my own study, these findings are reinforced. Forty-three of the women from London (86% of cohort) had basic reading skills, and thirty of them (60% of cohort) had basic writing skills also. This means that only seven of the women from London (14% of cohort) were assessed to be completely illiterate. Whereas in Liverpool, just thirty-one of the women (62% of cohort) were able to read, and only seventeen (34% of cohort) could write as well. Nineteen of the women from Liverpool (38% of cohort) were assessed as illiterate.

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<sup>756</sup> As a good number of the sampled women were the oldest female child in their family, their domestic duties are likely to have begun earlier and lasted longer than most. See chapter of Family background of offenders.

<sup>757</sup> T. W. Laqueur, *Religion and Respectability: Sunday Schools and Working Class Culture, 1780-1850* (New Haven: Yale University Press, 1976).

<sup>758</sup> Crone, 'Reappraising Victorian Literacy', p. 15.

<sup>759</sup> *Ibid*, p. 17.

**Table 8.3**

	Read?		Total
	no	yes	
Cohort			
Liverpool	19	31	50
London	7	43	50
Total	26	74	100

**Table 8.4**

	Write also?		Total
	no	yes	
Cohort			
Liverpool	33	17	50
London	20	30	50
Total	53	47	100

This disparity between the literacy rates of women in the two cohorts is indicative of not only a potential gap in opportunities for learning in the two cities, but also of how literacy could impact upon the kind of offending women carried out. Just over three quarters of property offenders could read, and half of them could write to a basic level also, but in the case of violent offenders just under two thirds could read, and only around a third could also write. Violent offenders in the sample, then, tended to be

proportionally less literate than property offenders. Literacy and the age of women on first offence also seems to be linked. None of the women above the age of forty on their first traceable offence were assessed in convict prison as illiterate, suggesting that perhaps a basic level of literacy had been obtained through better standards of living or even helped them in terms of employment, or social navigation up to that point in their lives. Only one quarter of those aged between seventeen and thirty-nine on a first traceable offence were assessed as illiterate. However, over a third of those aged ten to sixteen at the time of their first offence were illiterate. The biggest proportion of illiteracy amongst the different age groups was therefore amongst those who it would seem had received very little education when of schooling age, and offended during this period. Thus it would seem that women in the Liverpool cohort exhibited the highest rates of illiteracy because they were more likely to be either young or violent offenders, or likewise, that they were more likely to be young or violent offenders due to their lack of opportunities for education, which was symptomatic of disadvantage in early life.

#### Deprivation, alcohol, and the cycle of disadvantage

The hardships undergone by women in terms of health, nourishment, housing, and education, were symptoms of the more encompassing social, cultural, and economic deprivation experienced by the majority of offenders. The daily struggles to secure the necessary food, shelter, and other material essentials must have been at times consuming and exhausting. Yet as Gatrell reminded us, it is not all there was to life for the poor and dispossessed. Despite the numerous adversities faced by the poorest sections of the working-class, he reminds us, 'great swathes of unemployed time had

to be filled, fun had to be had'.<sup>760</sup> The consumption of alcohol provided (and in many cultures continues to provide) not only a popular social activity for leisure time, but in many poorer communities, a welcome and affordable escape from the draining pressures and routine of perpetual want. Davies gave the example for the working-classes in the early half of the twentieth century that a trip to the pub could offer the 'shortest way out of Manchester'.<sup>761</sup> The over-use of alcohol was not only often symptomatic of a life of deprivation, but when used to the point of psychological and physical reliance, occasioned both the erosion of sparse financial resources, and impairment of judgement, both of which could exacerbate disadvantage in the lives of impoverished women, and contribute to subsequent offending.

Thirty-five of the sampled women (35%) could be traced as having drunk to excess on a regular basis (either being traced as in receipt of convictions for drunkenness, or attributing the over-use of alcohol as the cause of their offending).<sup>762</sup> Whilst this means that by far the majority, sixty-five women (65%) did not have alcohol traced as a contributor to their offending, in all probability, some of those cases will also have links to a detrimental use of alcohol, whether that be in draining already strained finances, or provoking discord in an individual's domestic or communal life. For example, whilst some offenders were able to recognise the role alcohol had played in their path to offending, like Bridget Boyle who stated on her arrival at Millbank prison that she 'would not be here but for drink', others were unable or unwilling to discuss the impact that drinking had on their behaviour and decisions.<sup>763</sup> Most interestingly, there are some clear differences in what kind of offender and offending drinkers and

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<sup>760</sup> Gatrell, *Crime and Authority*, p. 303.

<sup>761</sup> A. Davies, *Leisure, Gender and Poverty* (Buckingham: Open University Press, 1992), p. 61.

<sup>762</sup> Just two of the women could be traced as abusing other substances such as opium.

<sup>763</sup> PCOM4; Piece: 56; Item: 15; P: 4.

non-drinkers constituted. Of the seventeen (17%) women whose indictable offences were violent, twelve of them (70% of those in the sample categorised by indictment as violent offenders) had convictions relating to alcohol. Of the twenty-one women who had any kind of violent acts recorded, fourteen of them (66%) could be traced as having overused alcohol. More of the violent offenders in the sample used alcohol problematically than did not.

Offenders that could be traced as using alcohol to detrimental effect also tended to be from Liverpool rather than London. A select committee on intemperance in 1878 found Liverpool had the highest rate of apprehensions for drunkenness in the country, numbering 420 for every 10,000 people (three times the rate of Lancashire as a whole).<sup>764</sup> Twenty-four of the female offenders profiled from Liverpool (48% of cohort) were traced as having either convictions for drunkenness or had offences that related to alcohol, whereas in London, this number was only eleven women (22% of cohort). In this respect it is perhaps unsurprising that almost half of all young onset offenders had alcohol related offences recorded.<sup>765</sup>

**Table 8.5**

Age Group	Alcohol		Total
	no	yes	
10-16	16	14	30
17-25	21	11	32
26-39	20	8	28

<sup>764</sup> D. Beckingham, 'Geographies of drink culture in Liverpool: Lessons from the drink capital of nineteenth-century England' in *Drugs: education, prevention and policy*, 15, 3 (2008), p. 306.

<sup>765</sup> The cohort of women sampled from Liverpool contained a higher rate of both early onset offenders, and violent offenders. For further information please see chapter 3.

	40-50	7	2	9
	50+	1	0	1
Total		65	35	100

For female offenders then, alcohol played a role most often in cases of young and violent offending. However, it is fair to assume that a greater proportion of the sampled women may have overused alcohol than this analysis allows. It is important to remember that the thirty five women confirmed as using alcohol detrimentally represent a group of women whose drinking was problematic enough to cause institutional intervention. It has not been possible to ascertain how many other women in the sample may have had the use of alcohol impact upon their needs, actions, decisions and offences.

The McDermotts were a Liverpool Irish family that consisted of parents Eliza and Patrick (both Irish immigrants) and their five children; John, Elizabeth, Annie, Thomas, and Patrick (who died in infancy).<sup>766</sup> The McDermotts were an unremarkable north Liverpool family. Patrick worked as a dock labourer, Annie (and on occasion Elizabeth) worked as domestic servants, Thomas as a carter, and John a sailor. The family, for the most part, navigated the thin line between poverty and destitution successfully, and

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<sup>766</sup> *Census Returns of England and Wales, 1871 Class: RG10; Piece: 3765; Folio: 122; Page: 50; GSU roll: 841881.*

lived within the law.<sup>767</sup> However, in 1881, the McDermott family made the headlines of both local and national newspapers, when Eliza, Elizabeth, and Thomas stood trial for the murder of John.<sup>768</sup>

On the 12 of September that year, John McDermott entered his family's court dwelling on Hedly Street (north of the city, in very close proximity to the docks). John had recently returned from Buenos Aries and was looking for work. It was well into the evening and John was 'the worse for drink'.<sup>769</sup> After drinking a further glass of ale at home John attempted to help himself to a second, only to be stopped by his sister Elizabeth. A fight between the two ensued during which a frustrated John threw a bowl at his sister's head. The bowl narrowly missed her and instead hit their father Patrick, cutting the side of his head, as he tried to intervene.<sup>770</sup> The fight between John, his sister, and now his mother, moved into the courtyard and took place in full view of their neighbours, who testified that 'the mother beat him about the head with the heal of her boot, and the sister struck him several times with a rolling pin'.<sup>771</sup> Thomas intervened, stating that 'anyone that will abuse my father like this must go away and never come here anymore', after which a scuffle between the brothers ensued.<sup>772</sup> The assault continued for some time. John was felled by his sister Elizabeth whereupon she proceeded to knock his head 'against the stones, the noise of the bumps being heard all over the court'.<sup>773</sup> Despite the attack on John being severe, some of the evidence suggests that the violence was not intended to kill him, but to

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<sup>767</sup> Matriarch Eliza McDermott had three summary convictions for damage, and drunkenness during the late 1860s and early 1870s, see: *PCOM4*; Piece: 64; Item: 13; p. 1. Thomas McDermott had one summary conviction for animal cruelty at the age of sixteen after neglecting to care properly the horse that pulled his cart, see: *Liverpool Mercury*, 24 March 1876.

<sup>768</sup> *Sheffield and Rotherham Independent*, 14 September 1881.

<sup>769</sup> *Liverpool Mercury*, 18 November 1881.

<sup>770</sup> *Liverpool Mercury*, 16 September 1881.

