

A 'Uniformity of Fiddlesticks'?
Application of National Penal Policy in
Chelmsford, Essex, 1820-1865.

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ABSTRACT

The county of Essex saw a dramatic rise in crime in the early nineteenth century, with the increase in convictions vastly outstripping population growth and prompting the building of a new gaol in Chelmsford. Meanwhile, spurred on by reformers and theorists, central government was seeking to establish improved facilities and uniform policy to deliver its penal aims. This study explores whether, and how, the realities in Chelmsford reflected national directives, particularly regarding the deterrence and reformation of prisoners.

The very design of the new gaol, which opened in 1825, demonstrated the desire of local magistrates to instil a regime based on surveillance and control. Hard labour and diet were used to enforce discipline, whilst the prison chaplain oversaw the delivery of education and religious instruction to improve the skills and moral outlook of inmates. Alongside this, the experience of the women incarcerated in Chelmsford was significantly affected by stereotyped views, based on societal attitudes towards morality and femininity.

In tracing local practice, this study challenges the historiography of national penal policy. It concludes that whilst Chelmsford largely followed a national agenda, significant variation occurred at the local level. Moreover, it reveals the intentions, frustrations and limitations of penal authorities and explores the harsh realities for the prison population, which, largely unheard, was at the receiving end of fluctuating and variable penal regimes.

CONTENTS

	Page
1. Introduction	1
2. The Prison and its Inmates	7
3. Making an Impression – Penal Policy in Practice	26
4. Madonnas and Whores? – Women in Prison	44
5. Conclusion	61
Appendices	65
Bibliography	76

Some material from the first year of the Master's End of Module Assessment Part 2 (A825) has been used and referenced in Chapter Four. No part of this dissertation has previously been submitted for a degree or other qualification of any other university or institution.

I confirm that this dissertation is entirely my own work.

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In loving memory of M.E.R.

1. INTRODUCTION

In the face of rising crime and a disparate network of penal institutions, most of which had been severely criticised by prison reformers for being corrupt, unhealthy, and ineffective, early nineteenth century British legislators sought to establish uniform nationwide penal policies. The reality, particularly in local prisons, was often far removed from the ideals of both politicians and reformers. In this context, magistrates in the Essex county town of Chelmsford sought to supplant the old Borough Gaol and House of Correction at Moulsham with a new model prison in Springfield. Covering the period from the inception of the new prison to the 1865 Prisons Act, which legislated for greater uniformity across penal institutions, this dissertation responds to Johnston's call for further local prison studies.¹ It will analyse the local response to delivering the competing aims of deterring and reforming criminals and will examine how prevailing stereotypical views of femininity impacted the experience of women. Comparisons will be drawn with other local institutions in examining to what extent penal practice in Chelmsford adhered to a changing national agenda.

This dissertation addresses a number of important themes. Crime and penal policy are considered throughout, with Chapter Two exploring the penal aims

¹ Helen Johnston, 'Discovering the Local Prison : Shrewsbury Gaol in the Nineteenth Century', *The Local Historian Volume*, 35.4 (2005), 230-242 (p.241).

of those who designed the new prison, alongside the profile and crimes of the incarcerated, in which poverty played a significant role. Penal philosophies are further explored in Chapter Three which examines how Chelmsford magistrates applied national policy as it shifted from the deterrence of prisoners to their reformation. The theme of religion is introduced by exploring both the role of prison chaplains in Chapter Three and also the work of the evangelical reformers featured in Chapter Four. Finally, the theme of family is referenced in Chapter Four, which explores how the prevailing notions of idealised femininity impacted the way female criminals were perceived and treated.

Primary sources were accessed from both local and national records in which prison inspectors' reports were a vital component. Brown has described these as being 'one of the most comprehensive and revealing historical sources for analysis of nineteenth-century prisons' and, whilst they contain a plethora of statistical and narrative information, they must be treated with a degree of caution.² Consideration has to be given to the fact that inspectors were strongly advocating specific penal approaches, and their reports therefore contain evidence selected to support their arguments. This was mitigated for this study by extensive research of the Quarter Sessions bundles containing reports by visiting justices, chaplains, surgeons, and the governor.³ However, it must be noted that these sources are again selective and could not be compared with the original unedited journals which legislation required prison

² Alyson Brown, *English Society and the Prison. Time, Culture and Politics in the Development of the Modern Prison 1850-1920* (Suffolk: The Boydell Press, 2003), p.64.

³ Essex Record Office (ERO), Q/SBb.

officials to complete, as they no longer exist. Minute books for the visiting justices were also studied, with newspaper reports being consulted for the period 1847 to 1854 for which the minute book no longer exists.⁴

Further challenges were experienced in relation to numerical sources from which raw data was collated. Following statistical analysis, findings were drawn which informed arguments, particularly in relation to Chapter Two. Data was extracted from government documents, including the tables produced by the Home Office from prison returns, in which the categories of information collected changed over time. This sometimes rendered it difficult to trace trends of continuity and change, resulting in some extrapolation of arguments from limited sets of data. An example of this related to numerating the female prison population in Chapter Four, where averages across the period had to be made from a range of differing statistical sources. The paucity of local records in relation to women was a further challenge, particularly in seeking to portray the individual prisoners' voices which are largely only heard through the accounts of prison administrators.

Secondary sources ranged from general prison histories to specific local studies, alongside writing on specialist areas. General prison histories have followed contrasting approaches. The traditional, or 'Whig', approach is epitomised by the Webbs who present largely positive arguments for a linear series of developments, significantly prompted by the centralist drive of

⁴ ERO, Q/ACM.

government.⁵ However, McConville criticises the Webbs' reform-driven agenda, arguing that they overlooked vital aspects which influenced the development of penal policy, including the emergence of religious and wider political ideas, and the staffing which delivered them.⁶ So-called 'revisionist' historians, such as Foucault, Ignatieff and Wiener, challenge the notion of continuous, humanitarian-inspired and reform-driven Victorian penal advances, presenting the evolution of penal policy as having been driven more by class and the elites' self-interested desire for social control.⁷ Arguably this was a factor in Chelmsford, where penal provision was overseen by the magistrates who were drawn from the landowning and upper classes. As shall be seen in Chapter Two, this strongly contrasts with the profile of prisoners who were substantially from the rural poor labouring and working classes.

Specific local prison studies often challenge the centralised interpretations presented in general prison histories. Whilst they approach the topic from a variety of standpoints, for example Brown's focus on prison disturbances in Hull and DeLacy's study of the work of Rev. John Clay, the chaplain of Preston prison, they present a plethora of local approaches.⁸ These were compared with the Chelmsford experience to demonstrate the breadth of

⁵ Sidney Webb and Beatrice Webb, *English Prisons under Local Government* (London: Frank Cass & Co Ltd, 1922).

⁶ Seán McConville, *A History of English Prison Administration Volume One: 1750-1877* (Routledge & Kegan Paul, 1981).

⁷ M. Foucault, *Discipline and Punish: The Birth of the Prison*, trans. by Alan Sheridan (Harmondsworth: Penguin, 1977); M. Ignatieff, *A Just Measure of Pain. The Penitentiary in the Industrial Revolution, 1750-1850* (London: MacMillan, 1978); Martin Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England 1830-1914* (Cambridge: University Press, 1990).

⁸ Brown; Margaret DeLacy, *Prison Reform in Lancashire, 1700-1850 - A Study in Prison Administration* (Manchester: University Press, 1986).

penal theory in practice. Such realities are also reflected in specialist writing, focussing on the history of women in prison, amongst which the work of Zedner, Menis and Dobash et al highlights the discrepancies between those in the centre who made policy, and the practice on the ground, particularly in local prisons.⁹ A caveat, however, is that much of this work is devoted to all-female penitentiaries, against which direct comparisons with the locally run mixed prisons at Chelmsford are not always entirely relevant. Finally, specialist works were consulted in informing discussion of the role of the prison chaplain and the delivery of educative programmes.¹⁰ Whilst these provided invaluable wider contexts, direct comparisons with the realities at Chelmsford were sometimes hindered by limited primary material.

Zedner points to the lack of uniformity between local prisons, in which the 'regime, size, and standards of accommodation varied enormously according to local conditions, the attitudes of local magistracy, and the number and nature of inmates'.¹¹ This study will support that argument, demonstrating that practice in Chelmsford was largely based on local interpretations of how to apply national policy. This was driven by often fiercely independently minded magistrates, working closely with prison authorities, and it reflected the particular make-up of the Chelmsford prison population. Crucially, uniformity of

⁹ Lucia Zedner, *Women, Crime, and Custody in Victorian England* (Oxford: University Press, 1994); Susanna Menis, *A History of Women's Prisons in England: The Myth of Prisoner Reformation* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2020); Russell P. Dobash, R. Emerson Dobash, and Sue Gutteridge, *The Imprisonment of Women* (Oxford: Basil Blackwell Ltd, 1986).

¹⁰ David Scott, 'Priests, Prophets and Pastors: The Historical Role of the Prison Chaplain', *Justice Reflections*, 31 (2013); Rosalind Crone, *Illiterate Inmates: Educating Criminals in Nineteenth-Century England* (Oxford: University Press, 2022).

¹¹ Zedner, *Women, Crime, and Custody*, p.131.

practice was instigated from the centre. Local opposition to this is eloquently described in the *Essex Standard* editorial which declared 'uniformity of practice is now the fashionable cry of the day – uniformity of fiddlesticks! Absolute uniformity cannot be effected [sic] in the administration of a system which has for its object the reform of crime'.¹² Therein lay the fundamental challenge with which Chelmsford magistrates would grapple for much of the nineteenth century.

¹² *Essex Standard*, 7 January 1842, p.2.

2. THE PRISON AND ITS INMATES

This chapter will examine the context in which the prison regime operated in Chelmsford, drawing comparisons with other local prisons. It will firstly explore the motivations behind the building of Springfield prison and will question how the initial design reflected the founding aspirations for, and implementation of, the prison regime. Secondly, it will consider inmates' demographics, the nature of crimes committed, and the sentences being served, all of which had a bearing on how the regime was to be applied in the new prison. These impacted overcrowding in the prison, which in turn affected discipline and enforcement through punishment. Lastly, levels of education and occupation are considered as these provide the context for the later reformative aims of prison authorities. It is argued that the prison was designed to exert control and surveillance, with a harsh physical regime aimed at deterring a prison population which was largely male, poor, and poorly educated.

Prison Design

Springfield prison was commissioned in response to a perceived need to provide more effective penal provision. When 'reactionary reformer' Charles C. Western, Whig MP for Essex, reported in 1821 on the subject of prison discipline, he concluded that the existing Gaol and House of Correction at Moulsham were 'wholly inadequate to our necessities, as well in regard to

space and capacity, as construction and design'.¹ He identified problems with severe overcrowding, as a result of the number of committals in the county having more than trebled in the ten years to 1819. When compared with a population rise in the county of just 16% between 1811 and 1821, the scale of the problem is clear.² Western acknowledged improvements which had taken place through a systematic classification of prisoners, aimed at keeping different genders, ages and classes of felons, those awaiting trial, and debtors, apart from each other. Furthermore, he indicated that there had been success in finding 'means of labour and work' for prisoners. But he decried the lack of separate sleeping cells which he deemed were 'absolutely indispensable to any good system of correctional prison discipline, or *proper* treatment of prisoners before trial'. Describing idleness as 'the never-failing companion and source of crime', Western called for a prison regime which prompted dread amongst criminals by consistently applying 'hard labour, hard fare, hard lodging, seclusion from society, friends and fellow prisoners, and solitary confinement under due regulations'. This vision chimed with the widely known views of prison reformer John Howard who called for institutions to be rid of past abuses by being run efficiently, and to ensure the physical and moral wellbeing of the inmates. It was in this context that the magistrates of the Essex Quarter Sessions set about considering plans for a new Convict Goal, at Springfield in Chelmsford.

¹ Russell P. Dobash, R. Emerson Dobash, and Sue Gutteridge, *The Imprisonment of Women* (Oxford: Basil Blackwell, 1986), p.37; C.C. Western, *Remarks upon Prison Discipline, &c. &c. in a Letter Addressed to the Lord Lieutenant and Magistrates of the County of Essex*. Printed by C.H. Reynell for James Ridgway, 1821, pp.91-116.

² William Page and J. Horace Round, eds, *The Victoria History of the County of Essex, Volume Two* (London: Archibald Constable and Company Limited, 1907), p.344.

The prison was commissioned in 1821, during a period when national debates were raging about the need for a uniform prison system. These led in 1823 to Robert Peel's Gaol Act, which sought to impose enhanced discipline, appointment of surgeons and chaplains, instruction of prisoners and inspection by magistrates.³ McGowen argues that the Act was a compromise in that it left significant jurisdiction in the hands of the magistrates and failed to force the closure of smaller, unreformed prisons.⁴ As will be seen, the Essex magistrates exerted continued influence on the design, management and day to day operation of Springfield prison. The local Act, which enabled its commission by authorising the raising of funds through rates to a maximum of forty thousand pounds, stipulated that Justices at the Quarter Sessions would nominate at least two of their members to 'visit and superintend' the new prison.⁵ They were given authority to sanction repairs 'as may be necessary and sufficient for the safe Custody of ... Prisoners' and to commit prisoners from across the boroughs, towns and other jurisdictions of the county of Essex to the Gaol. Building to supersede the old prison facilities began in 1822 with the first prisoners being moved to the new Convict Gaol in October 1825, although Moulsham continued to house women and debtors until 1848 when it was finally closed. Thus, it can be seen that McGowen's conclusions regarding the Gaol Act are borne out by the experience in Chelmsford, where magistrates took decisions which set the direction and implementation of the regime.

