

## **Gender and release from imprisonment:**

### **Convict licensing systems in mid- to late-nineteenth century England**

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#### *Introduction*

This chapter draws on research undertaken into the lives and prison experiences of approximately 650 male and female convicts who were released on licence (an early form of parole) from sentences of long-term imprisonment (known as penal servitude and varying in length from three years to life) in England in the mid- to late-nineteenth century. The aim of the research was to discover the process by which prisoners were released back into the community after long prison sentences and to consider the relative success of these mechanisms on offenders' desistance from future criminality. The project<sup>1</sup> confirmed several of the patterns of offending seen in other studies of female and male offending, namely, that women were committed to periods of long-term imprisonment overwhelmingly for crimes of larceny and sometimes low-level violence (or their criminal backgrounds indicated this type of low-level disorderly behaviour) and only in the minority for crimes of serious interpersonal violence.<sup>2</sup> Similarly, the majority of men were also committed to the convict system for larceny. This reinforces the consensus that in the Victorian period property (and its safe retention) was uppermost among the concerns of the criminal justice system.

This chapter focuses on the release of female convicts from penal servitude and reveals the gendered nature of the process of release on licence; how male and female offenders were treated by the licensing system did differ significantly. The vast majority of all convicts, male and female, were released early on licence from their prison terms, even those who had committed very serious offences – and we argue that this was mainly a financial consideration; then as now, it cost a considerable amount of money to incarcerate individuals for long periods of time. All such licences had several conditions in them, and licence-holders

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<sup>1</sup> ESRC RES-062-23-3102 'The Cost of Imprisonment: A Longitudinal Study 1853-1940' see, Johnston, H., and Godfrey, B. (2013) *The Costs of Imprisonment: A Longitudinal Study*, ESRC End of Award Report, RES-062-23-3102. Swindon: ESRC.

<sup>2</sup> Zedner, L. (1991) *Women, Crime and Custody in Victorian England*. Oxford: Clarendon Press; Godfrey, B., Farrall, S. and S. Karstedt (2005) 'Explaining Gendered Sentencing Patterns for Violent Men and Women in the Late Victorian Period', *British Journal of Criminology*, 45 :696-720; D'Cruze, S., & Jackson, L. A. (2009) *Women, Crime and Justice in England since 1660*. Basingstoke: Macmillan.

were free to remain at large in society only for so long as they met these conditions. For example, they would lose their licence if they were found guilty of committing another offence; they were also expressly forbidden from associating with ‘notoriously bad characters’, leading ‘an idle or dissolute life’, or having no visible means of support’ (and this especially applied to those licence-holders who were infirm or elderly – they had to prove that someone was willing to support them financially). Any breach of the above conditions meant that the individual would be returned to his or her former place of incarceration in order to serve out the remainder of their sentence.

However, a significant proportion of female convicts were released slightly earlier than their male counterparts (though instead of being released back directly into the community) they were instead first further committed to what were known as Female Refuges (more of which later). This entailed being released on what was known as a conditional licence. Out of the 288 women prisoners researched in our project, 200 of them were released in this manner; the main condition being a period of further confinement in a refuge. On average women stayed in such refuges for between six and nine months, before their final release back into the community. This release had to be approved by the Directors of the Convict Prisons on more or less the same terms as men, though women only had to report once to the police in the district in which they settled post-release, whereas men had to report on a regular basis. Both men and women had to inform the police if they intended to move to another police district.<sup>3</sup>

### *State intervention and the convict system*

The establishment of the convict prison system in England was a response to the end of the transportation of British convicts to the colonies, mainly to Australia. The sentence of penal servitude, established in the 1850s, was introduced by several Penal Servitude Acts in effect ended transportation to Australia (which had seen a total of over 160,000 men, women and children from the age of nine being forcibly removed from the United Kingdom.<sup>4</sup> By the late 1860s the system was in full operation and transportation had been entirely replaced by a period of long-term imprisonment with hard labour served in one of the government-run

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<sup>3</sup> Penal Servitude Acts Commission [Kimberley Commission] Report, 1878/9: xxii.