<sup>771</sup> *Liverpool Mercury*, 18 November 1881.

<sup>772</sup> *Liverpool Mercury*, 16 September 1881.

<sup>773</sup> *Liverpool Mercury*, 18 November 1881.

chastise him. After some time his father Patrick McDermott came into the courtyard to intervene stating 'you have done enough to him; he is a rake, but he is mine.'<sup>774</sup> Although it took some time for the violence towards John to subside, Thomas, Eliza, and Elizabeth did eventually move back inside. When neighbours raised concerns that John was lying dead out in the court yard, the family seemed not to comprehend the seriousness of the attack, dismissing his prostrate appearance as 'shamming' and 'roguery'.<sup>775</sup> After the police were called and the family taken into custody, John's body was removed, and he was found to have died from a large brain haemorrhage, brought on by the attack. Eliza, Elizabeth, and Thomas were all charged and found guilty of his murder, being sentenced to seven years, seven years, and nine months respectively.<sup>776</sup> As a family unit, the McDermotts never recovered from these events. Patriarch Patrick McDermott died whilst his wife and children were in prison, and after their release, the family never returned to live together.

Several factors could be attributed as major contributors to the events this offence. It might have been the pressures placed on the family through severe and prolonged poverty, or from inadequate housing, which saw six grown adults share just one room. However, if these were the defining factors at the root cause of the offence, surely the whole McDermott family would have been involved and many more families in the same street would have been acting likewise. But on this occasion, Annie and her father Patrick were largely removed from events. The overriding factor that seems to have determined who was involved in this offence, and in what way, was the abuse of alcohol. This sad case was explained thus in a newspaper, 'the tragic affair arose out of a drunken orgie, and the case was described as the most horrible one that had come

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<sup>774</sup> *Liverpool Mercury*, 16 September 1881.

<sup>775</sup> *Ibid.*

<sup>776</sup> *England & Wales Criminal Registers*, November 1881, Class: HO 27; Piece: 189; Pages: 115 – 116.



before the court. The prosecuting solicitor said that the conduct of the prisoners and the deceased . . . more resembled that of wild beasts than human beings, not to speak of persons supposed to be Christians'.<sup>777</sup> Both Eliza and Elizabeth were reported as being drunk, and Thomas as being 'the worse for drink' during the attack which lasted from around eight in the evening until eleven.<sup>778</sup> The fight between the McDermotts was not only originally caused by the consumption of (or frustrated wish to consume more) alcohol, but the length, severity, and outcome of the assault was no doubt exacerbated if not determined by intoxication. Although Eliza had a couple of summary convictions for drunkenness, and Thomas for neglecting a horse, Elizabeth had never been previously convicted and none of the family had a record of violent offending. Elizabeth was in fact described as a 'quiet girl' whose previous employers had 'never had cause to find fault with her'.<sup>779</sup> What occurred in September of 1881 appears to be the severe escalation of a drunken disagreement, not uncommon in the slums and streets of any major Victorian city.

Despite evidence linking poverty and disadvantage to alcohol abuse, such as that shown in the case of the McDermott family, nineteenth century contemporaries often blamed drink culture on high wages, reduced working hours, and greater opportunities given to the poor. For such observers all of these issues led to the abuse of alcohol and a rise in crime.<sup>780</sup> Cesare Lombroso, for example, believed that 'habitual wine drinkers are immoral and produce criminal, insane, or precociously libidinous offspring . . . even an isolated case of acute drunkenness can give rise to crimes' noting also that, 'like

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<sup>777</sup> *Berrow's Worcester Journal*, 24 September 1881. Of course, as previously discussed, editorial licence can see newspapers distort the 'facts' of a case. However, in this instance, a range of witness testimony, both from the family and neighbours supports the interpretation that the actions of those involved were heavily influenced by alcohol.

<sup>778</sup> *Liverpool Mercury*, 16 September 1881.

<sup>779</sup> *PCOM4*

<sup>780</sup> Macilwee, *Liverpool Underworld*, p. 104.

hashish and opium, distilled alcohol stimulates the brain perversely, provoking a tendency to crime and suicide.’<sup>781</sup> Lombroso’s studies found that across Europe, drunkenness played a defining role particularly in the cases fights and other violent crimes. In the early twentieth century, Liverpool’s head constable found that women and drinking lead to ‘prostitution, assaults (especially on the police) and cruelty to children’.<sup>782</sup> Whilst there seems very little to be gained in disputing that alcohol (and certainly the over use of alcohol) could cause more crime, whether that be drunken brawling, or property crime motivated by the need for more spending money, the links between drinking and crime cannot be sufficiently surmised so easily.

The abuse of alcohol by a good number of the women sampled from Liverpool and London doubtlessly eroded what little money and resources they had, necessitating either crime to replenish them, or fuelling further inner turmoil and despair at the grinding and constant cycle of poverty that they found themselves in. Whilst it is easy to assert, like so many Victorian law makers, judges, and social commentators, that drinking was the cause of poverty and crime, we should also spare a thought for the outlet alcohol could be provide to those living in the unrelenting misery and difficulty of extreme poverty, and with the unpleasant consequences of their offences.

Emily Howard, or Lydia Lloyd as she chose to be known in later life, was an offender clearly trapped in such a perpetual cycle of crushing poverty, offending, and alcohol abuse. Born in Staffordshire in 1842, very little can be traced of Lydia’s early life. Her first convictions were for drunk and disorderly conduct at the age of sixteen, at a police court in Hampshire where she was staying. A local newspaper described how ‘a young female in a hat and veil *a la mode*, was charged with making use of obscene language

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<sup>781</sup> C. Lombroso, and M. Gibson (trans) *Criminal Man* (London: 1878), p. 122.

<sup>782</sup> Archer, *Monster Evil*, p. 138.

in a public street. The case was not pressed and the girl was dismissed with advice to return to her parents'.<sup>783</sup> This offence seems to be little more than a young adolescent drinking to excess whilst out of the supervision of her mother and father. Unfortunately, Lydia did not heed this warning and just days later she was convicted of drunken and obscene conduct.<sup>784</sup>

Her reputation tarnished, the prospect of a return home became further diminished for Lydia. She began working as a prostitute, and bore an illegitimate daughter, who she subsequently 'lost sight of'.<sup>785</sup> The following year Lydia was again arrested for drunk and disorderly, and a night time search of her lodgings by the police revealed her to be staying with three soldiers.<sup>786</sup> In the following five years, Lydia continued to work as a prostitute to sustain herself, and to fuel her drinking, which she may have continued as a result of physical addiction, or as an outlet for distress at her situation. In these years five further convictions can be traced for Lydia for drunk and disorderly conduct, for damage to property, and for theft of a violin, which she lost whilst drunk. In the latter case she was, in fact, so intoxicated that she asked local police to help her find it.<sup>787</sup> After this time, Lydia worked less as a prostitute, and began to commit more property crime, she was sentenced to five years imprisonment for her first traceable felony in Oxford in 1873.<sup>788</sup> Upon her release Lydia moved to London, where she lived at 'no fixed abode' and continued to offend. She was sentenced to a further ten years imprisonment in 1879 for theft.<sup>789</sup> When released from convict prison a second time, Lydia returned to Hampshire, but continued to drink, and to offend. The last trace of

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<sup>783</sup> *Hampshire Advertiser & Salisbury Guardian*, 26 August 1858.

<sup>784</sup> *Hampshire Telegraph and Sussex Chronicle*, 28 August 1858.

<sup>785</sup> *PCOM4*; Piece: 71; Item: 5; P: 13.

<sup>786</sup> *Hampshire Advertiser*, 11 October 1862.

<sup>787</sup> *Hampshire Telegraph and Sussex Chronicle*, 30 November 1867.

<sup>788</sup> *PCOM4*; Piece: 71; Item: 5; P: 9.

<sup>789</sup> Old Bailey Proceedings Online ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.0, 19 August 2013), March 1879, trial of LYDIA LLOYD (36) (t18790303-348).

Lydia is in 1892, at the age of fifty, when she was sent for three months' hard labour for stealing a bladder of fat whilst drunk.<sup>790</sup>

Lydia Lloyd offended when she drank, and on many occasions perhaps offended because she was drunk. Yet her experiences also seem to suggest that she drank so excessively and consistently because her early offences had made her life increasingly difficult and untenable when she was sober. Lydia was an offender who turned to prostitution, lost custody of her only child, was homeless, and spent a significant portion of her life in prison because she drank, but also drank because of all of these things. Like the other thirty-four women, if not more, who were traced as clearly having a problematic relationship with alcohol consumption, Lydia Lloyd's experience indicates that the overuse of alcohol was both symptomatic and causative of a life of repeat offending. Sadly, alcohol presented an attractive solution, distraction, or coping mechanism to those who dealt daily with poor housing, poor health, and limited opportunities, but at the same time only served increase deprivation and disadvantage in their lives, providing a fertile foundation for a cycle of offending.

### Conclusions

The life of a female offender, whether they were in Liverpool or in London was clearly not an enviable one. As Gatrell noted with reference to the high levels of property crime amongst the poor, it was the 'chronic as well as episodic deprivation' of the most basic needs undergone by offenders 'which year in and year out is encoded in the doleful catalogue of boots, shoes, loaves of bread, sides of bacon . . .' present in records of conviction.<sup>791</sup> The argument made that the convict women 'may have been drawn disproportionately from a disadvantaged group' seems well supported by the

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<sup>790</sup> *Hampshire Telegraph and Sussex Chronicle*, 9 January 1892.