³ *Gaol Act, 1823*, (4 Geo 4) Cap. LXIV, paragraph.1.

⁴ Randall McGowen, 'The Well-Ordered Prison: England, 1780-1865', in *The Oxford History of the Prison*, eds David J. Rothman and Norval Morris (Oxford: University Press, 1995), pp. 79–109 (p.98).

⁵ ERO, D/DM F28/5 *Act for building an additional Gaol for the County of Essex, 1821*, (1 & 2 Geo 4) Cap. CII, pp.3195-3197

Minutes of the Committee of the Quarter Sessions, which oversaw the design and building of the prison at Springfield, chart a lengthy and detailed debate revealing the practical and philosophical aspirations behind the new prison. Such involved deliberations also demonstrate the increasing sense of responsibility among magistrates in relation to penal practice.⁶ Essex magistrates rejected plans initially presented by the county surveyor in favour of those put forward by Committee member Christopher Thomas Tower, who had sought the input of the Quaker-led Society for the Improvement of Prison Discipline (SIPD).⁷ The Society sought to build on the work of John Howard by focussing on the 'moral evils of imprisonment' and had as its object the establishment of a nationwide approach to imprisonment which 'shall combine the reformation with the punishment of the offender'.⁸ In 1821 they applauded the Prison Bill as recognising the importance of 'prison regulation, classification, inspection, hard labour, and religious moral instruction'. The Essex magistrates concurred with this approach and required the county surveyor to revise his plans in accordance with those of the Society, which they felt provided 'greater advantages of inspection' of prisoners.⁹ The initial plans had been for a prison to hold ninety-six inmates, with estimated costs in the region of £51,250, whereas the revised plans, to house sixty-six prisoners, came in at a cost of £23,500. Whilst economics were a major factor, significant

⁶ McGowen, p.90.

⁷ ERO, Q/ACp 2, *Reports of Committees as to Gaols (including additional Gaol) and Houses of Correction*, 1819-28, (hereafter *RoCG*) Michaelmas 1819, p.11.

⁸ *Third Report of the Committee for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, 1821*, Printed by T. Bensley, Crane-court, Fleet Street, p.39.

⁹ ERO, Q/ACp 2, *RoCG*, Epiphany 1821, p.17.

in the magistrates' deliberations was the desire for a prison plan which enabled discipline and improved morality, and which pointed to a regime based on surveillance.

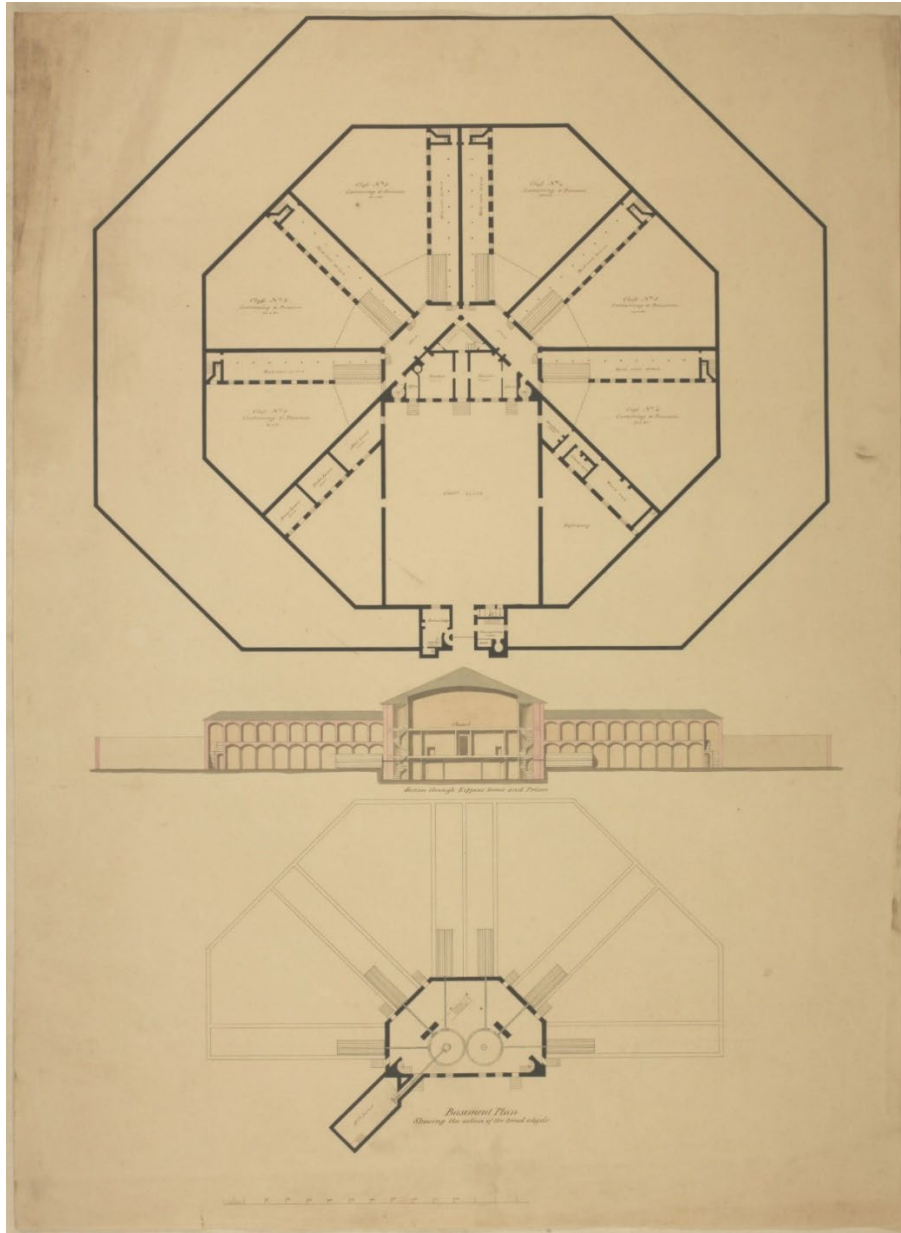
Like Hull prison, which was opened in 1829, Springfield was designed on a radial system which Brown states was part of a nation-wide prison building programme.¹⁰ Inspired by the philosophy of Jeremy Bentham and his Panopticon, such a radial design was aimed at exerting constant surveillance of the prisoners, whilst preventing individuals from coming into contact with one another.¹¹ Foucault asserts that individual cells were designed to be 'perfectly individualised and constantly visible' in order to maximise the functioning of the authorities' power which Bentham held should be 'visible and unverifiable'.¹² McGowen points to the influence of William Blackburn, Howard's favoured architect, whose use of symmetry and geometry was intended to promote health, order and self-regulation amongst the prisoners, whilst allowing for increased inspection by an enhanced prison regime.¹³ The approaches of both Bentham and Blackburn were clearly demonstrated in the Springfield design.

¹⁰ Alyson Brown, *English Society and the Prison. Time, Culture and Politics in The Development of the Modern Prison 1850-1920* (Suffolk: The Boydell Press, 2003), p.64.

¹¹ M. Foucault, *Discipline and Punish: The Birth of the Prison*, trans. by Alan Sheridan (Harmondsworth: Penguin, 1977), pp.195–228.

¹² Foucault, p.201.

¹³ McGowen, p.91.



Plan for new prison at Springfield, Chelmsford. ¹⁴

This undated basement plan shows the action of the treadwheels and the radial plan of the cell wings. Although designs were subsequently adapted, for which no final plans exist, this image reflects the overall layout of the prison.

The prison was formed of seven three-storied radial wings, each divided into two Wards containing day rooms and cells. Single cells were eight feet by six and a half feet, and nine feet high, with fourteen larger cells having a ground

¹⁴ ERO, Q/AGb 1/6, *Plan for new prison at Springfield, Chelmsford*, n.d.

measurement of fourteen by eight feet. These cells were therefore considerably larger than those in other local prisons such as Bedford, where prisoners were housed in accommodation measuring just over six feet long and three feet and nine inches wide, with height varying between seven feet ten inches and ten feet four inches.¹⁵ The buildings were divided from each other by airing yards which enabled separation of different classes of prisoner. Like many other prisons built at this time, including Exeter and Hull, Springfield relied on the treadwheel (also referred to as the treadmill) as a means of applying hard labour, and the eight machines were connected to a mill for grinding corn for the use of the prisoners and, as will be seen in Chapter Four, to generate funds towards the running of the prison. Forsythe asserts that the installation of a treadwheel at Exeter demonstrates the intention of the authorities there to impose a regime based on hard labour through use of a device which had both retributory and reformatory aims.¹⁶ Fifty-four prisons nationally had adopted the mechanism by 1824.¹⁷ The decision of Chelmsford magistrates therefore indicates that they were willing to be part of a national trend and, moreover, reveals the type of regime they intended to impose. The governor's house, octagonal in shape, was placed in the centre of the radii of cells, along with the chapel which was designed to ensure prisoners would not be able to see each other.¹⁸ Foucault asserts that central to the Benthamite principles of the Panopticon design was a prohibition of

¹⁵ Eric Stockdale, *Bedford Prison 1660-1877*, Bedfordshire Historical Record Society (Chichester, Sussex: Phillimore & Co. Ltd, 1977), p.118.

¹⁶ W.J. Forsythe, *A System of Discipline, Exeter Borough Prison, 1819-1863* (Exeter: University of Exeter, 1983), p.27.

¹⁷ McGowen, p.97.

¹⁸ J.G. Torry, *Chelmsford Prison* (Ipswich: East Anglia Magazine Ltd, 1980), p.15.

communication between prisoners, with contact only being allowed upwards, with officials.¹⁹ This was certainly the approach adopted in Springfield, where in 1824 the Essex magistrates ensured that construction of the enclosures of the prison yards enforced such hierarchical communication. They ignored the advice proffered by the SIPD to increase ventilation through use of iron railings instead choosing to block prisoners' vision by using bricks.²⁰ The magistrates visited the site as part of their deliberations and concluded that the space in the yards was sufficient to promote good health. They determined that 'the entire seclusion' of prisoners from each other, so as to prevent 'any intercourse whatever' and to stop classes of prisoners mixing and having any interaction other than with officials, was 'an object of essential importance to the discipline of every prison'. Economic factors may have played a part, but there is no mention in the records of choosing brick over iron for financial reasons; the aim of a restrictive regime therefore appears to have been the motivating factor. McGowen asserts that the SIPD helped advance the cause of greater centralisation of English prisons.²¹ However, whilst they adopted the Society's recommendations for the treadmill and a prison layout which enabled greater surveillance, Chelmsford magistrates' willingness to push back against some of the SIPD's design preferences demonstrates the justices' desire to retain influence at the local level.

¹⁹ Foucault, p.238.

²⁰ ERO, Q/ACp 2, RoCG, 16 November 1821, p.53

²¹ McGowen, pp.96–97.

The founding motivations and aspirations of the magistrates directly influenced the decisions they took in designing a building which would facilitate their vision for the penal regime they sought to impose. As such, they created an institution which would enable what Foucault described as the 'gentle efficiency of total surveillance', enforcing a regime of hard labour through the treadmill.²² Systematic control, including over communications, was to be imposed on inmates and the whole regime was to be subject to close and constant inspection. Alongside the design of the building they had commissioned, the magistrates had to exercise their penal regime in the context of those upon whom it was being imposed. Johnston asserts that 'the regime was constructed' around the profile of the majority of prisoners.²³ The rest of this chapter will explore the demographic and social backgrounds of the prisoners, the nature of the crimes for which they had been committed and the impact this had on sentences, prison overcrowding and discipline, all of which influenced the regime at Springfield.

Prisoner Demographics – Gender and Age

The records of prisoner data which exist are incomplete, with available statistics often being recorded under headings which differ across time, making a complete survey of the period of this study not possible. However,

²² Foucault, p.248.

²³ Helen Johnston, 'Discovering the Local Prison : Shrewsbury Gaol in the Nineteenth Century', *The Local Historian*, 35.4 (2005), 230-242 (p.237).

an overall assessment can be made of the gender profile of prisoners in Chelmsford by comparing sets of data from a variety of sources.²⁴ Whilst not being complete, these figures provide an average female prison population of 9% across the majority of the period of this study. Johnson concludes that the female prison population at Shrewsbury varied between 13% and 17% across the period 1836 to 1877.²⁵ A direct comparison between prisons cannot be made given the difference in data sets, but in both cases it can be seen that women made up a significant minority of the prison population. The age profile of inmates in Shrewsbury, where the majority were between fifteen and forty, is replicated in Springfield, with three quarters of those imprisoned in 1859-1865 being between the ages of sixteen and forty.²⁶ Johnston argues that those who did not conform to the average prisoner profile 'presented particular problems' for prison managers. Chapter Four will assess this, exploring the approach of prison authorities in dealing with a minority female population, particularly in the context of societal attitudes towards women, and women criminals in particular.