<sup>4</sup> See for example, Hirst, J, (1998) *Convict Society and Its Enemies: A History of Early New South Wales*. Sydney: Allen & Unwin; Godfrey, B., and Cox. D. J. (2008) ‘The “Last Fleet”: Crime, Reformation, and Punishment in Western Australia after 1868’, *Australia and New Zealand Journal of Criminology* vol. 41 no. 2 (Summer 2008): 236-58; Maxwell-Stewart, H. (2010) ‘Convict Transportation from Britain and Ireland 1615–1870’. *History Compass*, 8: 1221–1242.

convict prisons (all located in London and the South of England). The new convict prison system was a symbol of the greater intervention of the State into the administration and bureaucracy of the prison system and as well as into the lives of those who experienced the criminal justice system. In relation to crime and offenders, the expansion of the Home Office's administrative activities, the growing bureaucratic control of arms of the State through policing, punishment and the regulation of everyday life all developed significantly in this period as the state expanded into the lives of the population.<sup>5</sup> By 1878 all prisons (both convict and local prisons) were controlled and administered by the government through the Prison Commission.

This expanding system of bureaucracy and administration also produced a wealth of records, files and reports on the individuals held in the prison system as well as the rules, regulations and surveillance of the day to day activities of such institutions. This research has been able to draw on this wealth of records to create whole-life histories of the hundreds of convicts in the research. The penal record of each individual prisoner provided full details of their offending history (usually fairly accurately), dates of entry and release, movement between prisons, medical records, requests or petition (for example, to appeal for early release), letters received and written by the convict as well as detailed records of the marks system (a complex system used to account for hard labour undertaken and behaviour each day in a system of progressive stages from probation to first, second, third and special class as convicts moved through time and merit towards release). The files also contains the papers for release on licence and sometimes a record of the destination of the convict on release (as well as the originals being available at the National Archives, a total of over 40,000 male and female penal records have been recently digitised and are available on subscription at [Ancestry.co.uk](http://Ancestry.co.uk) and [findmypast.co.uk](http://findmypast.co.uk)). Our research used these records to construct a whole life history for each individual, also drawing upon a wealth of other material such as birth, marriages and deaths registers, census returns, newspaper articles, and other institutional records (such as workhouse admission and discharge books for example) to reveal as much about the offender as possible from cradle to grave.

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<sup>5</sup> Petrow, S. (1994) *Policing Morals: The Metropolitan Police and the Home Office 1870-1914*. Oxford: Clarendon Press; McConville, S. (1981) *A history of English prison administration volume 1 1750-1877*. London: Routledge and Kegan Paul; McConville, S. (1995) *English local prisons: Next only to death, 1860-1900*. London: Routledge; MacDonagh, O. (1958) 'The Nineteenth Century Revolution in Government: A Reappraisal', *Historical Journal* vol. 1 (1): 52-67.

### Penal Servitude

The long-term prison sentence created by this system was called penal servitude and it consisted of three parts: a period of separate confinement, followed by a period on what was known as the 'Public Works' (unpaid labour on Government projects such as building mortar batteries, roads and coastal defences) and finally release on 'licence'. For the majority of the period under study Millbank prison in London held both male and female convicts who were undergoing the first stage of separate confinement, though they were held in different wings and kept apart at all times. Whilst under the Public Works stage, women and men were sent to different prisons based on their gender. Women were held at Brixton and Parkhurst prisons (in the early years of the system) then from the 1860s onwards they were held at Woking and Fulham prisons and later still at Aylesbury prison. During their time on Public Works, women tended to carry out domestic tasks (albeit on an often industrial scale) such as laundering for the whole of the prison estate, needlework, or knitting, though some prisons such as Woking specialised in providing other tasks such as the recycling of small pieces of broken-up marble for mosaics; indeed, one of the mosaic floors at the Victoria and Albert Museum is still known as the 'opus criminale', as it originated from Woking Invalid Prison.<sup>6</sup> Invalids and the elderly of both sexes were given 'light labour' tasks such as tailoring, cobbling, or sewing.