<sup>791</sup> Gatrell, *Crime and Authority*, p. 305.

experiences of health, housing, opportunity, and addiction present in the sampled offenders lives.<sup>792</sup>

The female offenders examined here were poorly educated. This indicates both deprivation in early life and contributed to continued socio-economic disadvantage in adulthood. These women were in many cases suffering from illness and malnutrition, and a not insignificant number were problematically using alcohol. Many of the women lived in uncomfortable and insanitary housing, and those that did not lived in dangerous and transient lodgings with an ever changing crowd of strangers. Over time lives such as theirs saw women become immersed in communities where offending was somewhat normalised, acquainted with other individuals around them who offered an example of offending, or assisted in an already established pattern of criminal activity. The unique combination and severity of any of these factors, but in particular the acuteness of their poor health and malnutrition, alcohol abuse, and difficult living conditions, may have led to a level of acute desperation or risk taking which was all that separated the serious female offenders from their non-offending, or non-indicted, but similarly impoverished peers. The severity and combination of all of these factors differed for every woman in the sample. Yet whether it be from chronic want, from frustrated ambition, a poor decision made under the influence of alcohol, or a lack of other options, it is easy to imagine how both violent and property crime might constitute a viable choice to many of the women in these circumstances.

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<sup>792</sup> Horrell, Meredith, and Oxley, 'Measuring Misery', p. 100.

## Chapter 10: Environment, Location, Exclusion, and Female Offending

To Victorian social and legal commentators, not to mention the popular press, the city was a place of practical and ideological contrast. English cities were places of beautiful architectural innovation, but also aging, rotting slums, places of incredible wealth, and grinding poverty: of hope and of fear.<sup>793</sup> These bastions of productivity were simultaneously fuelling the British Empire, and reaping all of its rewards. Yet the major cities, and even large towns of Victorian England, were also perceived to be a breeding ground for danger, vice, and crime.<sup>794</sup> Liverpool and London were two cities that exemplified all that Victorian elites loved and feared about urban space. London, as the capital of not just England, but of the entire empire, was a centre of immense wealth derived from banking, trade, and production. Over the nineteenth century, London experienced unprecedented development and growth.<sup>795</sup> But at the same time the capital was 'inevitably playing the key role in the moral and social imagination of urban corruption'.<sup>796</sup> To the north of England, Liverpool was a city almost devoid of the mills and factories that had seen other urban areas such as Birmingham and Manchester profit hugely from industrialisation. Although the city had only a small manufacturing base, during the nineteenth century, the city's immense wealth was

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<sup>793</sup> P. Howell, 'Metropolitan History and the Disaster of London', in *Journal of Urban History*, 28, 5 (2002), p. 639. See also: D. Feldman and G. S. Jones (eds), *Metropolis London: Histories and Representations since 1800* (London: Routledge, 1989). S. Inwood, *City of Cities: The Birth of Modern London* (London: Macmillan, 2005). A. Briggs, *Victorian Cities* (Harmondsworth: Penguin, 1990). R. J. Morris and Richard Rodger, *The Victorian City: A Reader in British Urban History 1820-1914* (London: Longman, 1997). White, *London in the 19<sup>th</sup> Century*. S. Joyce, *Capital Offences: Geographies of Class and Crime in Victorian London* (Charlottesville: University of Virginia Press, 2003). R. Dennis, *English Industrial Cities of the Nineteenth Century: A Social Geography* (Cambridge: Cambridge University Press, 1984). A. Mayne, *The Imagined Slum: Newspaper Representation in Three Cities 1870-1914* (Leicester: Leicester University Press, 1993). S. Rowntree, *Poverty: A Study of Time Life* (New York: H. Fertig, 1901).

<sup>794</sup> Archer, *Monster Evil*, pp. 3-8. See also: Gray, *London's Shadows*, pp. 56-60.

<sup>795</sup> Gray, *London's Shadows*, p. 644.

<sup>796</sup> *Ibid.*

obtained by international trade and commerce.<sup>797</sup> Liverpool's well established docks grew to service the commercial interests of Britain and her colonies. In fact, it was estimated that by early in the nineteenth century, 40% of all trade in the entire world passed through the city's ports.<sup>798</sup> Further to this Liverpool began to provide vital transport links to the Americas and elsewhere. However, Liverpool also had a reputation for poor living conditions, high death rates, and uncontrollable vice.<sup>799</sup>

Despite the immense riches being produced in these locations, Liverpool and London like many other conurbations in England were sharply divided. In both Liverpool and London city there was despair and material destitution enough to counter the progress, prosperity, and wealth present, there was also considerable fear and suspicion between two groups of residents in the city - those that had, and those that had not.<sup>800</sup> Those that failed to flourish within England's urban areas came to embody (in the minds of those that had) the antithesis of Victorian values. Contemporary rhetoric constructed these spaces ideologically as both corrupting the weaker and poorer members of society and at the same time as utterly corrupted by those failing to flourish, lurking in the streets and alleyways.

To what extent can the women living in the cities of Victorian England have the patterns of their lives and offending explained by the experience of urban living an experience which transcends particular locations? How much of the experience and pattern of their offending was determined by local environment? This chapter explores

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<sup>797</sup> J. Belchem, *Merseypride: Essays in Liverpool Exceptionalism* (Liverpool: Liverpool University Press, 2006), p. 15.

<sup>798</sup> Archer, *Monster Evil*, p.3.

<sup>799</sup> Macilwee, *Liverpool Underworld*, pp. 1-10. See also: Cooper-Taylor, 'Black Spot on the Mersey.'

<sup>800</sup> In Liverpool religious rivalries between Protestant and Catholics produced division of the city's population. See J. Belchem, *Irish, Catholic and Scouse: The History of the Liverpool-Irish, 1800-1939* (Liverpool: Liverpool University Press, 2007), pp. 188-197.

the impact that urban living had on the experiences of female offenders, the significant differences in patterns of offending and conviction of women caused by local environment, and most importantly, the key issue experienced by the majority of women, regardless of location and environment, which played a defining role in their pathways to offending.

### Watching Women

There are aspects of life and offending for the sampled women which seem to transcend local environment, relating more generally to the factors existing in urban areas country-wide in the period. The impact of issues such as policing practices remained remarkably similar whether women were from the Liverpool or London cohort.

Whilst many historians, such as Gray have noted the contemporary links drawn between crime and urbanisation, stating 'the cities and towns of mid-nineteenth century England were seen, with their desperate poverty and squalid slums, as a breeding ground for crime and we cannot separate the notion of criminal classes from the fears about the Victorian town and city', only a few comparative historiographical work exists, which examine the validity of such statements.<sup>801</sup> Johnston, in one such work was quick to dismiss lingering accounts of the nineteenth century city as a cause of crime, stating 'the notion that urban growth and big cities engender crime is a long-standing and well-articulated myth'.<sup>802</sup> Whilst many of Johnston's conclusions about the unsubstantiated links drawn by those in the nineteenth-century between urbanisation and crime ring true, perhaps there is room to question his dismissal of

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<sup>801</sup> Emsley, *Crime and Society*, pp. 118-136. Gray, *London's Shadows*, p. 170.

<sup>802</sup> E. Johnston, 'Cities Don't Cause Crime: Urban Rural Difference in Late Nineteenth- and Early Twentieth-Century German Criminality', in *Social Science History*, 16, 1 (1992), P. 139.



any connection between urban living and crime as 'simply rubbish'.<sup>803</sup> Johnston's criticisms, like Emsley's, of the analysis of why crime occurs in cities, such as 'people in cities do not know their neighbours and do not go to church, so the social and moral control supposedly characteristic of small- town and village life breaks down' and 'it is easier to steal from or get into a fight with people one does not know' are well levelled.<sup>804</sup> Recent research has argued that in the present day, particularly in heavily urbanised areas, a lack of 'social capital', such as friendly acquaintance with those in one's neighbourhood, or clear opportunities for leisurely social interaction with others in the area, could lead to a lack of individual investment in a community. This in turn allows inequality, anti-social behaviour, and even crime, to flourish, whilst traditional social norms to break down.<sup>805</sup> However, there is very little evidence that such weak social ties, and lack of social capital, played a role the cases of women in London and Liverpool. Most were found to have had regular contact with their neighbours, and in cases of violence, were almost invariably attacked people known to them.

That said Johnston is too quick to dismiss other explanations that seem to hold some validity in the context of female offending in English cities. For example he dismisses the suggestion that 'the population pressure' in cities could contribute to an increased likelihood of violent outbursts, or that the city provided a persuasive site of crime as there was 'less risk of being caught'.<sup>806</sup> Perhaps, as Emsley explored, the important difference to recognise between crime in rural and urban locations, is not that one environment promoted crime whilst the other did not, but that rural and urban

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<sup>803</sup> Johnston, 'Cities Don't Cause Crime', p.140.

<sup>804</sup> *Ibid.* See also: Emsley, *Crime and Society*, p. 127.

<sup>805</sup> R. D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Touchstone, 2000), pp. 93 – 115.