Discipline, Punishments and Overcrowding

Foucault asserts that a key aspect of the Panopticon approach was that through surveillance, discipline would be upheld because 'invisibility is a guarantee of order'.²⁷ Crucial to the effective implementation of the Chelmsford

²⁴ See Appendix C.

²⁵ Johnston, p.240.

²⁶ See Appendix B.

²⁷ Foucault, p.200.

magistrates' desired penal regime was the maintenance of discipline within the prison. DeLacy has asserted that punishment figures can be an indicator of tensions within individual prisons, and she argues that such statistics can offer a 'direct and objective measure of discipline'.²⁸ Furthermore, whilst advising that care be exercised in drawing close correlations between statistics and operational context, Brown concludes that overcrowding was a factor which influenced punishment figures.²⁹ As was the case across Lancashire prisons, overcrowding was an issue in Springfield.³⁰ Between 1828 and 1847 the prison population was within the capacity provided for by individual cells in only six years.³¹ Indeed, overcrowding in 1847 is likely the reason why the move of women from Moulsham to Springfield was delayed, with forty-two cells in the 'new women's prison' being used to house men, presumably out of necessity.³²

²⁸ Margaret DeLacy, 'Grinding Men Good? Lancashire's Prisons at Mid-Century', in *Policing and Punishment in Nineteenth Century Britain*, ed. by Victor Bailey (London: Routledge, Taylor & Francis), pp.182–216 (p.194).

²⁹ Brown, p.70.

³⁰ Margaret DeLacy, *Prison Reform in Lancashire, 1700-1850 - A Study in Prison Administration*, Chetham Society, 3rd (Manchester: University Press, 1986), p.176.

³¹ See Chart 1, p.18.

³² ERO, Q/SBb 569/32/1, *Visiting Justices Report (hereafter VJR)*, 19 October 1847.

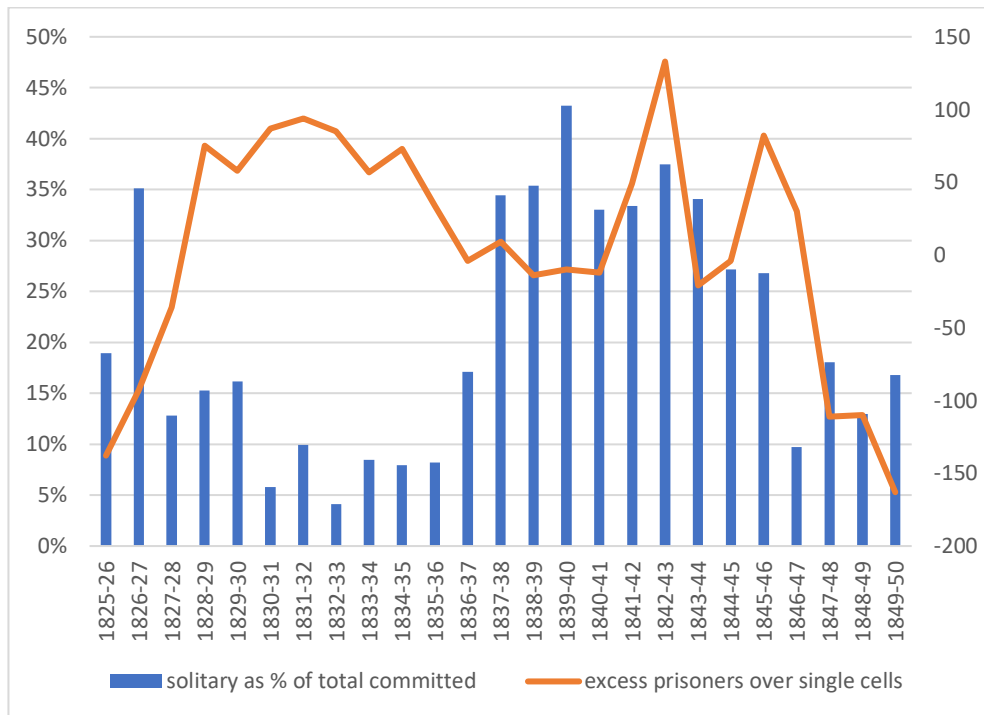


Chart 1: Correlation between overcrowding and use of solitary confinement, Springfield, 1825-1850.³³

Instances where the greatest number of prisoners being housed at any one time exceeded the number of available cells were most extreme in the periods 1828-1835, 1842-1843 and 1845-1847, when more prisoners were committed than could be accommodated, even when cells were shared. However, contrary to Brown's view, it is difficult to draw firm conclusions from the available figures for Springfield as to what effect, if any, this had on discipline and punishments. The majority of disciplinary punishments resulted in solitary confinement, a practice replicated in other local prisons such as Exeter.³⁴ In Chelmsford this practice was consistently high between 1837 and 1846. Annual numbers of solitary confinement punishments for this period averaged at over 25% of the numbers of inmates committed, with the highest ratio being

³³ Data taken from Appendix A.

³⁴ Forsythe, p.66.

just over 43% in 1839-40. This would appear to run contrary to a connection between overcrowding and ill-discipline, as periods of higher instances of solitary confinement do not correlate with those of most severe overcrowding. This could have been because sanctions of solitary confinement were imposed for very short periods, and the available figures merely record the number of punishments, rather than their severity. Alternatively, it is possible that, given the lack of available cells in the prison, other forms of punishment were exacted but were not recorded, a practice which in itself Brown cites as an illustration of a system operating under stress.³⁵ Chapter Three will explore how practices in discipline and punishment were applied under a variety of prison regimes.

Crimes and Sentences

Discipline within the prison was inevitably challenged by the incarcerated population, where groups of inmates exerted social identities which impacted the operation of the institution. Historians, however, are divided as to the prevalence of such subcultures. Whilst Ignatieff asserts that such 'inmate collectivity' had been dismantled by mid-century, as more effective discipline was enforced, Brown recognises local variation between prisons.³⁶ Zedner points to a prevalence of subcultures within cohorts of inmates in local prisons serving short and repeated sentences, which she says led to 'a blurring of the divide between life inside and their own communities outside'.³⁷ Johnston

³⁵ Brown, p.72.

³⁶ M. Ignatieff, *A Just Measure of Pain. The Penitentiary in the Industrial Revolution* (London: Macmillan, 1978), p.208; Brown, p.56.

³⁷ Lucia Zedner, *Women, Crime, and Custody in Victorian England* (Oxford: University Press, 1994), p.5.

asserts that in Shrewsbury the majority of prisoners were serving summary convictions and that this had a direct impact on the regimes which were imposed upon them, as officials sought to moderate convicts' behaviour over short periods of incarceration.³⁸ Categories of data relating to the types of crimes and resulting sentences given to inmates in Springfield vary over time and it is therefore not possible to make a single consistent comparison across the period of this study. However, it can be seen from Chart 2 that in the period 1825-1850, with the notable exception of the first year of operation, there was a fairly equal divide between averages of less serious misdemeanours (45%) and felonies (54%) which would attract heavier punishments.

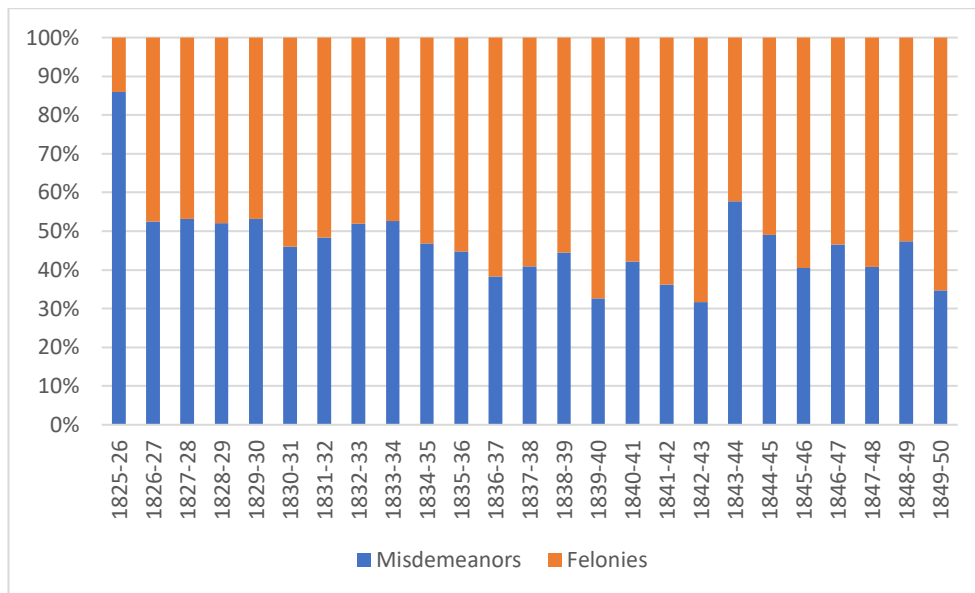


Chart 2: Types of Crimes in Springfield Prison 1825-1850.³⁹

³⁸ Johnston, p.238.

³⁹ Data taken from Appendix A.

In contrast, as is shown in Chart 3, Home Office records for the final six years of this study show a consistent increase in the proportion of commitments which were for summary convictions, rising from 63% in 1860 to 73% in 1865.

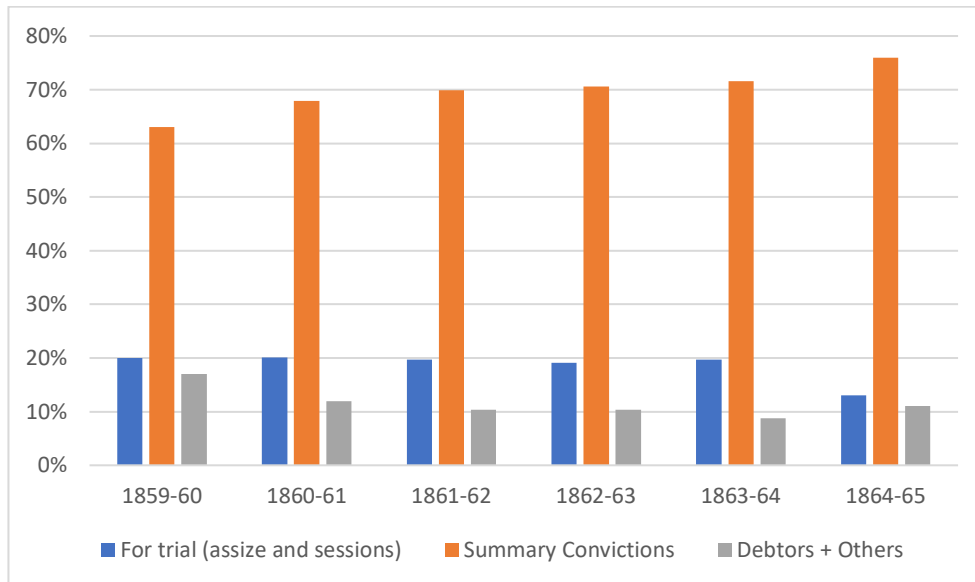


Chart 3: Prisoner Classification, Springfield, 1859-1865.⁴⁰

Summary convictions resulted in shorter stays in prison, with the average across England and Wales being nine days in 1857.⁴¹ This led to a large turnover of inmates and inevitably contributed to the incidence of repeat committals, a factor which frustrated prison authorities seeking to rehabilitate criminals back into society. In Springfield, just under 30% of prisoners committed between 1839 and 1850 had been committed before, of whom half had served time on more than two occasions.⁴² This recidivist trend continued through the period of this study, with the average from 1859-1865 dropping

⁴⁰ Data taken from Appendix B.

⁴¹ Johnston, p.238.

⁴² See Appendix A.

only slightly to 28%.⁴³ Both the nature of crimes and the length and frequency of prison committals had a direct bearing on how officials imposed penal policy in Springfield, and Chapter Three will explore how this was adapted over time.

McGowen asserts that local authorities had to establish penal regimes in the face of a rising population and increasing levels of poverty, when ‘the reformed prison came to be accepted as a convenient remedy to petty criminality’.⁴⁴ He argues that rural justices in particular sought to ‘produce moral reform without upsetting the social order’, thus referencing a class divide between those who were administering penal systems and those to whom the resulting measures were applied. The prison inspector’s report for 1853-54 provides a break-down of the laws under which prisoners who were present in Springfield on the day of the inspection had been charged.⁴⁵ Of a total of 701 inmates, 49% were convicted of crimes under legislation relating to vagrancy (71), malicious trespass (99), poor law (88) and game laws (87). Adding in those being held under juvenile offender acts (28) and those convicted of assault (84) brings the total to 65%. This analysis of summary offences reveals that a stark majority of crimes were associated with the rural poor. Along with rural poverty, inmates’ limited education and social status were reflected in the profile of those most likely to commit offences, and this also had a further bearing on the regime they would experience in prison.