### Penal servitude: conditional licensing

The final stage of penal servitude was release on licence. Licensing had first been introduced in 1801 (under what became known as the 'Ticket-of-Leave system) by the third Governor of Australia, Philip Gidley King (1758-1808) in an attempt to help transported convicts to reintegrate into society. This system was to be continued in Britain in a somewhat simplified and modified form following the passage of the 1853 Penal Servitude Act (16 & 17 Vict. C.99) and was championed by Lieutenant Colonel Joshua Jebb CB, Surveyor-General of Prisons and Chairman of the Directors of Convict Prisons. He was of the opinion that such a system would be more regulated and reformatory in nature (by means of convicts actively having to modify and maintain their good behaviour in order to gain a licence) than the previous indiscriminate use of pardons to free prisoners after serving about half of their sentences. He believed that the 'true test' of the licensing system would be the number of

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<sup>6</sup> <http://www.mosaicartnow.com/2012/12/opus-criminale-the-mosaics-of-the-victoria-albert-museum/>

licences revoked for infractions of the conditions and the number of licensees re-committed to prison for serious offences.<sup>7</sup>

Convicts were released either to be ‘at large’, or if they were female, they could be released on a conditional licence; in effect this meant continued but somewhat more relaxed enforced confinement in what was known as a Female Refuge, until the Directors of Convict Prisons permitted their release, usually after a period of between six and nine months. The original idea for the creation of such refuges appears to have been at the behest of the then Home Secretary, Viscount Palmerston, Jebb stating as much in the following extract from a letter reproduced in his 1854/5 Report. Jebb noted that Palmerston was ‘of the opinion that it would be very desirable to place women in some intermediate condition between close imprisonment and discharge on licence, and that [...] in which they might, after ending their close imprisonment, be put, under qualified restraint, to occupations of industry, the produce of which would partly pay for their support, while the habits which such occupations would create would tend to put the women in a way to earn their livelihood honestly, after being finally discharged [...]’.<sup>8</sup>

Jebb favoured such a scheme but feared that direct Government involvement would hinder the females’ chances of subsequent gainful employment as the establishment would be ‘so closely identified with the prison, that it would not be calculated for securing the means of employment on discharge [...]’.<sup>9</sup> Jebb’s viewpoint carried the day; although the Government subsequently provided limited funding for such refuges, the majority of the funds and the day-to-day running of the establishments were left to voluntary organisations.

To be eligible for conditional refuge to a licence, female convicts had to have spent a minimum of nine months in each of the various classes of detention (Probation, 3<sup>rd</sup>, 2<sup>nd</sup>, 1<sup>st</sup>), in which their good conduct and amount of work carried out was assessed. They also had to be able to read and write, with certain exceptions as approved by the Director of Convict Prisons – some convicts remained illiterate due to mental health problems or poor sight for

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<sup>7</sup> Jebb, 1854 [1846] *Report on the discipline and management of the convict prisons, and disposal of convicts, 1853*. By Lieut.-Col. Jebb, C.B., surveyor-general of prisons, chairman of the directors, &c: 34.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

example.<sup>10</sup> Once these conditions were met, such females were allowed into the Refuge Class and were allowed to wear a special dress (presumably to immediately identify them to prison staff), and were paid an additional gratuity of 1s 6d per week, and more importantly, were eligible for removal when vacancies became available at a refuge.<sup>11</sup>

Not a great deal has been written about these refuges and their reasons for existing.<sup>12</sup> Zedner notes their use in the 1860s discussing three refuges for women on conditional licence, but then does not discuss the proliferation of charitable provision that sprang up in the 1870s and 1880s.<sup>13</sup> Both Wiener and Barton overlook this type of semi-penal institution; both discuss the Fulham Refuge in the context of ‘post-release’ refuges<sup>14</sup>, however Fulham’s role as a refuge was quite short-lived; it began in May 1856 but from 1869 it reverted to a convict prison.<sup>15</sup> Women stayed in Fulham Refuge until they were ‘judged reformed’ based on the Victorian notion that ‘women needed longer periods of detention than their male counterparts’.<sup>16</sup> Jebb stated that:

Many of the women sent to the refuge have passed through periods of the greatest profligacy and degradation. Many have lived in that uncontrolled licence of tongue and action which is observable among women of the lowest class, who have fallen, and who, being expelled from social life, seek solace in excesses which their latent but suppressed better feelings abhor. To be brought to restrain their tempers, to be quiet and orderly, civil, respectful, and cleanly, is no small progress on the road to better things.<sup>17</sup>

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<sup>10</sup> Kimberley Commission Report, 1878/9: 1141.

<sup>11</sup> Kimberley Commission Report, 1878/9: 1142.

<sup>12</sup> Turner, J., and Johnston, H. (2016) ‘Female prisoners, aftercare and release: Residential provision and support in late nineteenth-century England’, *British Journal of Community Justice*, Vol. 13 (3): 35-50.