<sup>806</sup> Johnston, 'Cities Don't Cause Crime', p.140.

offenders were presented with differing opportunities for criminal activity, and vulnerable to convictions for different kinds of offending.<sup>807</sup>

Living in a city does seem to have provided women with circumstances that made certain kinds of offending easier, or perhaps a more viable choice than had they lived in a different kind of area. Both in Liverpool and in London, like in most big urban areas, it seems that poor housing – contributing to overcrowding and a general lack of private space - did contribute to some of the tensions and rivalries that caused violent crime, as explored in several previous chapters. Alternately, isolation undergone by those who had moved into the city, finding themselves without a familial or close support network, also seems to have contributed to desperate crimes of theft and violence perpetrated by the women.

Ellen Smith, born in the London borough of Camden in 1840, was orphaned by her early teens. With no extended family available to take her in or provide for her, she subsisted by taking in laundry or street selling, and when this proved insufficient, she turned to small property crimes, gaining three convictions in eight years.<sup>808</sup> The problems caused by Ellen's lack of local family, or an established support network, was only exacerbated in the following years after she cohabited with fellow offender John Ryan and had two illegitimate children, Charlotte and Emma, before his re-arrest and imprisonment.<sup>809</sup> Although it is difficult to definitively assess Ellen's access to, and role in, social 'survival networks', all available evidence suggests that in this stage of her life, Ellen had no clear support network, or sufficient means to support herself or her

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<sup>807</sup> Emsley, *Crime and Society*, pp. 118-136.

<sup>808</sup> PCOM4; Piece: 56; Item: 22; P: 1.

<sup>809</sup> General Register Office. *England and Wales Civil Registration Indexes*, County: London, Vol. 1c, p. 440.

children.<sup>810</sup> Thus she resumed offending, and by the time her youngest daughter Emma was just a few months old, Ellen was sentenced to seven years penal servitude for theft.<sup>811</sup> Both her daughters were taken to the Princess Mary's Village Home for the Children of Convicts in Surrey, where they remained for over a decade.<sup>812</sup> Ellen was released, but continued to offend, and was sent back to convict prison for another seven years in 1879.<sup>813</sup> Ellen's life in the city lacked two features that might have prevented her offending, or hastened her reform, factors that might have been present had she lived in a different environment. Although Ellen lived in the same city for the majority of her life, she moved from Camden to Wapping, to Holborn, to Surrey, back to Holborn, and then to Charring Cross. The size of the city, and the transient way of life experienced by many of the casual poor could promote isolation rather than the establishment of close family and friendship networks - vital sources of support at times of crisis. During her incarcerations, there is evidence to suggest that Ellen was trying to contact friends and associates, most often John Ryan's mother Mary Ann, and two other women Ann Hearne and Mrs Murphy, however, none of them could be traced having moved on from known addresses, fading into the poor masses of the city.<sup>814</sup> The difficulty of keeping touch with friendship and support networks was a problem not exclusive to urban areas, but certainly one less prominent in smaller towns, and more rural areas.

The at times impersonal way of life in a large urban area could also make it difficult for individuals to know which charitable bodies and institutions offered help, and how they might best access them. Mary Wilson's experience illustrates this difficulty. Living

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<sup>810</sup> E. Ross, 'Survival Networks: Women's Neighbourhood Sharing in London Before World War One', in *History Workshop*, 15 (1983), pp. 4-27.

<sup>811</sup> *England & Wales Criminal Registers*, December 1870, HO 27; Piece: 156; Page: 277.

<sup>812</sup> *Census Returns of England and Wales, 1871* Class: RG10; Piece: 805; Folio: 15; Page: 24; GSU roll: 827749.

<sup>813</sup> *England & Wales Criminal Registers*, October 1879, Class: HO 27; Piece: 183; Page: 246.

<sup>814</sup> COM4; Piece: 56; Item: 22; P: 29-32.

in Liverpool alone, Mary turned to street selling, prostitution, and property crime to support herself. Mary maintained a relationship with an abusive fellow offender, Peter Wilson, for many years. No other support network for Mary is evident. Several of Mary's convictions for drunkenness and violence were the result of the pair's unmediated and turbulent interactions. When Peter dissolved their relationship whilst both were serving time in prison, Mary was left distraught.<sup>815</sup> Years later, Mary still 'indulged freely in drink' continuing to commit public order offences. Clearly suffering from mental distress, Mary told strangers in public houses 'the devil was kinder to her than men, and that he had asked her to go to his house where he had been before'. Mary was also recorded as claiming that she had 'no relation or friends' and that she was 'tired of life'. The next day she was found dead in her lodgings, having drunk carbolic acid.<sup>816</sup> Few would dispute that urban life was the root cause of Mary's offending, or her excessive use of alcohol, or her mental distress. However, the isolation and anonymity that could prevent assistance from friends, associates, or institutions, and the limited resources available to charities and the courts for assisting those in crisis before it was 'too late' - both factors in Mary Wilson's life and offending - were often products of living in a city. Even Johnston accepts that this can be the case, stating that if a city is allowed to become 'filthy and stinking, swollen with the homeless and the jobless, the politically disenfranchised, the racially discriminated against', then it might well foster crime and anti-social behaviour.<sup>817</sup>

There are few histories contending that crime was caused solely by the urban environment. Many of the issues surrounding urban offending were present (even if to a lesser extent) in smaller and more rural areas. There are, however, many who have

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<sup>815</sup> *PCOM4*; Piece: 62; Item: 16; Pp: 14-17.

<sup>816</sup> *Liverpool Mercury*, 17 August 1895.

<sup>817</sup> Johnston, 'Cities Don't Cause Crime', p.140.

suggested links between the experience of offending and rates of crime and conviction with developing policing practices in urban areas. Much has been made by historians (particularly those writing in the 1970s, 1980s and 1990s) about the growth of police surveillance and control in nineteenth century towns and cities. Or as Gatrell explained, 'how the law selects some targets and ignores others'.<sup>818</sup> Croll argued that during the Victorian era, 'the physical condition of urban public space was the focus of much attention . . . so too was the behaviour of those who moved through those spaces'.<sup>819</sup> The crimes that plagued these public spaces were an unwelcome reminder of the failure of Victorian society to maintain discipline.

The creation of a professionalised police force at the beginning of the period was in part an attempt to maintain and control social order in rapidly expanding areas of industrialisation and urbanisation, and their ever massing populations. In Liverpool as well as London, the police, as agents of the law, were taught to protect the interests of the wealthy and influential by watching and controlling the poor. These two cities were, for most of the nineteenth century, the most heavily policed cities in Britain.<sup>820</sup> In places like these, Storch wrote, 'police received an ominous mandate: to detect and prevent crime; to maintain a constant, unceasing pressure of surveillance upon all facets of life in working-class communities'.<sup>821</sup> The 'constant and multifaceted surveillance' that working-class neighbourhoods endured included activities such as the close monitoring of public houses and the recreational life of residents.<sup>822</sup> Davis contended that as the powers and prominence of the police grew throughout the

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<sup>818</sup> Gatrell, 'Crime, Authority and the Policeman-State', p. 243.

<sup>819</sup> A. Croll, 'Street disorder, Surveillance and shame: Regulating behaviour in the public spaces of the late Victorian British town' in *Social History*, 24, 3 (1999), p.253.

<sup>820</sup> Archer, *Monster Evil*, p.28.

<sup>821</sup> R. Storch, 'The Plague of Blue Locusts: Police Reform and Popular Resistance in Northern England 1840-1857' in *International Review of Social History*, 20, 1 (1975), p. 64.

<sup>822</sup> Storch, 'Plague of Blue Locusts' p. 66.

second half of the nineteenth century, in cities like London ‘the working-class and their activities were subject to official interference and discipline to an unprecedented extent’.<sup>823</sup> With such a concerted effort made to watch the poor at work, on the street, and during their leisure activities, it is unsurprising that such a high rate of crime was detected and prosecuted in urban areas, with residents complaining ‘a man could not talk to his neighbour without one of these blue devils listening’.<sup>824</sup>

Yet the relationship between the authorities and those they sought out is more complex than the former making a concerted effort to catch the latter in their misdeeds and succeeding. Gatrell labelled the suggestion that the primary concern of the police was in preventing and detecting crimes committed against property and the person a ‘self-serving and convenient obfuscation’, which detracted from issue of social control extended over the proletarian classes.<sup>825</sup> Both Storch and Davis have suggested that the Victorian period was one in which many ‘traditional working-class activities were criminalised’.<sup>826</sup> Storch argued that police in the towns and cities of Victorian England were charged with ‘the enforcement of a whole mass of petty enactments which are little more than social regulations bearing almost entirely on working-class life’.<sup>827</sup> These included the policing of drunkenness, vagrancy, prostitution, poverty and labour, all issues particularly visible in urban areas.<sup>828</sup> Many of the everyday duties undertaken by police in these areas involved the regulation of the behaviour of selected groups of individuals in public spaces. For example, in most cities and large towns, constables operated a “move on system”, breaking up groups (mostly of working-class males) casually assembled in public areas, arresting those who

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<sup>823</sup> Davis, ‘A Poor Man’s System of Justice’, p. 317.

<sup>824</sup> *Poor Man’s Guardian*, 7 April 1832. Cited in Storch, ‘The Plague of Blue Locusts’, p. 66.

<sup>825</sup> Gatrell, ‘Crime, Authority and the Policeman-State’, pp. 244-245.

<sup>826</sup> Davis, ‘A Poor Man’s System of Justice’, p. 334.

<sup>827</sup> Storch, ‘The Plague of Blue Locusts’ p. 90.