⁴³ See Appendix B.

⁴⁴ McGowen, pp.90–92.

⁴⁵ *20th Report of the Inspectors of Prisons of Great Britain* (hereafter *RIP*) (*HD*), PP.1857 session 1 (2169), VII.1, p.24-25.

Education, Occupations, and Instruction

Johnston asserts that the poor and those from the working classes were more likely to experience local prison than national government-run penitentiaries.⁴⁶

An analysis of levels of education and the types of occupations of those held in Chelmsford provides an understanding of the social backgrounds of inmates and reflects this assessment. Home Office returns from 1859 onwards include data relating to the levels of education (or 'instruction') of inmates.⁴⁷

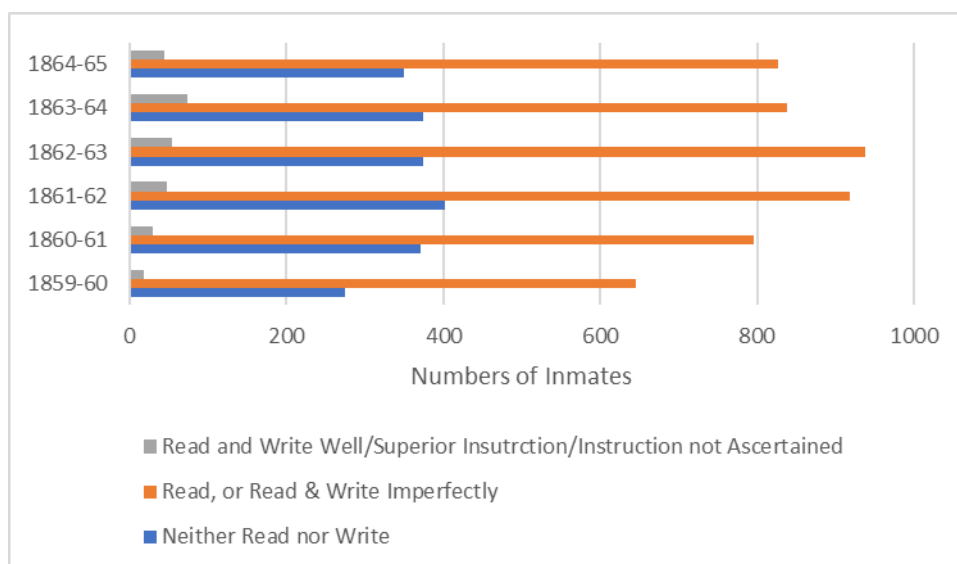


Chart 4: Levels of education of inmates annually committed in Springfield, 1859-1865.⁴⁸

The vast majority of inmates committed to the prison each year between 1859 and 1865 were recorded under the category 'Read, or Read and Write Imperfectly', with a range of 65%-69% across the period. A further 27%-31% were registered as being able to 'Neither Read nor Write'. Caution must be exercised in assessing such categories as there is no evidence of the basis on

⁴⁶ Johnston, p.230.

⁴⁷ See Appendix B.

⁴⁸ Data taken from Appendix B.

which they were made. How, for example, were skills of reading and writing assessed, and what does the measure of 'imperfect' skills mean? Such judgements were likely to have been highly subjective and may well reveal as much about the biases of those recording the levels of instruction as they do about the inmates. Victorian observers perceived a link between education, class, and criminality, although Crone's work comparing literacy rates of prisoners with those of the local population questions the very notion of a so-called 'criminal class'.⁴⁹ Assessments likely also reflect the prevailing view that 'education in itself could correct criminality'.⁵⁰ They thus pave the way for the key role instruction played in the prison regime. As shall be explored in Chapter Three, this was overseen by the chaplain.

Lemire has asserted that literacy rates were 'fairly directly related to occupation', and Springfield figures for the various levels of education appear to be reflected in the occupations of inmates recorded for the same period.⁵¹ Home Office returns recorded the largest category being of 'Labourers, Charwomen and Needlewomen'. The numbers of those engaged in such working-class roles varied between 66% and 67% of the total occupations recorded each year, mirroring the ratio of those who had 'imperfect' literacy skills. The second largest category is that of 'Mechanics and Skilled Workers' (between 8% in 1861-62 and 16% in 1860-61) and it is arguable that at least some of these roles would have required a higher level of literacy. Amongst

⁴⁹ Rosalind Crone, 'Reappraising Victorian Literacy through Prison Records', *Journal of Victorian Culture*, 15.1 (2010), 3–37.

⁵⁰ Forsythe, p.71.

⁵¹ Devon Lemire, 'A Historiographical Survey of Literacy in Britain between 1780 and 1830', *Constellations (University of Alberta Student Journal)*, 4.1 (2013), 248-261 (p.259).

those with no literacy skills would likely include inmates recorded as having no occupation, and this accounted for an annual range of 5% to 6% of inmates. These statistics indicate that most of the inmates in Springfield were from the lower class, with the vast majority having limited literacy skills. As will be seen in Chapter Four, gender differences in these figures had a bearing on the experience of female inmates.

Summary

Springfield prison was commissioned in response to a need for enhanced penal provision and was envisioned in the context of prevailing national and local debates over penal reform. Magistrates exerted direct influence on both the Panopticon-inspired design and the operation of the prison. They installed a regime which was based on control and surveillance, with a harsh approach aimed at the deterrence of criminals. The prison population contained mostly rural poor and working-class young males who had limited literacy and relatively high rates of recidivism. Chapter Three will survey changes in the regime as it responded to early overcrowding and ill-discipline and will explore how the increase in summary convictions impacted the penal experience, with Chapter Four questioning whether there were any gender disparities.

3. MAKING AN IMPRESSION – PENAL PHILOSOPHY IN PRACTICE

In 1846 the Rev. G.B. Hamilton, Chaplain of Springfield Prison, posed the question of whether it was possible ‘to unite a moral advantage with a scene of punishment?’.¹ In doing so he summarised the dilemma facing penal legislators, reformers, and practitioners: of whether the focus of the regime should be to reform criminals or to deter them from crime. Drawing comparisons with other local prisons, this chapter will explore how the national agenda, which shifted focus between the two philosophies over time, was applied in Chelmsford. While reformatory aims were evident in the early work of the prison chaplain, for example in delivering education, deterrence led early practice and remained a factor throughout. The emphasis shifted towards reformation of prisoners as the silent system was replaced by the separate, before national policy again swerved towards deterrence.

The historiography of reformation and deterrence

Historians disagree over the significance of penal philosophies in devising prison regimes and, in turn, as to how successfully those regimes delivered the ambitions of those who initiated them. The Webbs argue that administrators had to place aims of either reformation or deterrence alongside the maintenance of prisoners’ mental and physical health and the economic

¹ 11th RIP (HD), PP.1846 (753) XXI.1, p.48.

conditions within which they had to operate. They hail the 1835 Prisons Act as being the watershed for penal policy, whilst acknowledging that the battle between those advocating reform over deterrence continued for much of a generation and remained 'still one of the unsettled questions of prison administration'.² More specifically, Henriques concludes that what she calls a 'concealed tension, sometimes emerging into open conflict' existed between the twin aims of deterrence and reformation.³ Similarly, McConville asserts that nineteenth century penal theorists and administrators did not draw distinctions between aims of retribution, deterrence, and reformation of prisoners and, moreover, that the application of discipline was a key element common to all regimes.⁴ This view is countered by Foucault who argues that deterrence was the driving aim of punishment, being 'directed, above all others, at all the potentially guilty'.⁵ The reality at the local level varied between prisons and, as will be seen in Chelmsford, was often blurred over time.

Brown argues that prisons such as that in Hull bucked the reformatory trends prior to nationalisation in 1877, whilst Zedner claims that 'compromise and accommodation to existing structures' were in evidence across most local prisons.⁶ DeLacy argues for a sequential application of penal policy, asserting

² Sidney Webb and Beatrice Webb, *English Prisons under Local Government*. (London: Frank Cass & Co Ltd, 1922), p.77 and p.99.

³ U.R.Q. Henriques, 'The Rise and Decline of the Separate System of Prison Discipline', *Past & Present*, 54 (1972), 61–93 (p.93).

⁴ Seán McConville, *A History of English Prison Administration Volume One: 1750-1877* (London: Routledge & Kegan Paul, 1981), p.243.

⁵ M. Foucault, *Discipline and Punish: The Birth of the Prison*, trans. by Alan Sheridan (Harmondsworth: Penguin, 1977), p.108.

⁶ Alyson Brown, *English Society and the Prison. Time, Culture and Politics in The Development of the Modern Prison 1850-1920* (Suffolk: The Boydell Press, 2003), p.76; Lucia Zedner, *Women, Crime, and Custody in Victorian England* (Oxford: University Press, 1994), p.133.

that the ‘fluctuating currents of reform, from “benthamite” labour regimes to “evangelical” isolation’ were demonstrated in prisons such as Preston.⁷ This view is challenged by Cooper’s argument that the early reform principles of both Bentham and Fry were set aside from the 1830s, with followers of both ultimately advocating harsher regimes, although Cooper demonstrates that progression was far from streamlined with many, often overlapping, approaches being adopted. As will be seen, this was fundamentally the experience in Chelmsford, where the ideals of reformation and deterrence were often applied simultaneously, and where the driving force was only in part the direction that was coming from central government. Far more significant was the influence of the overseeing local magistrates and of the officers working within the prison: the governor, surgeon and, in particular, the chaplain.

Educational and Spiritual guidance – the role of the prison chaplain

Under the 1823 Gaols Act, central government required all prisons to appoint a chaplain. This role is hailed by many historians as having been hugely significant, both in setting the tone of the penal regime and in enforcing its application. Views of individuals such as Rev. John Burt at Pentonville, Rev. John Field at Reading and Rev. John Clay at Preston were widely known, with the latter in particular becoming a figure of national significance.⁸ Scott claims that chaplains were the most important, and also the most underrated, of all

⁷ Margaret DeLacy, ‘Grinding Men Good? Lancashire’s Prisons at Mid-Century’, in *Policing and Punishment in Nineteenth Century Britain*, ed. by Victor Bailey (London: Routledge, Taylor & Francis), p.200.

⁸ Margaret DeLacy, *Prison Reform in Lancashire, 1700-1850 - A Study in Prison Administration* (Manchester: University Press, 1986), p.205.

prison officers, although Henriques directly correlates the level of importance of the chaplain with the type of penal system the magistrates were directing.⁹ Moreover, as DeLacy has pointed out, the predominance of the role could lead to tension between 'the governor who officially ran the prison, and the chaplain, who thought he knew how it should be run'.¹⁰ In his letter to Essex magistrates on prison discipline, Western asserted that 'religion holds out to men the fear of punishment, as well as hope of reward, to keep them in the straight path', and successive chaplains at Springfield exerted significant influence on the application of reformation and deterrence, being involved in matters of education, spiritual instruction and moral improvement, whilst expressing often trenchant views on discipline.¹¹ Alongside Governor Thomas Neale (who served 1822-1861) three chaplains served across both Chelmsford prisons over the period of this study: Rev. J. Hutchinson (1827-1830), Rev. J. Hinckley Lewis (1830-1842) and Rev. G.B. Hamilton (1842-1877). As was required under legislation, each accounted to the magistrates at Quarter Sessions with their report relating to the discharge of their duties, the conduct of the prisoners and the outcomes of their efforts. Unlike Birmingham Gaol, where magistrates paid little attention to the information the chaplain shared with them from his journal, the Quarter Sessions minutes from Essex

⁹ David Scott, 'Priests, Prophets and Pastors: The Historical Role of the Prison Chaplain', *Justice Reflections*, 31 (2013), p.1; Henriques, p.79.

¹⁰ DeLacy, *Grinding Men Good*, p.204.

¹¹ C.C. Western, *Remarks upon Prison Discipline, &c. &c. in a Letter Addressed to the Lord Lieutenant and Magistrates of the County of Essex*. Printed by C.H. Reynell for James Ridgway, 1821, pp.91-116, p.115.

demonstrate a high level of collaboration between governor and chaplain, and of engagement by the magistrates.¹²

Education within the prison served a reformist agenda which Forsythe describes as being based on 'a theological analysis of human value, nature and potential'.¹³ Prison authorities sought to improve the moral outlook of prisoners and to equip individuals with skills which would assist their successful return to society, using the Bible and other liturgical texts to teach reading. Reports submitted by the Chelmsford chaplain to the Home Secretary, annually from 1826-1831 and for 1833, quantify those being taught reading, with a small cohort occasionally progressing to be taught how to write.¹⁴ Data given is for all Chelmsford prisons, with the majority of inmates being housed in Springfield, and shows an average of 65% being taught to read and 2% being instructed in writing. It was customary for reading and writing to be taught in sequence, which helps explain the discrepancy between the numbers being taught both skills in Chelmsford prisons, but education was also impacted by moralistic and discretionary judgements.¹⁵ The chaplain determined who would be taught how to write, although he deemed few to be 'deserving of that privilege'.¹⁶ Subsequently, the chaplain and schoolmaster omitted those who already had a 'competent knowledge of reading', although

¹² Sarah Anderson, '(Re)Presenting Scandal: Charles Reade's Advocacy of Professionalism within the English Prison System', in *Crime and Empire 1840 - 1940*, Barry Godfrey and Graeme Dunstall, eds, 2nd edn (London: Willan, 2005), pp.145–58 (p.153): ERO, Q/SBb *Quarter Sessions Minutes 1820-1865*.