<sup>13</sup> Zedner, *Women, Crime and Custody*; Zedner, L. (1995) ‘Wayward Sisters: The Prison for Women’, in D. Rothman and N. Morris (eds.) *The Oxford History of the Prison*. Oxford: Oxford University Press: 329-362.

<sup>14</sup> Wiener, M. J. (1990) *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914*. Cambridge: Cambridge University Press; Barton, A. (2005) *Fragile Moralities and Dangerous Sexualities: Two Centuries of Semi-Penal Institutionalisation for Women*. Aldershot: Ashgate.

<sup>15</sup> Jebb, 1857/8 [2414] *Report on the discipline of the convict prisons, for 1856 and 1857, and operation of the acts 16 & 17 Vict. c. 99. (1853), and 20 & 21 Vict. c. 3. (1857), by which penal servitude has been substituted for transportation*: 54.

<sup>16</sup> Barton, *Fragile*: 41.

<sup>17</sup> Jebb, *1857/8 Report*: 57.

In short, they were expected to conform to the classic Victorian feminine ideal of demureness and obedience.<sup>18</sup>

For all convict women who were conditionally licensed, they served less of their sentence in a convict prison than their male counterparts, but on the other hand, they were subject to further institutionalisation for periods of up to nine months in a refuge, a condition to which men were not subject.<sup>19</sup> If a female convict breached the terms of her conditional licence whilst at a refuge, she could be immediately returned to the prison from which she had been sent. This happened to twenty-three-year-old Bridget Kelly, who was released on conditional licence no. A40310/7279 issued 30 July 1885 and sent to the East End Refuge in Finchley. Six months later, on 19 January 1886 Bridget was returned to Fulham Prison following her refusal to work in the laundry and an altercation with the Lady Superintendent of the refuge due to her ‘insubordinate spirit’.<sup>20</sup> She was finally released on a licence to be ‘at large’ on 2 September 1886, several months later than had she managed to behave more decorously and demurely whilst in the refuge.

The contemporary authorities were very aware of the problems faced by newly released female offenders; the 1864 Report of the Directors of convict prisons stated:

The large increase in the number of reconvictions [of females] arises partly from the rapid discharge of the women under the effect of the comparatively short sentences of recent years, the want of means for assisting and supervising them on discharge [...] These women, however good their intentions, have in many cases little option but to resort to their old haunts and associates. Their disposal, after discharge from prison, must be attended with many difficulties, which we hope gradually in some measure to be able to overcome.<sup>21</sup>

Moreover, whilst the Victorians believed that female offenders required more than punishment; that they needed a process of moral rehabilitation before they were fully

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<sup>18</sup> Zedner, *Women, Crime and Custody*; D'Cruze and Jackson, *Women, Crime and Justice*.

<sup>19</sup> Johnston and Godfrey, *The Costs of Imprisonment*.

<sup>20</sup> National Archives, London, PCOM 4/68/15.

<sup>21</sup> Report of the Directors of convict prisons, 1864 [3388] *Report of the directors of convict prisons on the discipline and management of Pentonville, Millbank, and Parkhurst Prisons, and of Portland, Portsmouth, Dartmoor, Chatham, and Brixton Prisons, with Fulham Refuge and the invalid prison at Woking. Also of the criminal lunatic asylum at Broadmoor, for the year 1863*: 7.

reformed,<sup>22</sup> they also recognised that one of the difficulties facing female ex-convicts was that, unlike their male counterparts who could often find employment in labouring trades, the main occupation for working class women was domestic service. Quite apart from the limitations on the ability of the prison to reform, attitudes towards criminal women were a major stumbling block for females seeking to start life anew; few middle-class homes or organisations would consider employing a woman straight from prison).

This problem is exemplified in the case of Mary Ann Dougherty, a thirty-nine-year-old convict who had been sentenced to seven years' penal servitude for stealing money in 1866. After a troubled period in prison, where she committed over a dozen disciplinary offences, and was once restrained in a straitjacket, she was released on condition licence in July 1870 to the Eagle House Roman Catholic Refuge and was subsequently released to be 'at large'. However, in May 1871 she was found guilty of being a 'rogue and vagabond' at Wakefield, and sentenced to three months' imprisonment and the revocation of her licence. Mary shortly afterwards petitioned for the renewal of her licence, stating that she had reported regularly and that she had lost her gainful employment at the Leeds Infirmary due to a letter being sent stating that she was a 'returned' (i.e. licensed) convict. Mary made it clear in her correspondence that she believed that the letter was sent maliciously by the Lady Superintendent of the Eagle House Refuge (but the Lady Superintendent may of course just have been responding to a putative inquiry from the Infirmary).