<sup>828</sup> Gatrell, ‘Crime, Authority and the Policeman-State’, p. 245.

failed to acquiesce, despite congregation not being an offence.<sup>829</sup> The apprehension of individuals on little more than the pretence that they looked as if they might be up to no good was something reserved for the poorest residents of an area, with policemen in later decades admitting 'they had to belong to a particular class of person to be classed as a suspect person'.<sup>830</sup> Public drinking, whether that be in a pub or on the street, was also a feature of working-class social life considered similarly problematic, which came under strict policing during the Victorian era. Such was the fervour of social elites for the control of the urban poor that behaviours, commonly carried out across the country by people in a range of circumstances without consequence, became punishable when found occurring amongst a city's working-classes. Davis gives the example of Hammersmith Police court, where in summer 'a good deal' of charges involved the theft of one or two pieces of fruit from market gardens. These were offences which 'in another area of the country would have been ignored' but in the city were punished with a fine, or a short spell in prison.<sup>831</sup> Whilst the anonymity of the city may have offered increased opportunity for crime without apprehension, policing practices and magistrates in urban areas were unforgiving to the law breakers among the poor. Even minor crimes were punished in order to set examples to the ever feared criminal class perceived to be still lurking out in the courts and alleyways.<sup>832</sup>

Despite the majority of historiography which addresses policing and social order relying primarily on examples of male deviance, women were by no means immune from the surveillance and control of the law. Researchers examining prostitution, and

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<sup>829</sup> Storch, 'The Plague of Blue Locusts' p. 88.

<sup>830</sup> Brogden, *On the Mersey Beat*, p. 89.

<sup>831</sup> Davis, 'A Poor Man's System of Justice', p. 318.

<sup>832</sup> R. McGowen, 'Getting to Know the Criminal Class in Nineteenth Century England', in *Nineteenth Century Contexts*, 14, 1 (1990), pp 33-54. See also: Gatrell, 'Crime, Authority and the Policeman-State', pp. 252-255. Davis, 'Law Breaking and Law Enforcement'.

in particular the Contagious Diseases Acts, have of course addressed the regulation of sexuality, femininity, and women's bodies carried out by the police on behalf of the state.<sup>833</sup> However, there has been little coverage of the experience of other deviant women, who were also affected by the regulation of working-class behaviour, perhaps even more so than their male counterparts. The spheres defined by the prominent gender ideology of the Victorian period suggested that women should leave the home 'as little as possible'.<sup>834</sup> Although it was widely recognised that poorer women would be forced to leave the home in order to undertake work, this did not exempt them from the distrust aimed at those who transgressed moral expectations. As Croll explained, 'there can be little doubt . . . that simply by being out in public, women were often subjected to the disciplinary gaze'.<sup>835</sup> Behaviours that saw working-men come under scrutiny from the authorities could be treated as even more suspect when carried out by women.

As Ballinger argued in her study of offending women, those who failed to 'regulate their behaviour and impose appropriate disciplinary practices upon their bodies (and indeed their minds)' came under 'increased surveillance, discipline and control' by the authorities.<sup>836</sup> For most ordinary working women in the city it was not only the disciplinary gaze of the police and courts which made them vulnerable to reprimands, but that of their neighbours too. Similarly, Davis suggested, the casual poor, like the majority of women in my own sample, were not only apprehended and forced to appear before courts by hostile law enforcement agents, but also on occasion by their

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<sup>833</sup> See Walkowitz, *Prostitution*. See also: K. Baker, 'Contagious Diseases Act and the Prostitute: How Disease and the Law Controlled the Female Body' in *UCL Journal of Law and Jurisprudence*, 1, 1 (2012).

<sup>834</sup> Zedner, *Women*, p. 15.

<sup>835</sup> Croll, 'Street Disorder', p. 263.

<sup>836</sup> Ballinger, *Dead Women Walking*, p. 330



neighbours, and even fellow convicted criminals who were more than capable of using the tools of justice to their own ends.<sup>837</sup>

Urban England was clearly dangerous for poor men and women not careful about transgressing legal and moral codes. The city provided heightened incentive, need and opportunity to offend, an ever changing sea of victims and prospects, as well as police force tasked with finding those who did. Those most in need were those most monitored. The same people were also subject prosecution from rivals, or aggrieved neighbours – only too easy to make in the close living quarters of the city. These men and women were also vulnerable to frequent, and occasionally violent, conflict with the police by members of the casual poor who might ‘experience the law as oppressive and to offer it active resistance.’<sup>838</sup>

The attempted social control of the poor was to some extent an experience for most of the sampled offenders, and an explanatory factor in their offending patterns and life-courses, as explored further later on in this chapter. The women sampled from both cohorts commonly held convictions for public order offences that in many cases reflected behaviours little more serious than congregating with others in public spaces such as the street, drinking or being drunk, or ‘indelicate’ language and actions (the ease with which a female offenders might behave ‘obscenely’, was greater than for her male peers). Whilst policing practices can explain a number of the summary convictions gained by women, and perhaps accounts for the level of recidivism amongst serious female offenders resident in England’s cities, it offers little in the way of analysis for female pathways to offending – particularly for crimes of property and violence. Closer examination indicates that criminalisation of working-class behaviours

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<sup>837</sup> Davis, ‘A Poor Man’s System of Justice’, p. 321. See Chapter 2.

<sup>838</sup> *Ibid*, p. 332.

and the surveillance and control of such people, whilst a potential danger for women living in cities across England, was not a uniform experience women had solely on account of being a city-dweller. The impact of policing practices and vulnerability to prosecution was one which could differ significantly depending on local environment.

As previous chapters have explored, the women from the Liverpool cohort were more likely to receive convictions early in the life-cycle, to offend for a longer period of their lives, and to gain a higher number of convictions than those women in the London cohort. The women from the Liverpool cohort were not only far more likely to receive summary convictions than those in London, but they were twice as likely to hold summary convictions for public order infractions. Most often their convictions for drunkenness, riotous behaviour, or indecency were obtained in the context of the heavy policing of working-class areas discussed above. Likewise the women in Liverpool were more likely to be arrested or 'moved on' by police as vagrants and prostitutes. A swathe of historiography dealing with policing and summary justice in the nineteenth century capital tells us that by no means were those in London exempt from the disciplinary gaze and control of authorities, but the clear disparity between cohorts suggests that the likelihood of a women undergoing arrest and conviction in the city – particularly at the summary level – must have depended upon more than simply a nation-wide tendency to tightly police the behaviours of the urban poor.<sup>839</sup>

Two key environmental factors offer explanation for some of the key differences in these conviction patterns between the women in London and Liverpool.

The most striking of these was the impact of the limited employment opportunities for women in Liverpool. In Liverpool, labour opportunities for women were extremely

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<sup>839</sup> Gray, *London's Shadows*, pp. 174-185.

restricted. There were positions as domestic servants available, the occupation was one of the largest formal employers of women in the city. However, by the mid-century, there were under ten thousand regularly contracted female domestic servants working in the city.<sup>840</sup> Often Irish women, and Irish Catholics in particular, stood little chance of gaining such a position. Ethnic and religious prejudice saw the majority of the limited domestic service positions given to English women.<sup>841</sup> For the most part, 'not only were there few careers open for women, but available jobs were exploitative and unrewarding'.<sup>842</sup> Although most women in Liverpool did undertake some form of paid employment during their lifetime, for many of them that meant undertaking poorly paid and menial street work such as hawking.<sup>843</sup> This impacted the likelihood of offending or conviction in two ways. Firstly, a higher rate of unemployment, or poorly paid and insecure employment amongst women, saw them have more acute or more frequent periods of financial difficulty, and perhaps with this came more incentive to offend earlier in life than women in London. Secondly, and far more importantly, the lack of formal paid employment and the increased level of informal street work (be that hawking, prostitution, or begging) saw women using and inhabiting public spaces heavily on a daily basis.<sup>844</sup> Such presence in public spaces raised a number of problems for women in Liverpool. In conducting interactions with men and other women regularly, these workers made themselves highly visible, and liable to altercations and complaints from others who did not consider such

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<sup>840</sup> *The Census of England and Wales, Population Tables, Occupations of the people in Principal Towns*, Division III, 1861. Cited in M. Kanya-Forstner 'The Politics of Survival: Irish Women in Outcast Liverpool, 1850-1890' (unpublished PhD Thesis, University of Liverpool 1997), p. 97.

<sup>841</sup> Kanya-Forstner 'The Politics of Survival', p. 98.

<sup>842</sup> Macilwee, *Liverpool Underworld*, p.6.

<sup>843</sup> See chapter 8.

<sup>844</sup> Kanya-Forstner 'The Politics of Survival', p. 86.

employment to be 'an appropriately feminine enterprise', or from shopkeepers to whom they offered cheap competition.<sup>845</sup>

With a labour market that provided few opportunities for women, it is unsurprising that Liverpool left little space for them socially either, being an 'overwhelmingly male-dominated town in which masculine pastimes predominated'.<sup>846</sup> As such women were conspicuous not only in their presence working on the streets, but also in their pursuit of recreation such as the use of public houses. Women both at work and at rest were the objects of suspicion and unwelcome attention from police constables. Those working on the streets of the city, especially those selling food, clothing or other goods, or begging for money, ran the perpetual risk of being mistaken for prostitutes, and thus might be harassed or moved on by the police – either of which could lead to an altercation and arrest.<sup>847</sup> Even in social situations, women's use of public spaces could be perceived as undesirable. A woman's drunkenness could easily be interpreted as problematic or their behaviour obscene. Police officers working over fifty years later than those responsible for policing the sampled women still maintained the need to discipline women on the city's streets, stating 'they'd get a bit cheeky and sometimes have to be checked' either through arrest or physical violence.<sup>848</sup>

The second key difference between women's experiences in the two cities that impacted upon offending, or more to the point apprehension and recidivism, was the limited opportunity for mobility in Liverpool. Unlike women in the London cohort, the women from Liverpool tended to remain within the same area of the city, if not the same address, for the majority of their adult lives, with only one or two women from

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<sup>845</sup> Ibid p. 91.