¹³ W. J. Forsythe, *The Reform of Prisoners 1830-1900* (London: Croom Helm, 1987), p.5.

¹⁴ See Appendix D.

¹⁵ Rosalind Crone, 'Reappraising Victorian Literacy through Prison Records', *Journal of Victorian Culture*, 15.1 (2010), 3–37 (p.4).

¹⁶ *Reports and Schedules pursuant to the Gaol Acts* (hereafter *RSGA*), PP.1826-27 (46) XIX.365, p.79.

there is no explanation as to how that was defined.¹⁷ Furthermore, the instruction in writing was only given to prisoners sentenced to six months or more, and only once they had completed half of their sentence.¹⁸ In the context of the prevalence of summary convictions and short sentences at Springfield, discussed in Chapter Two, this would have drastically reduced the number who received instruction. Forsythe claims that 'determined attempts' were made to teach prisoners to read and write in the 1840s and 1850s, but as has been seen, despite certain limitations and restrictions, this practice was established significantly earlier in Chelmsford under the auspices of its chaplain.¹⁹

Provision of education would also appear to have been delivered more successfully in Chelmsford than elsewhere. In 1843, the prison inspectors reported that they felt the provision of religious instruction and moral improvement nationally was 'generally very defective and inadequate'.²⁰ They recommended a number of improvements which were already standard practice in Springfield. These included the chaplain providing classes for general religious instruction and private meetings with prisoners, educational instruction by a schoolmaster or schoolmistress, supported by sufficient books, and that prisoners should not be compelled to attend schooling. This approach

¹⁷ RSGA, PP.1830 (5) XXIV.1, p.64.

¹⁸ *Select Committee of House of Lords on Gaols and Houses of Correction in England and Wales, First Report; Second Report; Third Report; Fourth and Fifth Reports, Minutes of Evidence, Appendices, Index* (hereafter SCHL) PP.1835 (438, 439, 440, 441) XI.1, 495, XII.1, 57, p.171.

¹⁹ Forsythe, p.55.

²⁰ *Report relative to System of Prison Discipline, by Inspectors of Prisons, Appendix* (hereafter RSPD), PP.1843 (457), p.6.

reflected that of the evangelicals who advocated reform of prisoners through moral improvement, targeted at the individual's particular weakness and offering the chance of redemption through self-reflection and a desire to acquire knowledge and skills.²¹ Such an approach did not, however, eliminate the role of pain, punishment and suffering within the regime, which Forsythe argues evangelicals advocated as 'means towards the eventual regeneration of the criminal' rather than as measures directed at deterrence. Either way, a clear shift in emphasis can be seen in the chaplain's reports after only the first decade of operation of Springfield. From early accounts boasting the numbers receiving educative and moral instruction, the reports increasingly become focussed on recommendations for enhancing the severity of the regime. Whilst this may in part reflect the change of chaplain in 1830, it also mirrored the national debate which was raging over which system was best placed to deliver the competing aims of reformation and deterrence, the silent or the separate.

Silent and Separate – systems of reformation and deterrence

As has been seen in Chapter Two, Springfield prison was designed to meet the prevailing reliance on classification as a means of preventing the spread of criminal tendencies amongst inmates. Increasingly it became clear, not least as prison numbers rose (nearly doubling nationally between 1820 and 1840), that more ordered discipline was required to disrupt the communications between classes of prisoners. In the early 1830s, administrators and theorists, led by the SIPD, turned to America, where competing systems were in

²¹ Forsythe, pp.8–13.

operation in New York ('silent') and Pennsylvania ('separate').²² Johnston states that both systems 'recognised the possibility' of reformation of prisoners, but her analysis appears to draw rigid distinctions between the two systems and their respective aims of deterring and reforming prisoners.²³ Under the silent system, association was permitted, although communication was prohibited. Johnston argues that the aim was of deterrence, with a desire to instil habits of industry and good behaviour, underpinned by hard labour. In contrast, under the separate system prisoners were kept apart at all times, being allowed out of their cells only for limited exercise or to attend chapel, for which masks were worn to prevent inmates seeing each other. Supported by a regime of education and religious instruction, prisoners were left alone in their cells to examine their own consciences. Johnston asserts that the aim was for the spiritual reformation of the offender, although Ignatieff argues that the separate system retained an emphasis on deterrence as a means of social control.²⁴ Others offer more nuanced interpretations of the motives and application of the two systems. McGowen asserts that the silent system was based on 'a more pessimistic view of the chance of converting the offender', and points out that the treadmill was used throughout.²⁵ He argues that its introduction in the second decade of the century was advocated by the SIPD who saw it as the ideal solution to the joint and competing aims of severity and reform. Following the appointment in 1835 of the first two prison inspectors,

²² Randall McGowen, 'The Well-Ordered Prison: England, 1780-1865', in *The Oxford History of the Prison*, David J. Rothman and Norval Morris, eds, (Oxford: University Press, 1995), p.99.

²³ Helen Johnston, 'Discovering the Local Prison: Shrewsbury Gaol in the Nineteenth Century', *The Local Historian Volume*, 35.4 (2005), p.231.

²⁴ M. Ignatieff, *A Just Measure of Pain. The Penitentiary in the Industrial Revolution, 1750-1850* (London: MacMillan, 1978), p.200.

²⁵ McGowen, pp.97-99.

William Crawford and Rev. Whitworth Russell, the separate system was advocated nationally, thus implying a desire from central government to move from deterrence to reformation. DeLacy, however, argues that prisons adopted and adapted systems at differing rates.²⁶ As shall be seen, the use of the treadmill in Chelmsford varied over time, and whilst deterrent and reformatory aims were often pursued simultaneously, officials' views regarding which system they should be delivered under shifted.

The system in operation at Springfield was described in 1837 as being 'association for the untried, and of associate labour in silence, commonly called the silent system, for the convicted'.²⁷ This system had been adopted from the outset at Springfield, much in advance of other prisons such as Cold Bath Fields in Middlesex where it was introduced as late as 1834, just five years before the separate system was stipulated in the 1839 Prison Act.²⁸ Significantly, in Springfield early aims were that the silent system would have both deterrent and reformatory impacts, the chaplain outlining hopes for 'moral improvement' as well as a desire that regulations would instil 'a salutary dread of a prison as should materially check the commission of crime'.²⁹ Views appear to have hardened the following year when the chaplain, reporting that his visits to individual prisoners were 'not always with the success which he would have wished', again simultaneously advocated reformation and harsher punishment, concluding that 'the plan of solitary confinement seemed to afford

²⁶ DeLacy, p.183.

²⁷ *2nd RIP* (HD), PP.1837 (89), XXXII.1, p.300.

²⁸ McConville, *English Prison Administration*, p.244.

²⁹ *RSGA*, PP.1829 (24), p.70.

the best prospect of effecting the reformation of the prisoner'.³⁰ Chapter Two has outlined the extensive use of solitary confinement at Springfield, and evidence to the 1835 House of Lords select committee further illustrates the lack of discipline at the prison. Prisoner 'No.10' was interviewed in Millbank about his previous time in Springfield, where he described discipline as being very poor, with free association in the yards and communication on the treadmill where he attested to 'no constraint whatever' and no hope of reforming individuals who he said often left the prison 'confirmed and complete villains'.³¹ Whilst the questions posed by the select committee were clearly leading and intended to support their preferred position to advocate the separate system, the remarks do bear out the increasing frustration voiced by the Springfield chaplain in his subsequent reports.

By 1839 the chaplain was arguing for separation as the best way of delivering religious instruction in order to achieve moral improvement, adding that 'until the prison was made an object of dread, all efforts to make it a national benefit will be unavailing; that it is only by complete separation of each individual prisoner, that we can rationally expect to escape those evils, or to secure those advantages, at which a perfect scheme of prison discipline ought to aim'.³² A statement of the hours spent by the chaplain under the separate system in 1851 shows how his role shifted to meet a more reformatory agenda. On each weekday he spent six- and three-quarter hours in the prison, but only forty-five minutes of that was in providing class instruction, whilst five

³⁰ *RSGA*, PP.1830 (5), p.64.

³¹ *SCHL*, PP.1835 (438, 439, 440, 441) XI.1, 495, XII.1, 57, p.338.

³² *RSGA*, PP.1839 (36), p.42.

hours were devoted to distributing books, supervising schools, conducting visits to the sick and individual interviews with prisoners.³³ Alongside this, however, discipline was enforced by strict measures such as confinement in dark cells, as was reported in the cases of Thomas Sheeky, for misconduct at Chapel, and John Brien and James Spellan, for talking on the treadmill.³⁴ Thus it can be seen that whilst the regime at Springfield moved from the silent to the separate system, the increased emphasis on reformation under the latter system did not imply a diminution of deterrence, with discipline being enforced as firmly as it had been under the silent system.

Under the silent system, punishment was exacted at the discretion of the governor, with some such as Governor Chesterton at Cold Bath Fields being attracted to it as it 'imposed a necessary severity upon a class that was incapable of reform'.³⁵ At Springfield, Governor Neale appeared to take a very different line. He had expressed strong objections to the use of violent punishment in the separate system prisons of Pennsylvania, retorting that 'The Magistrates of Essex do not allow a *Finger*, much less a *'raw Hide Whip'*, to be laid on a Prisoner without a formal Charge of Oath' (Neale's italics).³⁶ Instead, Neale had drawn up a set of rules, in operation since 1822, regarding the whipping of prisoners to prevent vindictive punishment and arguing that his regime ensured 'sufficient Severity *without Cruelty*'. Similarly, prisoners in Lancashire could only be whipped following a formal hearing of the visiting

³³ See Appendix E.

³⁴ ERO, Q/ACM 45, *Minutes of the Visiting Justices to Springfield Gaol* (hereafter *VJM*), 18 August 1854, p.20.

³⁵ McGowen, p.99.

³⁶ *SCHL*, PP.1835 (438, 439, 440, 441) XI.1, 495, XII.1, 57, pp.173-174.

justices, although the punishment there was delivered by a 'cat-o-nine-tails', a device Neale had specifically spoken out against in his 1835 evidence.³⁷

However, despite Neale's early aspirations, the reality of delivering deterrent sentences passed by the court under the silent system often resulted in severe whippings. In 1845, inspectors reported extracts from Neale's journal detailing the private whipping of G.S., a ten-year-old chimney sweep, who fainted upon receiving eighteen blows from a whip, was restored to consciousness by the surgeon and was then let out to walk the twenty miles to his home.³⁸ Neale felt that the punishment, which had been delivered by a whip with an eighteen inch handle and fifteen inch lashes, was 'not injuriously severe', although the inspectors disagreed, saying it was too harsh for one so young. Further, the inspectors reported that in the previous two years there had been a total of fifty-four cases of whipping, with the number of lashes varying between twelve and fifty per case. Clearly, despite Neale's early intentions, and national legislation advocating the more reformist separate system, a deterrent use of whipping was utilised under Chelmsford's silent system.

As in Lancashire, where Clay had campaigned for adoption of the separate system, the influence of the chaplain in Springfield supported the growing pressure from central government, exacerbated by heated criticisms of the workings of the prison in national and local newspapers, to make necessary adjustments to the prison regime.³⁹ Henriques argues that the separate system was launched 'by sheer force of unproven assertion', and this might in

³⁷ DeLacy, *Grinding Men Good*, p.197.

³⁸ *10th RIP* (HD), PP.1845 (674), XXIII.1, p.139.

³⁹ J.G. Torry, *Chelmsford Prison* (Ipswich: East Anglia Magazine Ltd, 1980), pp.40–41.

part explain the fact that it was applied on what Brown describes as a 'partial and modified basis'.⁴⁰ DeLacy characterises Lancashire's approach to adopting the system as being 'lacklustre', with the county not fully adopting the policy until 1851.⁴¹ Whilst Essex magistrates did act sooner, they initially demonstrated similar reticence and a division of opinion amongst the county administrators.⁴² Notice of the proposal for adaptations was first given at Easter Quarter Sessions of 1843, but the December committee report which recommended the changes was rebuffed, with magistrates deferring a vote for a further twelve months. This was intercepted at the Michaelmas Sessions of 1844 when advocates of the proposal took advantage of the absence of their opponents to vote through resolutions for the closure of the old House of Correction and Gaol at Moulsham and modifications to Springfield Gaol. These included enlarging the chapel, adding accommodation for the surgeon and the chaplain in the reception cells and altering two of the radii to include cells suitable for separate confinement. With the conversion to the separate system fully completed in May 1848 the magistrates had exercised their authority at the local level, but ultimately this was in order to meet the direction coming from central government. The adoption of the system provided new means of addressing reformation of prisoners, although authorities at Springfield continued their efforts to exert deterrence and of tackling the often-contentious balancing act of the issue of 'less-eligibility' which plagued penal administrators.