There was also often the additional complication that many of the female offenders were also often mothers, with some giving birth to their offspring whilst in detention and others being responsible for babes-in-arms, thereby precluding their employment in domestic service (as female employees had to be both unmarried and childless). By the time the convict system in England was fully developed there remained no provision for babies in the female convict prisons, instead female convicts would stay in the local prison to which they had been committed until the child was born and for a period during which the mother was feeding the child. When this period ended the female convict would be removed to one of the convict prisons and the child would be sent to family or to the workhouse. An associated major problem also arose with what to do with the children of parents who were both serving terms of penal servitude. In 1874, Sir Walter Crofton (former director of Irish prisons) and his wife

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<sup>22</sup> Zedner, *Women, Crime and Custody*; Wiener, *Reconstructing*; Barton, *Fragile*.



created a children's home for such unfortunate individuals within the Battery House Refuge at Winchester. Each child was estimated to cost £12 per year to home and a series of notices appealing for benefactors appeared in the local press, by which mean costs were hoped to be met.

A similar establishment had been created independently a few years earlier by Mrs Susanna Meredith and Miss Caroline Cavendish in 1870 at Chertsey, Surrey. The Farm House Home for Little Girls was originally designed to provide a home for the very young children of females undergoing penal servitude. Entirely supported by voluntary contributions, it was stated in the *Surrey Advertiser*, that 'accommodation is provided for sixteen little girls under six years old, in a homely manner, with religious training, and other instruction suitable to *very little ones*' [original italicisation].<sup>23</sup> By 1871 demand outstripped the capacity of the original site and a new site was opened at Addlestone, Surrey, to include a certified Industrial School for young children, housing some 200 children.<sup>24</sup>

Refuges, which trained their inmates in domestic service and laundry work, provided a less intimidating image to prospective employers, to visiting 'ladies' and to the women themselves, with the head of the refuge (known as the Lady Superintendant) often making efforts to reintegrate their charges back into mainstream 'polite' society.

These beliefs led, from the mid-nineteenth century onwards, to innumerable bodies establishing refuges and shelters catering almost exclusively for women under the umbrella organisation of the Discharged Prisoners' Aid Society (hereafter DPAS), described by one contemporary observer as 'The valuable society which seeks to benefit and morally to reclaim this vicious multitude by inculcating Christian principles'.<sup>25</sup> For example, the Nine Elms House Laundry was founded in the 1860s by the indefatigable aforementioned Mrs Meredith, in order to provide a home and paid work for females upon release from convict prison. In 1881 it was stated that:

The "Nine Elms Laundry Van" is well known to be the messenger of the Prison Mission, going its rounds from place to place daily, carrying to and fro the clothes of

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<sup>23</sup> *Surrey Advertiser*, 23 July 1870.

<sup>24</sup> *Morning Post*, 13 July 1871.

<sup>25</sup> Pike, G. Holden (1872) *The Romance of the Streets*. London: Hodder & Stoughton: 270.

the sick and needy, the washing of which provides employment for women discharged from prison.<sup>26</sup>

Such organisations were designed first and foremost to endow their inhabitants with a due sense of their guilt, often leavened with a good dose of Christian penitence:

The interior of the house is rather dreary and uninviting. There is no trace of luxury in the appointments. On the left-hand of the entrance-hall is an uncarpeted room, in which several wooden chairs are placed in rows, giving to it the look of a school-house in a poor neighbourhood. Here instruction, chiefly of an elementary-religious kind, is imparted to adult women, by ladies who eschew preaching or lecturing, and confine themselves to imparting religious truths to those of their sex who are not only degraded in character and appearance, but are morally no better than heathens. On the right is the office. This is the apartment of Miss Lloyd, the zealous and indefatigable Lady Superintendent. It contains two small writing tables, a few wooden chairs, and cupboards filled with printed forms, tracts, tickets-of-leave, and prison photographs of female convicts, these photographs being affixed to documents like passports, and containing particulars of the names, ages, personal traits of the faces represented on the margins. Appropriate texts of Scripture, written in large letters on strips of paper, are pasted on the walls of these two rooms.<sup>27</sup>