<sup>846</sup> Archer, *Monster Evil*, p.4.

<sup>847</sup> See chapters 2 & 3.

<sup>848</sup> Brogden, *On the Mersey Beat*, p. 96.

the sample changing location regularly. The inability of those living in the slums of north Liverpool to afford to live and work outside that area, or to be able to do so without drawing significant unwanted attention to themselves, saw many women continue to live and operate in areas where they had previously been arrested or were at least known to the police. In some cases this was exacerbated by ongoing antagonism with a particular policeman who would regularly come across an offender on their rounds. This made women in Liverpool both more culpable for their own continued legal infractions and less likely to receive the benefit of the doubt in cases of innocent mistake or coincidence. For example, one Liverpool offender, Cecilia Tierney complained that 'she was trying to earn her living honestly' but 'Detective Whitley . . . would not give her a chance'.<sup>849</sup> Liverpool's reputation for both elevated levels of violent crime, and some of the highest levels of drunkenness in the nation, perceived as an evil in itself and 'responsible for an enormous and overwhelming amount of crime in Liverpool', made authorities keen to keep a close eye on those most likely to be responsible.<sup>850</sup> Unable, or unwilling, to move away from their homes and communities, those women who often found themselves on the streets or in the public houses of North Liverpool were particularly vulnerable to repeat convictions of this kind.

Conversely London, as a bigger city, offered better employment prospects. Ross describes the capital as offering opportunities in 'thousands of tiny manufacturing concerns in clothing, footwear, printing, and furniture' not to mention its major industries, such as brewing, rubber, and chemicals.<sup>851</sup> Alongside a variety of factory work available to women in London, there was also domestic service, and work in

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<sup>849</sup> *Liverpool Mercury*, 24 May 1897.

<sup>850</sup> *The Liverpool Social Reformer*, 1 May 1873. See also Archer, *The Monster evil*, p. 3.

<sup>851</sup> E. Ross, *Love and Toil: Motherhood in Outcast London, 1870-1918* (Oxford: Oxford University Press, 1993), p. 12.

shops and pubs, alongside the casual employments to be undertaken inside and outside of the home. The better availability of employment in the city negated some of the problems experienced by women in Liverpool. This explains why women from this cohort were less often apprehended for summary justice, and in particular public order offences. That is not to say that women in London were less likely to undertake such activities as drinking, quarrelling, and damaging property, more to suggest that their increased opportunity for employment saw them spend less time in public spaces on a daily basis, and allowed them to mediate their interactions in public spaces, allowing them in some cases a greater chance of negating the most negative aspects of policing practices.

In London female offenders also had an increased opportunity to work around the city, and to move to employment and offending in different areas of London if one place became too problematic. After all, as long as not placed on a habitual offender register, a known offender in Marylebone had the prospect of renewing her anonymity and escaping the worst attentions of local police by relocating to Shoreditch or Lambeth. There are several examples from women in the London cohort who seem to have chosen this tactic. Mary Ann Reed augmented her earnings by stealing from a number of her employers, and passing false bank notes for a period of ten years, very probably avoiding more frequent arrest by working first in Marylebone, before relocating to Bloomsbury, and then finally to Hampstead.<sup>852</sup> Likewise Mary Brown, who worked as a prostitute as well as picking pockets, plied both her trades in Kensington, Waterloo, and Piccadilly.<sup>853</sup> Her movement around the city was no doubt a product of

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<sup>852</sup> *Standard*, 2 March 1870. See also *Morning Post*, 12 November 1872. And *Standard*, 2 April 1878.

<sup>853</sup> *Lloyd's Weekly Newspaper*, 4 July 1858. See also *Morning Post*, 23 February 1865.

an earnest wish to both capitalise on anonymity with unsuspecting customers, and avoid disturbance from local police in areas she had already worked.

The same mobility which allowed women in London to avoid capture or recognition by the police also provided an environment in which a greater range of crimes could be carried out.<sup>854</sup> Whereas property crimes in Liverpool were most commonly opportunistic thefts of one or two items of clothing, or jewellery or a purse from the person, those committed in London often hinged upon deception, for which anonymity was key. The 'amplified anger' aimed at those involved in child-stripping meant that practicing the trade in one place for longer than two or three months was both impractical and dangerous.<sup>855</sup> Similarly, the ability to readily change location was essential for those dealing in counterfeit coins, or forged bank notes, as shopkeepers, tradesmen, and bankers were unlikely to be caught unawares regularly by the same operators and their tricks. The enhanced ability of women in London to move around areas of the city if needs be, is precisely why these kinds of crime were far more common amongst that cohort.

It is, of course, important to acknowledge that just because residential mobility was a more realistic prospect in London it does not mean that that it was a possibility for all the women from that city. Just like a number of the women in the Liverpool cohort those in London did, in many instances, live and offend in the same area of the city for many years despite a number of convictions. Many may have stayed despite obvious disadvantages, on account of familial ties and responsibilities, strong friendships and vital neighbourhood support networks, or essential criminal contacts.<sup>856</sup> However,

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<sup>854</sup> See chapter 2.

<sup>855</sup> Macrailld and Neal 'Child-stripping', pp. 432-433.

<sup>856</sup> Kanya-Forstner 'The Politics of Survival', p. 64.

what remains clear is that while each woman made her own decision about the relative merits of moving around or staying in one place to commit her crimes, the choice was more readily available to those in London. The option to live in one part of the city and offend in another was much greater in London than in Liverpool. Those women that made use of this opportunity were able to avoid police recognition, which is reflected in not only the diversity of their offences, but their lower rates of conviction, for women in the London cohort, particularly at summary level.

In general, then, the Victorian city as a living environment, whether that be London or Liverpool (or arguably other large urban areas), did impact upon the offending patterns of women. Policing aimed at the social control of the working-class did see many of the behaviours that poor women regularly carried out – such as drinking – become prone to constituting an arrestable offence. Isolation and anonymity could see chronic want, or other needs, go unassisted leading women to resort to crime, or alternately the cramped and overcrowded housing provided in each city saw feuds erupt between neighbours, and fierce rivalry develop between people living in close confines, leading to some of the violent and public order cases brought before magistrates by warring residents. However, whilst to some extent the majority of women's lives and offences from both cohorts were affected by these factors, the unique environment provided by each city, determined by labour practices and opportunities for mobility amongst other issues, played a far more prominent role in shaping the kinds of offences common amongst women, determining the number and level of convictions women received, as well as the length and timing of their criminal activity.



For all the information this provides about women and crime, when they were likely to be convicted, for what activities and in some instances why, environment and location alone cannot provide insight into the more intrinsic factors that helped to cause women offend or that played a significant role in the path to offending. The analysis must now turn to the factors which seem to have been a key experience of the offenders which seems to have transcended location, or even urban environment, and which was a determined much of women's offending. That experience is one of sustained social and economic exclusion.

### Gender, exclusion, and crime

The experience of sustained social and economic exclusion was, to varying extents, a factor for each of the sampled women throughout their lifecycle. All of those profiled were in some way what Long refers to as 'economically and socially marginal'. All but a handful of the women profiled were those who were only brought to the attention of others in their own time, and to historians too, during the 'moments spent in public spaces and institutions'.<sup>857</sup> These instances, particularly in the case of records of conviction and imprisonment, only serve to illustrate the extent of their exclusion. Chinn emphasised the active fight working-class women waged against privation 'within their communities against the society that allowed it to spread so wantonly'.<sup>858</sup> Should crime be conceptualised as part of women's forceful attempts to counteract and navigate a system and a society that had excluded them both socially and economically? The exclusion experienced by the women on the grounds of their gender, class, and even ethnicity, was a determining factor in the high levels of poverty

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<sup>857</sup> J. Long, *Conversations in Cold Rooms: Women, work, and Poverty in Nineteenth Century Northumberland* (Woodbridge: Boydell Press, 1999), p. 121.