⁴⁰ Henriques, p.78; Brown, p.76.

⁴¹ DeLacy, *Grinding Men* Good, p.210.

⁴² Torry, p.41.

Less eligibility - diet and hard labour

McGowen asserts that the rising influence of the chaplain prompted a reaction amongst those who argued that an emphasis on prison reform resulted in a reduction in necessary deterrence.⁴³ As was seen with Victorian workhouses, theorists such as Bentham and Chadwick argued that alongside improving morals and teaching skills, conditions inside the institution needed to be suitably unattractive to deter the poor from flouting societal rules to gain entrance and a more comfortable existence.⁴⁴ McConville argues that whilst the separate system sought reformation, this led to a 'genuine dilemma in penal policy' and, in response to the need for healthy living conditions and conflicts around use of diet, to greater reliance on the treadmill as a means of deterrence.⁴⁵

Governor Neale boasted in 1835 of the 'scanty Diet as Part of the Punishment' which denied meat or soup to prisoners before they had served three months, confirming that this was a conscious decision by the magistrates because 'it defeats the Object of those who may speculate in the Commission of petty Offences for the sake of the Comforts of a Prison'.⁴⁶ Successive annual reports from Springfield attested to the fact that poor diet was contributing to increasing cases of scurvy. By 1843 central government had intervened with the introduction of national dietaries which in effect introduced a further form of

⁴³ McGowen, p.97.

⁴⁴ Seán McConville, 'Local Justice: The Jail', in *The Oxford History of the Prison*, David J. Rothman and Norval Morris, eds (Oxford: University Press, 1995), p.315; Lynn Hollen Lees, *The Solidarities of Strangers: The English Poor Laws and the People, 1700-1948* (Cambridge: University Press, 1998), pp.108–9.

⁴⁵ McConville, *English Prison Administration*, pp.238–43.

⁴⁶ *SCHL*, PP.1835 (438, 439, 440, 441) XI.1, 495, XII.1, 57, p.173.

classification by provision.⁴⁷ As a result, prisoners serving hard labour in Class 3 (fourteen days to six weeks) and Class 4 (six weeks to three months) were entitled to meat, with the latter class receiving reduced rations. This demonstrates DeLacy's argument that the overall drastic impact of the dietaries was to reduce the provision made available, as it was based on length of stay.⁴⁸ Although introduced to ensure uniform practice nationwide, down to the specified recipe for the prison soup, the dietaries were published only as recommended minimum levels with local flexibility permitted in relation to the level and type of discipline in force. Practice at Springfield illustrates divergence from the national model in two ways. Firstly, the Springfield magistrates amended the description of those under Class 4 to include prisoners not employed at hard labour who were serving over three months.⁴⁹ This contrasts with the national tables which (under Class 6) reduced provisions for those serving non hard labour sentences of more than fourteen days. Thus, at Springfield, prisoners received the higher levels for longer. Secondly, exceptions to diet were regularly authorised by the surgeon. In the eighteen months to March 1845, at least 211 prisoners at any one time were on extra diets.⁵⁰ Such provisions were ordered by the surgeon to improve prisoners' health and he also excused from hard labour those who were physically unfit. The inspectors noted that of 122 prisoners who had been sentenced to hard labour, only thirty-five were actually employed, concluding that 'the majority of the prisoners confined in this prison are unfit subjects for treadmill labour, either from their state of health on entering, or the effects of

⁴⁷ See Appendix F.

⁴⁸ DeLacy, *Prison Reform*, p.180.

⁴⁹ RSGA, PP.1845 (77), XXXVII.417, pp.57-58.

⁵⁰ *10th RIP (HD)*, PP. 1845 (674), XXIII.1, pp.133-134.

their imprisonment, or from both causes'. Thus, it can be seen that under the separate system in Springfield a more reformatory approach was adopted, with diet no longer used as a form of punishment, reductions in provisions being delayed, and hard labour being modified in the interests of prisoners' health.

Evidence from Springfield demonstrates that the burden of hard labour was reduced following the adoption of the separate system. In 1826, use of hard labour, including the treadmill, was reported as being for eight hours per day, whereas by 1859 the treadmill was used for three hours a day.⁵¹ Whilst inspectors praised the work of the chaplain in conducting services and supervising two schoolmasters in providing education, they were highly critical of the amount of time prisoners were left unemployed, often spending sixteen hours in their cells in darkness. Gas light had been available in cells from 1850, although Essex magistrates refuted the opinion of central government that all prisoners should be provided with light in all cases.⁵² Possibly magistrates had in mind the economics of providing gas for extended periods of time, but they argued that they would not apply a blanket approach 'without further information of its expediency'. A subsequent move to a more reformatory approach required light in cells to keep prisoners engaged and by 1865, alongside the treadmill and crank, a wide range of employment was evidenced.⁵³ For the men this included oakum picking, making mats and matting, making and repairing clothes and shoes of the prisoners and work for a smith, carpenters and painters. As shall be seen in Chapter Four, tasks for

⁵¹ ERO Q/SBb *Returns of Prisoners*, 484/27 and 484/28, 10 July 1826; *24th RIP (SD)*, PP.1859 session 1 (2501), XI.169, p.20.

⁵² ERO, Q/SBb 583/7/3, *VJR*, 8 April 1851.

⁵³ *30th RIP (SD)*, PP.1865 (3474), XXIII.1, p.80.

the female prisoners were of a different profile, but clearly prisoners were being offered a more reformatory programme, albeit with tasks which maximised prison income. Ultimately this was to the dissatisfaction of the politicians who sat on the Carnarvon Committee in the House of Lords in 1863. They criticised the broad definitions amongst different prisons of what constituted hard labour, referring to the Springfield regime on the treadmill as 'exercise'.⁵⁴ The scene was set for another change in the direction of national penal policy with the resulting 1865 Prison Act focussing on strict punishment through 'hard labour, hard board and hard fare'.⁵⁵ It is telling of how the regime fluctuated between deterrence and reformation that these sentiments echoed those originally expressed by Charles Western M.P. as Springfield prison was being envisaged.⁵⁶

Summary

Joshua Jebb, Chairman of the Directors of Convict Prisons, bemoaned the fact that during very short periods of imprisonment 'no reasonable expectation can be entertained that a man can be reformed; and if measures be not taken to deter, the opportunity of making an impression is lost'.⁵⁷ Contrary to the Webbs' assertion that it 'seems ...to be impossible to find a regimen simultaneously combining deterrent painfulness and reformatory invigoration', this chapter has outlined how deterrent and reformatory approaches often ran

⁵⁴ *SCHL*, PP.1863 (499) IX.1, 9, p.506.

⁵⁵ Seán McConville, 'The Victorian Prison: England, 1865-1965', in *The Oxford History of the Prison*, David J. Rothman and Norval Morris, eds (Oxford: University Press, 1995), pp.117–50 (p.146).

⁵⁶ See Chapter Two, p.8.

⁵⁷ Cited Brown, p.77.

simultaneously in Chelmsford.⁵⁸ Evidence of a highly nuanced approach is seen in the chaplains' reports. Alongside advocating the separate system as a means of enforcing deterrence, these also outlined a need to instil good habits, in an approach more usually associated with the silent system. Further, the early adoption of education in Springfield casts doubt on Johnston's assertion that the silent system was predicated on deterrence whilst the separate advocated reformation. More broadly, practice in Chelmsford involving diet and hard labour largely reflected the national trend away from deterrence, before the 1863 Carnarvon Committee's findings heralded a return to harsher deterrent regimes. Significantly, each system was applied via regimes which were constructed to meet the profile of the typical prisoner, and as Chapter Four will explore, this had a bearing on the experience of women within the prison.

⁵⁸ Webb and Webb, p.99.

4. MADONNAS AND WHORES? – WOMEN IN PRISON

It was seen in Chapter Two that Benthamite principles were behind the inception of the new gaol at Springfield and, as Dobash et al argue of the Bentham Panopticon, 'in this abstract, impersonal world no special provisions would be made for women'.¹ Priestley has observed that 'prison was a man's world, made for men, by men' and this is reflected in the landmark national prison rules published in 1843, five years before women were finally admitted to Springfield Gaol from the old prison at Moulsham.² The final Rule 190 states that all preceding 'rules for men shall extend, as far as they can be applied' to female prisoners.³ As well as enshrining the patriarchal approach to running the prison, these after all being 'rules for men', this direction from central government also intimates that it was accepted that flexibility of approach in relation to women prisoners would be likely. This chapter will explore the experience of the female inmates, and the women who sought to reform them in the face of a regime seeking to enforce deterrence. Following an assessment of how idealised and stereotypical views of women impacted the way the penal regime was applied, it will argue that gendered differences were evidenced in the way women were reformed, educated and punished.

¹ Russell P. Dobash, R. Emerson Dobash, and Sue Gutteridge, *The Imprisonment of Women* (Oxford: Basil Blackwell Ltd, 1986), p.40.

² Philip Priestley, *Victorian Prison Lives: English Prison Biography 1830-1914*, 2nd edn (London: Pimlico, 1999), p.69.

³ *RSPD*, PP.1843 (457), p.26.

The female criminal

Zedner asserts that attitudes towards women criminals were based on moralising views, associated with idealisations of women as pious and virtuous mothers and homemakers.⁴ Moreover, she argues that a 'dualistic view' of women criminals prevailed which 'had its roots in Christian imagery of the female as madonna and whore' and, as shall be seen, religion had a particular role to play in early attempts to reform women prisoners. Zedner claims that women criminals were found guilty of 'double deviancy', with both societal and legal rules being violated, and that this impacted the way criminal women were treated 'at every juncture'.⁵ Godfrey and Lawrence argue that prevailing definitions of femininity extended so far as to associate certain crimes, such as infanticide, abortion, poisoning, and prostitution, with women.⁶ However, Heidensohn refutes the claim of a distinctive female criminality, arguing that the key factor is the 'defining and controlling apparatus' which impacted women's lives in gender-related ways.⁷ The apparatus of the prison was manifest in the regime imposed upon prisoners and Wiener argues that the treatment of female criminals posed a challenge to what he calls 'the two faces of Victorianism'.⁸ On one hand, differences between the sexes were perceived, based on gendered views of women as being weak, vulnerable, and morally sensitive. This however conflicted with the increasingly popular

⁴ Lucia Zedner, 'Wayward Sisters: The Prison for Women', in *The Oxford History of the Prison*, David J. Rothman and Norval Morris, eds (Oxford: University Press, 1995), pp.295–324 (p.332).

⁵ Lucia Zedner, *Women, Crime, and Custody in Victorian England* (Oxford: University Press, 1994), p.8.

⁶ B. Godfrey and P. Lawrence, *Crime and Justice since 1750*, 2nd edn (Routledge, 2014), p.121.

⁷ Frances Heidensohn, *Women and Crime* (London: MacMillan, 1985), p.xi.

⁸ Martin Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England 1830-1914* (Cambridge: University Press, 1990), p.129.

'universalizing struggle against instinct' which argued that the same approach should be adopted for all prisoners with the uniform aim of character building.

Historians disagree over how gendered differences impacted the very notion of reform in relation to women prisoners, although it is significant that the majority of studies in this field relate to all female, national penitentiaries. Here the regime was undoubtedly different from that experienced in local prisons in which 98% of female criminals were housed.⁹ Dobash et al argue that 'humiliation, punishment and rigid discipline' were the bedrock of how all-female institutions were conceived and they particularly emphasise how the initial stages of a woman's sentence were characterised by 'degradation, isolation and penal coercion'.¹⁰ However, their view contrasts with other historical research which emphasises the reformatory approach to regimes for female prisoners. Zedner asserts that as female crime was perceived in relation to a fall from the ideals of femininity, reform was the priority of the regime as applied to women, although she points out that the short sentences women served in local prisons provided limited opportunity to reform them and little incentive for them to cooperate.¹¹ Similarly, Menis argues that in relation to women prisoners, reform by either silent or separate system was gendered, being embedded in 'a social consensus about social conformity as well as feminine images of womanhood'.¹² Religion as well as societal norms played a significant role in the move to reform women criminals and these could be

⁹ Zedner, *Women, Crime, and Custody*, p.131.

¹⁰ Dobash, et al, p.36 and 64.

¹¹ Zedner, 'Wayward Sisters', pp.340–41.

¹² Susanna Menis, *A History of Women's Prisons in England: The Myth of Prisoner Reformation* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2020), p.71.

impacted by practical considerations. In Chelmsford, prison economics potentially influenced decisions made by the magistrates in relation to the reformist aspirations of a group of local Quaker women, the so-called 'Visiting Ladies'.