Such establishments also insisted that their inhabitants followed strict rules and regulations:

#### Nine Elms Laundry Rules

The inmates of this house are women who have undergone penal servitude, and on discharge from convict prisons are received here to earn a character. Inmates must do all the work required of them in order to earn their food. No intoxicating drink allowed. Inmates can have no money in their possession. Purchases can be made to the extent of each woman's allowance, at the discretion of the Superintendent. Inmates are only to go

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<sup>26</sup> Meredith, Mrs (1881) *A Book about Criminals*. James Nesbit: London: 174.

<sup>27</sup> Pike, *Romance*: 270.

out and come in by leave of the Superintendent. Any women coming in intoxicated, or refusing to obey the rules, will be summarily dismissed.<sup>28</sup>

Although the DPAS catered for men as well as women, it was predominantly for women that such refuges were established. These refuges catered for ex-prisoners from local as well as convict prisons. It was this proliferation of refuges that led to the government instituting state-run refuges: the Carlisle Memorial Refuge for Protestant women (in Winchester), the Westminster Memorial Refuge (in Streatham), and the East End House Refuge for Catholic women (in Finchley) - which catered exclusively for women released from penal servitude sentences and a state-run scheme whereby those women 'whose conduct and character' justified 'the hope of complete amendment' were released on conditional licence – the condition being 'that they entered a refuge'.<sup>29</sup>

These refuges were run on voluntary contributions as well as profits from the labour undertaken by the women but they were also funded by the state who paid ten shillings per week for the upkeep of the women sent there. It is noticeable that there was a strict religious segregation in operation at such establishments. This was a continuation of the religious segregation within convict prison walls (which often caused a great many problems for both convicts and the authorities. The convict rumour mill often talked of unfair advantages being given to Protestant women; Annie Price aka Lane (licence holder no. A2291/7530) was typical in stating to the prison authorities that she was Protestant on entry to the convict system, only to later petition to change her recorded religion to that of Roman Catholicism. She stated that 'other prisoners told me that the Protestants had more privileges than the Roman Catholics did. I now regret having told a falsehood'.<sup>30</sup> Further investigation on behalf of the authorities included writing to her family and the Governor of Millbank prison received the following reply from her father (spelling is original): 'Sir, Anne Lane is a roman catholic by profession and a native of the sitty of Cork'. The letter went on to address Annie directly: 'Dear Anne we are all in good helth and i hope you enjoy the same and i hope you will come home when you are free. i remain yours James Maker, Roman Catholic, Bradford'. These sentiments are unlikely to have reached Annie's ears.

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<sup>28</sup> Ibid.

<sup>29</sup> E. F. Du Cane, 1885 cited in Zedner, *Women, Crime and Custody*: 214.

<sup>30</sup> National Archives, London, PCOM 4/70/2.

Many women were sent to refuges several months before the end of their sentence of penal servitude. The assumption that only women who wanted to be or were deemed ‘reformable’ were sent to the refuges, and not the ‘hardened criminals’, is also questionable. Women who had been imprisoned for serious offences, recidivist women including those on repeated sentences of penal servitude, and mature, married ex-convicts were granted conditional licences and were admitted to one of the refuges. That said, they were only permitted the opportunity to enter a refuge from a convict prison once and although women would request to be sent to refuges during subsequent sentences they were not normally permitted to do so (only 2 women in our study were permitted to return to the refuge for a second time).

### Efficacy of such refuges

It is extremely difficult to ascertain the success or failure rate of such refuges. Snapshots of official statistics clearly only tell part of the picture; for example the 1878/9 Kimberley Report contains the following figures (**Figure 1** below) for release of females into refuges and their subsequent reconvictions to penal servitude on the two years ending 31 December 1875, which ostensibly suggest that such refuges played an important role in reducing recidivism:

Number discharged from prison	Number who went to Refuges and have been since reconvicted		Number who did not go to Refuges and have been since reconvicted	
	To Refuges	Since Reconvicted	Did not go to Refuges	Since Reconvicted
439	340	22	99	14