<sup>858</sup> C. Chinn, *They Worked All Their Lives: Women of the Urban Poor in England, 1880-1939* (Manchester: Manchester University Press, 1988), p. 133.

they experienced, and limited the options women across the sample faced in terms of both their crisis management, and the agency which they could exert in improving their own situations and surroundings. Exclusion from the social, economic, and cultural systems governing Victorian England should be considered not only a key determinant to the sampled women's offending but also as responsible for the high rates of recidivism amongst them. There were two fundamental categories of identification which, regardless of cohort, could see the sampled women face exclusion. As D'Cruze and Jackson commented in their study of women and crime from the early modern period to the present day, the experiences of female offenders should be considered within the 'gender and class disadvantages that brought women into prison in the first place'.<sup>859</sup>

With the exception of four individuals, the sampled women were working-class. The poor options available to these women for social mobility saw poverty become a perennial endurance. The frequent grip of poverty, if not its continual presence in their lives, clearly played a decisive role in their experiences and subsequently in their offending. In the case of almost all of the sampled women offending can be at least partially explained as a reaction to the 'need to cope with deprivation, social irrelevance, and the unattainability of the goals of consumption and success an affluent society held out'.<sup>860</sup> For the majority of the sampled women, poverty began at birth. The causes of poverty, the longevity and severity of poverty, and the unique impact it had on each individual was controlled to some extent by their local environment, and their individual circumstances (for example, how many children they had, or the impact of their personal relationships). Nonetheless, both property crimes

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<sup>859</sup>S. D'Cruze and L. Jackson, *Women Crime and Justice in England since 1660* (Basingstoke: Palgrave Macmillan, 2009), p. 134.

<sup>860</sup>Gatrell, *Crime and Authority*, p. 303.

and violent crimes arose for almost all of the women as a result of prolonged or brief experiences of poverty. Offences could range from the relatively straightforward theft of items to eat, pawn, or sell, to personal confrontations between street workers, or against the police in disputes over trade, pitches, and the right to earn a living. Similarly, individuals in any given neighbourhood might dispute, or argue over ownership and division of scarce resources or vital and valuable household items. Crime presented a viable option to women at great risk of poverty. Such women were also less likely to lead the kind of life that would see them designated as deserving of financial or material assistance from legal channels.<sup>861</sup>

Many historians have contributed to a growing knowledge of the lives, circumstances, and choices of those who resorted to poor relief. They were women who feared destitution and even death during the nineteenth century. Those petitioning for state or charitable relief were, however, but a fraction of the women dealing with the harsh realities of poverty in the period. Those who offended, if not the very same women reliant on poor-relief, were perhaps the neighbours, sisters, or friends of those at the work-house gates. Many of them should be viewed for what they were: those undertaking different methods of survival. Long contends that 'sickness, old age, unemployment, and chronic underemployment figured strongly' in parish relief applications in nineteenth century Newcastle. All of these issues can be found within the narratives of the sampled female offenders.<sup>862</sup> However, only a minority of them can be traced as spending time in a work-house or charitable institution. Those with little money, and nothing left of value to pawn, were vulnerable to being turned out of

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<sup>861</sup> Long, *Conversations in Cold Rooms*, pp. 148-151.

<sup>862</sup> *Ibid*, p. 123.

their lodgings with little notice, facing the prospect of a night in the workhouse, or a night on the street, 'starvation, absolute destitution and tragic deaths were reported throughout the century, a fearful reality for those whose own circumstances presented a constant challenge to make ends meet'.<sup>863</sup> When faced with these realities women were presented with the choice of obtaining relief through official channels or providing relief for themselves.

Those in need often found that 'barriers of harassment and humiliation' surrounded access to charitable relief.<sup>864</sup> There were a number of reasons that women might struggle to, or be unwilling to, secure appropriate levels of financial relief for themselves from providing bodies. With regards to the various religious and charitable organisations willing to help the impoverished, applicants for such charity were usually required to be members of the 'deserving poor'. For example young widows with several children but a perceptibly high 'moral character' had a chance of receiving support. 'Morality' was a highly fluid categorisation that any woman could easily find herself on the wrong side of, particularly if a woman struggled to build up a rapport with those assessing her case.<sup>865</sup> Those perceived to be of a 'low moral character', perhaps individuals for whom perceived evidence of sexual promiscuity, or illegitimate children, alcoholism, or even vague 'laziness' could be found, might struggle to be deemed worthy of financial assistance, particularly if the woman in question was not willing to appear contrite over such matters. Even their experiences in the workhouse

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<sup>863</sup> *Ibid*, p. 121

<sup>864</sup> E. Ross, 'Hungry Children: Housewives and London Charity, 1870-1918', in Peter Mandler (ed.), *The Uses of Charity* (Philadelphia: University of Pennsylvania Press, 1990), p. 187.

<sup>865</sup> S. Swain, 'Negotiating Poverty: Women and Charity in Nineteenth-Century Melbourne' in *Women's History Review*, 16, 1 (2007), p. 103.

could be controlled by the perception of their moral standing.<sup>866</sup> There were of course those organisations that catered exclusively for ‘immoral’ and ‘fallen’ women, working to restore them back to an acceptable version of femininity, and to make them fit for life as workers once more. These catered for only a small minority of the most destitute and desperate women, and were very restrictive to the personal liberty of those that wanted assistance. In reality, unless a woman was an impoverished exemplar of virtue, she could often miss out on charity.<sup>867</sup> This middle ground between the virtuous victim fallen on hard times and the degraded wretch was where the majority of the sampled women fell.

The options available to the average women in need were slim. In some cases, those who would have been eligible for support, chose not to apply for it. Access to support from charities or institutions was felt by many women to require at the very least a convincing performance of what ‘their social superiors wanted of them’, or more to the point, what they perceived their social superiors wanted of them.<sup>868</sup> Many women may have considered this price too high for the meagre hand-outs available. Likewise ‘in accepting aid, recipients were tacitly agreeing to surveillance’.<sup>869</sup> For help, a woman had to surrender not only pride, but her independence as well. Large personal sacrifices required of women who sought support, and the constraints placed upon them made resorting to philanthropic bodies, or institutions like the workhouse, an unappealing ordeal. In such circumstances, property crime might understandably pose a viable alternative to navigating the uncertain, unpleasant, and even frightening process of tackling poverty through other means.

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<sup>866</sup> Long, *Conversations in Cold Rooms*, pp. 155-156.

<sup>867</sup> Kanya-Forstner ‘The Politics of Survival’, pp. 52-54.

<sup>868</sup> E. Ross, ‘Not the Sort that Would Sit on the Doorstep: Respectability in Pre-World War I London Neighbourhoods’, in *International Labour and Working-Class History*, 27 (1985), p. 41

<sup>869</sup> Swain, ‘Negotiating Poverty’ p. 104.

Aside from immediate poverty, the class disadvantages faced by many of the sampled offenders have already been explored at length.<sup>870</sup> Those operating right at the bottom of the socio-economic scale were vulnerable to financial hardship, material deprivation, and the opprobrium of their 'social betters'. The difficulties experienced by the casual poor throughout Victorian England were keenly felt among women. As Rose argued, 'in the nineteenth century, working-class women, as a group, were more disadvantaged than working-class men, as a group. They earned less money and faced more difficult circumstances in their jobs in addition to the trying conditions under which they fulfilled their family responsibilities'.<sup>871</sup> The place of women, particularly those women who had to work to survive, was an uncertain and contradictory one throughout the Victorian period. As Long tells us 'deeply gendered assumptions regarding women's economic, social, and cultural roles both in the workplace and in the domestic sphere' heavily impacted upon the experience and outcome of their personal and occupational interactions.<sup>872</sup>

Despite local differences in labour opportunities, there were some over-arching experiences that women in the sample had in common on account of contemporary gender expectations. Notions of working-class domesticity spread from the mid-century and made women's activities outside the private sphere suspect and undesirable apart from in tightly controlled scenarios.<sup>873</sup> Rose noted, 'the message was quite clear, that women had a less than legitimate relationship to paid employment'.<sup>874</sup> The result of this was to exclude women from many labour and financial opportunities, and to cast suspicion and resentment upon those who still

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<sup>870</sup> See chapter 4.

<sup>871</sup> Rose, *Limited Livelihoods* p. 190.

<sup>872</sup> Long, *Conversations in Cold Rooms*, p. 132.

<sup>873</sup> Rose, *Limited Livelihoods* p. 138.

<sup>874</sup> *Ibid*, p. 137.

engaged in such activities. If women were able to gain paid employment, they could expect to earn less money than their male colleagues, and to perform more menial tasks. Many more were kept out of the formal work force through a masculine culture of paid employment which did not offer flexibility or provision for workers with personal or familial obligations. Rose argued 'mothering and breadwinning were oppositional constructs, both in their ideological representation and the ways they were organised socially'.<sup>875</sup> Not only were the obligations of domestic work and child care laid exclusively at the feet of women but paid employment was structured so as not to easily permit women to fulfil dual roles. Many women were thus left vulnerable to poverty, unwilling or unable to gain charitable assistance, yet only able to obtain informal and insecure kinds of employment, prone to poor pay and regular bouts of prolonged unemployment. Women were often left reliant on a male breadwinner for their financial subsistence. The economic exclusion of women created both chronic want, and in many cases, the inability to address such through paid employment. The cycle of constant and grinding poverty that many of the women found themselves in could see property crime become a viable, even attractive, option for addressing material want in times of need, and violent crime become an unfortunate reality of life with limited resources.