Visiting Ladies – reforming women prisoners

The work of the Quaker prison reformer Elizabeth Fry was inspired by religion and was underpinned by the same Victorian notions of idealised feminine roles and motherhood which impacted female criminals. Whilst the positive effects of her visits to women prisoners has been much vaunted, historians have also asserted that Fry was viewed with suspicion by some of her contemporaries, with some criticising her for being a neglectful mother by focussing her attention not on her family, but on fallen women.¹³ Midgley points out that Fry shared the theological views of Josephine Butler regarding 'individuality and equality of each immortal soul' and it could be argued that their reading of Christ's teachings in relation to women, with Jesus forgiving adulteresses and prostitutes, flew in the face of Victorian ideals of womanhood.¹⁴

Whilst Fry's movement was formed in the government-run penitentiaries, committees of her British Society for Promoting the Reformation of Female Prisoners (the 'Society') extended the practice to local prisons, although

¹³ Ann Smith, *Women in Prison* (London: Stevens & Sons, 1962), p.105; Dobash, et al, p.42.

¹⁴ Clare Midgley, 'Women, Religion and Reform', *Women, Gender and Religious Cultures in Britain, 1800–1940*, Sue Morgan and Jacqueline deVries, eds (London: Routledge, Taylor & Francis, 2010), pp.138–58 (p.151).

significantly this required the permission of the controlling male magistrates.¹⁵ 'Occasional visits' were reported in 1821 at Bedford prison and records also trace limited activity in Chelmsford in the early 1820s.¹⁶ Zedner has pointed out that the practicalities, and economics, of prison administration often compromised the aims of penal reformers and this is clearly demonstrated by charting the involvement of two leading Essex Quakers, Mrs Hannah Marriage (née Burgess) and Mrs Mary Marriage (née Hutchinson), in attempts to visit female convicts in Chelmsford.¹⁷

The Marriage women first approached magistrates in September 1823 seeking permission to attend the female prisoners once or twice a week 'principally for the purpose of reading a portion of Scripture to them and attempting to instruct those who are not able to read, and promoting amongst them orderly conduct and habits of industry'.¹⁸ The Visiting Justices declined the offer, citing the recently passed Gaol Act under which the County was obliged to provide instruction 'for the prisoners of both sexes'. Henriques argues that Fry's visiting ladies were 'plainly a nuisance to the professional prison administrators' and it is possible that the initial approach from the Marriages was rejected because of such concerns.¹⁹ The ladies subsequently reassured the magistrates that they 'would be sorry to appear troublesome' and promised to 'cautiously abstain from interfering with the duties of the chaplain, or other

¹⁵ *The Fourth Annual Report of the Committee of the British Society for Promoting the Reformation of Female Prisoners*, 1825. Printed by Edmund Fry, p.5.

¹⁶ Eric Stockdale, *Bedford Prison 1660-1877* (Chichester, Sussex: Phillimore & Co. Ltd, 1977), p.193.

¹⁷ Zedner, *Women, Crime, and Custody*, p.142.

¹⁸ ERO Q/SBb 473/21/1, VJR, 14 October 1823.

¹⁹ U.R.Q. Henriques, 'The Rise and Decline of the Separate System of Prison Discipline', *Past & Present*, 54 (1972), 61–93 (p.72).

Officers of the Prison'.²⁰ Permission was retrospectively granted, with magistrates noting that hourly visits by the two women had commenced twice weekly on 3 December 1823. A committee of the Society was established in Chelmsford in January 1824 and the Marriages were listed among a number of Chelmsford subscribers in the Society's annual report of 1825.²¹ However, records contain no further mention of the Lady Visitors in Chelmsford and the practice was clearly curtailed, with the Marriages no longer listed as supporters of the Society in 1841.²² The reason for the sudden change of heart of magistrates initially to allow the visits, and the subsequent cessation of the practice, may have been born of economics.

The prison treadmill on which male and, as will be seen, female prisoners served hard labour, was used to grind wheat which the magistrates bought in and then sold on as flour. In April 1823 magistrates reported a six-month profit of around £79, although they insisted that 'the object of producing severe and regular labour' and 'moral benefit' to the Prisoners, rather than profit, was the motivation for use of the treadmill.²³ However, they also reported having to surmount difficulties in negotiating with local dealers and producing a product suitable for the London market. It is therefore perhaps significant that at the time the magistrates were considering the request from Hannah Marriage to visit prisoners, they were benefitting from advice on the commercial operation

²⁰ ERO, Q/SBb 474/9, VJR, 13 January 1824.

²¹ Hackney Record Office, D/S/58/3/1, *Minute books of the British Society for Promoting the Reformation of Female Prisoners*, 5 January 1824; *The Fourth Annual Report of the Committee of the British Society for Promoting the Reformation of Female Prisoners*, 1825, p.31.

²² *The Twentieth Annual Report of the Committee of the British Ladies' Society for Promoting the Reformation of Female Prisoners*, 1842. Printed by Johnston and Barrett.

²³ ERO, Q/SBb 471/14/1, VJR, 8 April 1823.

of the prison treadmill from her husband Mr Joseph Marriage, brother to the leading local miller William Marriage, whose nephews formed W & H Marriage flour company the following year. Magistrates recorded thanks for his 'gratuitous assistance by making the purchases of wheat in the market and by the aid of his advice whenever called upon to give it'.²⁴ The following year returned a mill profit of over £171, significant in the context of the £50 annual salary being offered for the post of joint Matron and Schoolmistress.²⁵ It might be suggested that economics influenced magistrates' motivations: to invite the Marriage women in when they needed Joseph's expertise, only for the practice to elapse once the treadmill was more commercially successful.²⁶ The magistrates' actions, in the context of patriarchal business dealings, may have been prompted less by a desire to reform women prisoners than by priorities of commercial interest. However, reform of women was also sought through education, where gendered differences can again be seen.

Educating women prisoners

Historians' interpretations of prisoner literacy rates vary. With the caveat that evidence is of 'dubious reliability', Zedner argues that lower rates of literacy were seen in the prison population.²⁷ This is contradicted by the detailed findings of Crone, who asserts that literacy amongst prisoner cohorts corresponded to that of the local labouring class population. As has been seen

²⁴ ERO, Q/SBb 471/14/1, VJR, 8 April 1823.

²⁵ ERO, Q/SBb 475/7/1, VJR, Easter 1824.

²⁶ ERO, Q/SBb 478/6/5, *Mill Account*, 1 October 1823-30 September 1824.

²⁷ Zedner, *Women, Crime, and Custody*, p.142.

in Chapter Two, this reflects the prisoner profile in Chelmsford.²⁸ Levels of literacy amongst female Chelmsford prisoners in the second half of the century were higher than their male counterparts. In each year from 1859 to 1865, the percentage of men at Springfield recorded as being able to 'Neither Read nor Write' exceeded the corresponding level of illiteracy amongst women, averaging 30% of men and 24% of women across the period.²⁹ Conversely, 75% of women were able to 'Read, or Read and Write Imperfectly', against 66% of men. Such findings would appear to contradict Lemire, who claims that 'historians agree that literacy rates for women lagged significantly behind men' and that women's literacy improved at the same rate as men's, but roughly fifty years behind them.³⁰ However, efforts to build on these levels of literacy in Chelmsford, with an aim of reforming female prisoners, were impacted by the gendered attitudes held by authorities towards women and the profile of the sentences they served.

The chaplain at Chelmsford conceded that the women prisoners were 'for the most part far less ignorant than the men' but went on to reflect prevailing societal attitudes towards female criminality in saying that they were, however, 'known generally to be of a very degraded character'.³¹ Such gendered stereotypes lay behind decisions in other prisons to limit the instruction delivered to women, such as in Reading County Gaol and Wakefield House of

²⁸ Rosalind Crone, 'Reappraising Victorian Literacy through Prison Records', *Journal of Victorian Culture*, 15.1 (2010), 3–37 (p.9).

²⁹ See Appendix B

³⁰ Devon Lemire, 'A Historiographical Survey of Literacy in Britain between 1780 and 1830', *Constellations (University of Alberta Student Journal)*, 4.1 (2013), p.258.

³¹ RSGA, PP.1846, (53), XXXIV.187, p.48.

Correction, where education in the 1840s was denied to women as they were too busy working in the prison laundries.³² Further, whilst asserting that from the mid-1840s 'few argued that women were more incapable of learning because of their gender', Crone questions whether the decision to restrict female prisoners at Lancaster County Gaol to religious texts was because they were 'perceived to be more immoral'.³³ Governor Neale reported in 1835 that a Schoolmistress was appointed in Chelmsford, on the recommendation of the chaplain, with the potential for women to receive longer periods of instruction than were afforded to the male prisoners.³⁴ Women before trial or whose sentences did not involve hard labour could have their instruction increased from two hours per day to three, with those sentenced to hard labour potentially seeing daily increases from one hour to two. Further, writing was to be taught to those women who 'the Chaplain, in consideration of their general good Conduct, shall deem deserving of such Benefit'. Available data does not reveal what proportion of women were classed as being worthy of this instruction, but in 1853, the chaplain's judgemental approach recorded 'the condition' of female prisoners.³⁵ The categories on which he made assessments were based on prevailing attitudes towards women, referring to marital status alongside occupation, including the category of prostitute in a table referring to living arrangements, and recording their attainment not in reading or writing, but in needlework. Thus, it can be seen that, whilst the relatively more literate female population at Chelmsford was afforded

³² Rosalind Crone, *Illiterate Inmates: Educating Criminals in Nineteenth-Century England*. (Oxford: University Press, 2022), p.61.

³³ Crone, *Illiterate Inmates*, p. 96, p.147.

³⁴ *SCHL*, PP.1835 (438, 439, 440, 441) XI.1, 495, XII.1, 57, p.171.

³⁵ See Appendix G.

increased opportunities to enhance their education, such decisions were made at the discretion of the chaplain and inherent in that process were moralistic judgements, which appear to reflect gendered societal attitudes.

Attempts at educating women were also seriously compromised by the prevalence of short sentences. Little appears in the records about educational programmes for women in local prisons, although in Chelmsford some passing references would seem to imply that it was not pursued with great vigour. The chaplain recorded in 1853 that 'class instruction appears to be valued, not merely as a relief from the dulness [sic] of imprisonment, but as productive of reflection, improvement and consolation', whilst in 1863 the absence of a schoolmistress resulted in the matron giving only 'some instruction' to female prisoners.³⁶ Zedner points out that aims at Tothill to teach reading, writing and knowledge of catechism were rendered impossible by sentences lasting weeks or even days.³⁷ Further, she asserts that women enduring such short, often recurring, prison stays had little or no inclination to dedicate themselves to learning. A survey of the Quarter Sessions records from Chelmsford supports this argument, revealing the reality for women who repeatedly appeared in the prison. Rather than benefiting from educative or reformist programmes, they confounded feminine stereotypes and often severely tested the patience of the prison authorities.

³⁶ ERO, Q/SBb 593/15, *Chaplain's Report*, 18 October 1853; *28th RIP (SD)*, PP.1863 (3215), XXIII.1, p.30.

³⁷ Zedner, *Women, Crime, and Custody*, p.143.

One such case is that of Mary Gibson, who is mentioned in the minute books of the Visiting Justices twenty times between May 1858 and December 1861.³⁸ The number of references is itself noteworthy, as female prisoners rarely appear in the magistrates' reports, and this arguably renders her case exceptional. Nonetheless, there is little detail given of Gibson's crime (other than a passing reference to violent behaviour at her workhouse), to her sentence or to what, if any, reformatory or educative regime she was offered. Twenty periods of incarceration were recorded, usually of two months or less, and these were characterised by disruptive behaviour which was routinely described as being 'violent', although this was always directed at prison property rather than individuals. The magistrates repeatedly looked to medical officers, firstly assuming Gibson's behaviour was explained by her being insane and, once the surgeon had concluded that she was not, clearly medicating her to subdue her temper. Such rare evidence of the female experience demonstrates the stereotypical attitudes towards inalcitrant female prisoners and indicates the limited and disrupted opportunities for education. Periodically Gibson was subjected to punishment, in 'dark cells', 'punishment cells' and 'punishment diet' of bread and water. Punishment of women, alongside use of hard labour, was another aspect of prison life in which gender played a significant role.

³⁸ ERO Q/ACM 45, *VJM*, 1854-62 pp.170-172, 173, 176-177, 182, 184, 213, 228, 231, 235, 255-56, 258, 288, 296, 299, 309-10, 312.

Punishment and Hard Labour

How allowances for gender impacted the application of discipline, punishment, and hard labour in relation to female prisoners is subject to a variety of interpretations amongst historians. Evidence from Chelmsford shows that it varied over time, but ultimately paralleled the overall move to a harsher regime by 1865, which was traced in Chapter Three. McConville points to the limitations prison authorities had in imposing discipline on women, for whom corporal punishment was restricted, and it could be argued that this policy itself was based on gendered assumptions of femininity.³⁹ However, Dobash et al dispute the notion that women were routinely subject to a less severe regime.⁴⁰ An assessment of punishments applied for offences within the Chelmsford prison and of the use of hard labour would appear to suggest a nuanced and fluid approach.

Firstly, in terms of punishments exacted upon female inmates, sources demonstrate a range of sanctions and attitudes over time. In 1829, Esther Bullen, convicted of larceny, was excused one month's solitary confinement, whilst in 1837 Rose Olive was ordered to be contained in the punishment cell on account of 'outrageous conduct towards other prisoners'.⁴¹ In 1842, Mary Ann Johnson and Eliza Pinnock were punished by Neale for 'gross misconduct in chapel'.⁴² Zedner asserts that a 'greater disciplinary problem' was perceived amongst women because of expectations of how women should behave, as

³⁹ Seán McConville, *A History of English Prison Administration Volume One: 1750-1877* (London: Routledge & Kegan Paul, 1981), pp.425–28.