**Figure 1: Number of females discharged from prison, sent to refuges and reconviction rates, 1873-75.<sup>31</sup>**

No comment is passed on these figures in the report, and there are clearly problems with accepting them at face value; for example, the reconviction figures only refer to those females recognised as reoffenders by the prison authorities – some females who were released from the refuge and subsequently reoffended may not have been recognised as previous inmates (they could for example have changed their names and appearance, and the

<sup>31</sup> Kimberley Commission Report, 1878/9: 1154.

efficacy of the introduction of photographic identification of offenders remained limited. The figures also only refer to those offenders who were unlucky enough to get caught. Furthermore, the period under review was only two years – offenders released from the refuges could have reoffended after this period but not be recorded in the figures.

Bearing all these caveats in mind, the raw statistics do however suggest that the rate of known reconviction amongst those females who spent time in refuges was low (under 6.5%), under half that of those who did not spend time in a refuge (14.1%). This would on the face of it, suggest that refuges were at least partially successful in the rehabilitation of female convicts.

Further evidence can be garnered from the same report; Appendix A15<sup>32</sup> details the numbers of males and females released on licence from 1855 to 1876 and also gives the numbers of subsequent revocations of licences; the abstracted figures are detailed below in **Figure 2**:

Year	Number licensed		Revocation of licence		Percentage of revocations	
	Male	Female	Male	Female	Male	Female
1855	2260	107	107	0	4.7	0
1856	1770	190	215	8	12.1	4.2
1857	350	60	215	26	61.4	43.3
1858	300	12	133	8	44.3	66.7
1859	228	20	58	6	25.4	30.0
1860	703	167	28	5	4.0	3.0
1861	1536	275	26	3	1.7	1.1
1862	1709	382	42	14	2.5	3.7
1863	1587	316	83	15	5.2	4.7
1864	1913	397	65	25	3.4	6.3
1865	2030	402	134	28	6.6	7.0

<sup>32</sup> Kimberley Commission Report, 1878/9: 1151.

1866	1598	283	163	29	10.2	10.2
1867	1089	101	120	40	11.0	39.6
1868	875	132	88	33	10.1	25.0
1869	692	219	91	20	13.2	9.1
1870	990	242	65	35	6.6	14.5
1871	1258	245	83	37	6.6	15.1
1872	1294	251	105	38	8.1	15.1
1873	1382	308	103	36	7.5	11.7
1874	1356	217	95	40	7.0	18.4
1875	1377	213	118	32	8.6	15.0
1876	1341	268	90	33	6.7	12.3
Totals	27638	4807	2227	511	12.1	16.2

**Figure 2 Number of male and female convicts released on licence and numbers of revoked licences**

**Figure 2** would at first glance appear to suggest that the use of refuges for the rehabilitation of female offenders was not successful in the rehabilitation of female convicts; for most of the years under study the percentage of female licence revocations was higher than that of males, with an average over the 22-year period of 1 in 6 females having their licences revoked, compared to an average of 1 in 8 males.

However, these figures do not tell the whole story; it has to be borne in mind that although they indicate that the percentage of females whose licences were revoked was higher than males, the presence of female refuges may have prevented the percentages being even higher. The level of recidivism in general amongst female offenders remained higher than that of male offenders for much of the period under discussion, often due to the difficulties faced by female offenders in reintegrating into financially productive society.

## CONCLUSION

The presence of institutions such as the various female refuges, created from the mid-1850s onward may have had a mitigating effect on the number of revocations of licences and overall reconviction rates, but it is clear that despite their best efforts, many female ex-convicts throughout the mid-late-Victorian period continued to experience almost insurmountable obstacles in their efforts to regain their place in 'respectable' society.

Whilst numbers of female offenders always remained small in comparison to their male counterparts, the problem of how to rehabilitate such women exercised the authorities throughout the period under discussion. Females offenders suffered from the additional stigmatisation of being perceived as offending against their gender as well as society; they were seen as having let down their husbands and children as well as themselves, and were therefore in need of more rehabilitation in order to regain the respect of society.

Much more work is required in order to comprehensively assess the role of female refuges in the wider context of the Victorian penal system, but it is hoped that this paper has gone at least some way to bring to light the numerous problems that female offenders faced following their controlled release from convict prisons, and the ways in which the authorities, to varying degrees of success, attempted to mitigate these obstacles.

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