Women also experienced considerable social exclusion in this period which contributed to the high levels of summary convictions - particular public order offences - as well as their recidivism. If, as historians have uncovered, the Victorian woman was at her most acceptable to society when at home, exuding domesticity and caring for children, provided for by, and obedient to a male bread winner, where could that leave

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<sup>875</sup> Rose, *Limited Livelihoods* p. 76.

the female offenders of Victorian England?<sup>876</sup> Purposely, or unintentionally, most of the sampled female offenders, even when not committing crime, did not adhere to contemporary norms and expectations of womanhood. In D’Cruze and Jackson’s terms, these were women ‘whose domestic lives [were] less respectable, often because of social disadvantage’ and who found that such disadvantage ‘readily translates into a gender transgression’.<sup>877</sup> Both on account of financial and personal hardship, or simple unwillingness to conform, the sampled women regularly transgressed gendered codes of morality which saw them receive censure and discipline from the authorities. The majority of the sampled female offenders never formally married, but many had one or more intimate relationships with men over the course of their lives. If a sampled woman had children, one or more of her children was likely to be illegitimate. Evidence suggests that over a third of the women drank to excess, and in all probability, so did many more in the sample. A few of the women sold sex for money or procured others to sell sex for money. These experiences were present amongst women in both cohorts and do not seem to have been unique to a particular location or kind of environment.

Female offenders represented the antithesis to idealised Victorian femininity.<sup>878</sup> This was not without consequence. As D’Cruze and Jackson argued ‘sanctioned femininity’ required ‘docility and deference, which then calls for particularly close surveillance and discipline. Women who are routed by the criminal justice system into punishable positions are those who seem most transgressive in their lives’.<sup>879</sup> Having neither money or opportunity to conform, or perhaps having neither the time nor inclination

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<sup>876</sup> Zedner, *Women*, pp. 14-15.

<sup>877</sup> D’Cruze and Jackson, *Women Crime and Justice*, p. 142.

<sup>878</sup> Zedner, *Women*, pp. 11-12.

<sup>879</sup> D’Cruze and Jackson, *Women Crime and Justice*, p. 142.



to do so, these women came more often under the eye of authorities who disciplined them for actions that were relatively minor legal infractions but much larger transgressions of gender expectations. As a result of this, 'poor women were always vulnerable to stays' in penal institutions.<sup>880</sup> We have already seen how recognition as a transgressive individual by the police and courts could see a woman's offences progress from summary to indictable convictions, and how reform was problematic for women who had offended. Female offenders faced difficulty on account of both the loss of respectability, and advanced supervision, which made it simultaneously difficult for women to gain legitimate paid employment, and thus address the financial and material issues that made prescriptive femininity possible, and offending less attractive.<sup>881</sup>

In the context of this study of female offenders from Liverpool and London, Parr's warning that class and gender are not mutually exclusive factors impacting upon economic and social relations, and that 'race and ethnicity, and other possible social identities' also prove essential, seems particularly apt.<sup>882</sup> The women in the sample could be considered more ethnically Irish than ethnically English. This clearly played a role in both the social position these women were able to inhabit, and the exclusion they faced. Of course, with this in mind, it is essential to remember that none of these identities 'was assumed sequentially'.<sup>883</sup> The sampled offenders experienced their social class, their gender, and their ethnicity simultaneously - any one, or combination, of these identities could prove the most significant in any given context, location, or activity for each woman. However, it is clear that social and economic exclusion on the

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<sup>880</sup> *Ibid*, p. 131.

<sup>881</sup> Zedner, *Women*, pp. 44-46

<sup>882</sup> Rose, *Limited Livelihoods* p. 193.

<sup>883</sup> J. Parr, *The Gender of Breadwinners: Women, Men, and Change in Two Industrial Towns* (Toronto: University of Toronto Press, 1990), p. 245.

grounds of gender, class, or ethnicity, played a role in the offending, and serious nature of offending, of all the profiled women.

These women ought not to be thought of as somehow more deviant, or more prone to offending, than their friends or neighbours who were never offended, were never caught, convicted, or indicted. Whilst we cannot know for certain that the sampled women's experiences were different from those of their friends, neighbours, and female relatives, we must assume that they differed in some way from their non-offending or non-convicted peers. These individuals may have been less able to conform to expected patterns of behaviour on account of their social, economic, and cultural exclusion, or perhaps the difference was little than that, in their exclusion and their failure to conform, the sampled women were more highly visible to authorities, and thus more likely to be disciplined for their transgressive actions than their more cautious or discreet peers. Once convicted, the experience of exclusion was greater, recovery harder, and offending and conviction more likely. Very few of the sampled women began with their most serious offences, most progressed from public order issues, to summary convictions for theft and violence, on towards their indictable offences. Regardless of location, such patterns of offending turned the excluded into serious offenders. It may have been little more the lack of caution, bad judgement, or simply bad luck, which led to these first convictions, which saw the divergence between those women committing crime who became serious offenders, and those who did not.

The experiences of isolation, or overcrowding, provided by urban living let many women without support when they needed it, or saw them at odds with those around them over the division of resources. The policing strategies used to survey and control

the urban poor certainly played a role in the likelihood of women being arrested and convicted for the crimes they committed. Although certain features of urban life seem standard regardless of whether a female offender came from Liverpool or London, the specific circumstances of residential arrangements, opportunities presented by the labour market, and opportunities to avoid detection all seem to have been important determinants in how women offended. These were factors primarily controlled by the locality in which an offender lived. The features of each location could also impact upon the types of crime women committed, and how and when they carried them out.

However, the environment provided in urban areas, and within specific cities, does not sufficiently explain why women were in need of crime in the first instance. Old or young, habitual or singular offender, the women in this sample uniformly shared one experience: economic and social exclusion. Each of them on account of gender, all but four of them in terms of class, and a large proportion of them on account of ethnicity were excluded from full opportunities to work, earn, or to fairly access assistance when they were in need. The exclusion of the sampled women also saw them continually lack the prospects to make improvements in their own lives, to escape poverty, to procure better living arrangements, or to construct identity around material possessions. Women were expected to take primary responsibility for the care of children, and the price of illegitimacy fell almost solely upon them. As women, cultural expectations saw many of the behaviours they exhibited in common with men, such as drunkenness, or overt sexuality, more readily recognised as offences. Finally, the taint of criminality served to solidify the social and economic exclusion of women, making their reform harder, and their recidivism ever more likely.

## Conclusion

The clearest conclusion that the evidence from this study suggests is that contrary to dominant contemporary perceptions, there was no singular type of woman who became a female offender in Victorian England, nor a set stage of life in which women offended, or particular crime which they committed. By considering the lives that women had outside of prison, and the courtroom, this study has shown the identities and activities of female offenders to be diverse. However, with that said, there are some similarities and patterns that can be found in their experiences, and offences.

The women in this study were habitual petty property offenders. The specific offences a woman carried out very much depended on her location. In London, coining, fraud, thefts from workplaces and shops featured regularly, whereas in Liverpool, the theft of food and domestic items, money or jewellery from the homes of others, market stalls, or the person were more common. Offending depended on the opportunities presented to individuals according to their environment and location. Violent offences were in the minority, but those too could be heavily influenced by opportunity, living conditions, and environment. Summary convictions were far more prevalent in the lives of offending women than their indictable ones. Typically, women's convictions progressed from relatively minor summary charges for public order offences, such as drunk and disorderly conduct, to indictments for property offences or violent crime. For the majority of women, offending followed this pattern. Crime was an activity repeated time and time again in their lives, which eventually saw them receive years of penal servitude, rather than a one off event that saw them go straight to convict

prison. Whilst women could gain their first convictions anywhere from the ages of eleven to fifty-three, most women in the sample received their first convictions before the age of twenty-six.

In contrast to contemporary perceptions, women belonging to 'criminal families' were the exception, rather than the rule. Only a very few could be traced as having parents or siblings who offended. It was even rarer for the children of female offenders to face conviction themselves. Whilst some women had a spouse, common-law spouse, or temporary paramour who also offended, and who they perhaps offended with, most of the women in this sample offended alone, outside the influence and even the knowledge of their families.

Serious female offenders were, almost uniformly, part of the insecure working-class. They were a group for whom financial and material disadvantage was common, and life was uncertain. For these women living arrangements were irregular, housing was substandard, and health was poor. Women were likely to experience at least some kind of paid employment during their lifetime. Such work, however, was not only menial and poorly paid, but was also likely to be casual and highly insecure. This meant that for most, episodic, if not chronic, unemployment was also a feature of life.

The women were, proportionally speaking, more likely to be nationally, or ethnically, Irish than they were to be English. In the Liverpool sample, Irish women were two times as likely to face conviction and parole as a serious offender than their English counterparts. This trend bore no relation to any characteristic traits of Irish women, but instead illustrates the heightened vulnerability of that group to the poverty and exclusion that could lead to crime and to prosecution for even minor criminal offences and by-law breaches.

Difference in location could determine women's experiences of employment, housing, and policing. This in turn could impact upon which kind of offences women perpetrated and how likely they were to be convicted for them. Yet it was the things that women shared, regardless of location, which had the biggest impact on their lives and their offending. The poverty and social exclusion experienced by almost all of the women saw them undergo prolonged episodes of, if not constant, deprivation during their lifetimes. It also saw them undergo continued economic, social, and cultural disadvantage. This contributed both to the endemic need that often resulted in property crime, and to a culture of respect, status and honour based around violence, rather than material possessions.

This study has offered an initial insight into serious female offending in the cities of Victorian England. It has also begun to identify individual female offenders, and their actions in Liverpool and London. A more comprehensive view of female offending in urban areas could be achieved by examining women in a wider range of Victorian cities which offer further diversity of environment – for example, Manchester and Birmingham – in order to assess more comprehensively the similarities and differences in the experiences of offenders. Future studies into this topic would also benefit from rural case-studies, in order to evaluate the differences between rural and urban offending and offenders. Such works would greatly extend our knowledge of the impact of location and environment on women's lives and offending in Victorian England.

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