⁴⁰ Dobash, et al, p.86.

⁴¹ ERO, Q/SBb 494/26, *VJR*, 13 January 1829; ERO, Q/ACM 44, *VJM*, 9 August 1837, p.133.

⁴² ERO, Q/ACM 44, *VJM*, 10 August 1842, p.209.

has been seen in the case of Mary Gibson where authorities initially sought to explain her violent temper as madness.⁴³ Meanwhile, Dobash et al argue that prison authorities aimed to influence female behaviour through classification of women, use of uniforms and control of personal appearance, along with the 'humiliation' of having their hair cut.⁴⁴ Magistrates introduced a scaled range of uniforms for female prisoners in Chelmsford in 1836, but whilst both men and women had their hair 'close cut' and checked monthly, women were allowed to leave their hair uncut for the final month of their term.⁴⁵ This was arguably a token gesture given the short sentences women most commonly served, but it does indicate a concession based on societal attitudes towards women and appearance. Wiener argues that wider differences in discipline emerged as the century elapsed, with women no longer being whipped, being less often subject to punitive diet and more likely to be held in 'passive restraints', although they were sent to dark cells as often as men.⁴⁶ Evidence from Springfield from 1859 to 1865 would support this argument; no whippings are recorded for women, few women suffered restriction of diet, dark cells were commonly used and notably in the latter two years of this data, a significant number of women, compared with very few men, were punished with irons or handcuffs.⁴⁷ Thus it can be seen that punishment of females in Chelmsford demonstrated gendered differences, in part influenced by societal attitudes towards women.

⁴³ Zedner, 'Wayward Sisters', p.350.

⁴⁴ Dobash, et al, p.36.

⁴⁵ ERO, Q/SBb 522/55, *Report of committee suggesting improvements to prison rules, etc*, 5 January 1836.

⁴⁶ Wiener, p.130.

⁴⁷ See Appendix H.

Secondly, in relation to hard labour, a comparison between the percentage of women housed in the Chelmsford prisons and the gender ratios of hard labour employment could indicate whether concessions on the basis of gender were made in relation to the severity of the regime. It has been shown in Chapter Two that women averaged around 9% of the Chelmsford prison population over the period of this study for which statistics by gender are available.⁴⁸ From 1845 to 1849, women represented 15% of those employed at hard labour in Springfield. The fact that this ratio was greater than the percentage of females housed in the prison demonstrates that women were arguably disproportionately subject to a harsh regime.⁴⁹ Conversely, from 1849 to 1854, hard labour by women dropped to less than 8%, possibly reflecting a less harsh approach to females at the time the reformatory-driven separate system was being introduced in Chelmsford. Subsequently, the Home Office returns introduced an additional set of data, of the number of those committed to hard labour sentences. In the year 1864-65, of 1,418 men and 157 women committed to Springfield, 944 (67%) and 106 (68%) respectively were serving hard labour sentences.⁵⁰ Significantly, this came following the Carnarvon Committee's findings which, as has been seen in Chapter Three, led to the adoption of a universally harsher regime. Whilst these figures present the picture in one year alone, the similarly high percentages could be argued as evidence that women were not being treated more leniently at sentencing.

⁴⁸ See Chapter Two, p.16

⁴⁹ See Appendix H.

⁵⁰ TNA, HO 24/25 *Annual prison returns: statistical information on county gaols and juvenile reformatory schools for England and Wales, arranged by county, 1864-65.*

However, the mode by which hard labour was served appears to reflect gendered differences. Smith argues that the treadwheel was used less with women because there was always plenty of laborious domestic work for them to do in the prison.⁵¹ It might be argued that this very distinction was born out of gendered preconceptions of women's roles rather than of any concession towards sparing them the treadwheel. In 1821, Western commented that some types of employment in Chelmsford, such as clothes washing by women, amounted to hard labour, although he also advocated use of the treadwheel for women prisoners.⁵² The reality in the late 1820s was often far removed from the views of penal theorists, as is demonstrated by detail contained in Hard Labour Returns. Of forty-seven prisoners sentenced to hard labour in 1824, Frances Jessup was the only woman.⁵³ All prisoners had to spend eight hours per day undertaking their hard labour sentences, but whilst hard labour for the male prisoners was defined as being via treadwheel, picking oakum and in some cases other tasks such as spinning flax, weaving and in one case working as a herdsman, Frances was to serve her sentence through 'washing, making shirts, etc'. Similarly, in 1826 Hannah Displin, whose original sentence to death had been commuted to one of six months hard labour, was directed to spend eight hours per day picking oakum, but also in needlework.⁵⁴ Following urging from the prison chaplain, who called for stricter arrangements for female hard labour, Chelmsford magistrates sought to impose a harsher, more deterrent, regime under the silent system, and in 1833 prison inspectors

⁵¹ Smith, p.88.

⁵² C.C. Western, *Remarks upon Prison Discipline, &c. &c. in a Letter Addressed to the Lord Lieutenant and Magistrates of the County of Essex*. Printed by C.H. Reynell for James Ridgway, 1821, p.16; Dobash, et al, p.38.

⁵³ ERO, Q/SBb 477/9, *Return of hard labour*, 6 December 1824.

⁵⁴ ERO, Q/SBb 482/9, *Return of hard labour*, 6 March 1826.

reported that a hard labour machine had been ordered for women in Chelmsford, as employment in washing at Springfield gaol was not deemed sufficient punishment.⁵⁵ However, as central government moved towards the separate system it was decided that no female prisoner, or boy under fourteen, could be placed on the treadmill.⁵⁶ Thus, in relation to both prison punishments and hard labour, it can be seen that whilst gendered differences existed, concessions for women were not automatically made. Further, the severity of the regime as applied to women changed over time, culminating in sentences which were as deterrent as those being set for men.

Summary

Women in nineteenth century Britain were subject to idealised notions of womanhood which had a particular bearing on those who found themselves living under the male dominated regimes of prison. Such notions were endorsed by female middle-class religious reformers who sought to educate and influence their incarcerated sisters, although as was seen in Chelmsford, male politics and economics may well have had a direct bearing on the realities of delivering such noble aims. More broadly, education with a reformatory purpose was delivered in Chelmsford to women, often serving short sentences, on a rather piecemeal basis. Male control was again exerted, often through the prism of moralistic judgements based on societal stereotypes.

⁵⁵ ERO, Q/SBb 509/24, *Chaplain's Report*, 10 Oct 1832; *RSGA*, PP.1833, (12), XXVIII.1, p.71.

⁵⁶ *RSPD*, PP.1843 (457), rule number 61, p.19.

Alongside attempts to reform female prisoners, punishment and hard labour reflected the deterrent side of the penal equation. Punishments exerted upon females reflected gendered differences, again significantly based on societal attitudes towards women. The use of hard labour in the sentences of women in Chelmsford have been shown largely to have reflected national trends between deterrent and reformatory approaches, culminating in the more severe findings of the Carnarvon Committee. However, whilst the frequency with which hard labour was applied was relatively balanced between male and female prisoners, gendered differences can be seen in the modes of hard labour employed. Thus, the female experience in prison was significantly predicated upon gendered differences, reflecting the practice which was common to women in wider Victorian society.

5. CONCLUSION

This study sought to place the reality of penal practice in Chelmsford in the national context, drawing comparisons with other local prisons to examine how centralised policies were put into effect at the local level. It charted the aspirations of the founding local magistrates in seeking to provide an antidote to rising crime by establishing a new prison designed to enable a regime of surveillance, control, and hard labour. Crucially, such regimes were devised to respond to the prevailing prisoner profile, and Chapter Two showed that the typical prisoner was male, poor, and poorly educated, and living in overcrowded conditions in which ill-discipline, and resulting punishments, prevailed. Significantly, these findings challenge claims made in much of the secondary literature that the majority of prisoners were serving short summary sentences. The ratio of convictions for misdemeanours to more serious felonies indicates that potential did exist for authorities to attempt to influence the character of the incarcerated.

Chapter Three explored the dual penal aims of reformation and deterrence and found that in Chelmsford, both approaches were often pursued simultaneously. Moreover, magistrates were seen to have exercised significant local control, making decisions on use of diet, hard labour, education, prisoners' conditions, and employment which sometimes ran contrary to national policy. The influential role of the prison chaplain was

explored and was seen to reflect the steer from central government as to penal systems. Whilst a move from the silent to the separate regime was embraced in Chelmsford, the nuanced application casts doubt on Johnston's rigid distinctions between silent-deterrent and separate-reformist approaches.

Chapter Four focussed on the female minority incarcerated in Chelmsford, and on the evangelical female visitors who sought to reform them in the context of the patriarchal management of the prison and its economics. Significantly, it demonstrated the way gendered expectations and stereotypes affected the female experience, from the very notion of criminality to compromised educational policies and prison employment. Whilst the numbers serving sentences of hard labour were roughly balanced between the sexes, adjustments were made on the basis of gender so that women served their hard labour and in-prison punishments in less harsh ways.

This study has surveyed the period from the inception of the new prison at Springfield to the time of the Carnarvon Committee. Quarter Sessions records exist continuously from 1865, whilst Visiting Justices minute books are available for the period 1875-1911. These could be used to explore how subsequent legislation affected the working of Springfield Gaol. The 1865 Prisons Act sought to introduce greater uniformity to the nation's prisons and was designed to instil more severe regimes, whilst the 1877 Prisons Act resulted in control of all prisons being taken over by central government. Such extended study would answer Crone's point that research on local prisons has

been focussed on the period pre-nationalisation and would also offer the opportunity to explore the impact on penal policy of the emerging social sciences, which both Garland and Wiener argue came to prominence between the 1890s and 1920s.¹ Springfield was subsequently used as a military prison (1915-1919), with two wings being repurposed as a borstal (early 1940s), and this could lead to further research of alternate penal settings.

As was the case with Exeter Borough Prison, it could be said that in its early years the new gaol at Springfield represented 'a local penal revolution'.² Magistrates exerted considerable local influence to provide a response to the prevailing penal deficiencies. Whether they found a remedy however might well be questioned. Overcrowding and ill-discipline continued and initiatives to educate and reform prisoners appear to have frustrated the chaplain. Attempts by evangelicals to influence the morals of women prisoners were thwarted, in an example of how prison management could be compromised by local politics and economics.

Reliance on hard labour, punitive diets, and punishment persisted, although it has been shown that the dual aims of deterrence and reformation were often pursued in tandem. Menis has argued that the separate system was only

¹ Crone, *Illiterate Inmates: Educating Criminals in Nineteenth-Century England*, p.7; David Garland, *Punishment and Welfare* (Aldershot: Gower Publishing Company Limited, 1985); Martin Wiener, *Reconstructing the Criminal: Culture, Law and Policy in England 1830-1914* (Cambridge: University Press, 1990).

² W.J. Forsythe, *A System of Discipline, Exeter Borough Prison, 1819-1863* (Exeter: University of Exeter, 1983), p.28.

adopted in local prisons in part or not at all.³ This is contradicted by the experience in Chelmsford where, after an initial delay, magistrates did implement the new regime wholeheartedly. Further, it can be concluded that the overarching approach to deterrence, reformation and the treatment of women largely adhered to the bigger national picture, albeit sometimes applied with local variation.

This study has demonstrated how national penal provision was enacted at the local level. Over the period covered, prisons in Chelmsford were transformed from crowded, unhealthy, unruly, and ineffective institutions into more orderly and more ordered facilities. These offered the prospect of reformation of inmates, although the full impact this had on individuals is hard to determine. The voices of inmates, who were mostly poor and from the lower classes, remain largely unheard - something which says as much about wider Victorian society as it does about its prisons.

³ Susanna Menis, *A History of Women's Prisons in England: The Myth of Prisoner Reformation* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2020), pp.68–69.

APPENDICES

Appendix A Springfield Gaol Statistics, 1825-1850*

Appendix B Springfield Gaol Statistics, 1859-65*

Appendix C Gender and age profile, Springfield Gaol, 1847-65*

Appendix D Number of prisoners receiving instruction in reading and writing. Totals for Chelmsford Gaol and House of Correction and Springfield Gaol, 1825-32*

Appendix E Prison chaplain duties, Springfield Gaol, 1851

Appendix F National prison dietaries, 1843

Appendix G Profile of female prisoners, Springfield Gaol, 1853

Appendix H Hard Labour and Punishments, Chelmsford House of Correction and Springfield Gaol, 1845-1865

*Government returns and inspectors reports are identified in HCPP via the date of publication which relates to the parliamentary session during which the report was printed. In some cases, this differs from the period to which the information relates and for the purposes of this study the latter dates have been cited in the following tables.

Appendix A - Springfield Gaol Statistics, 1825-1850

Data extracted from PP. *Reports and Schedules pursuant to Gaol Acts, 1825-1848* and ERO Q/CR 4/4, *Annual returns under the Act of 4 George IV, c.64, s.22 (1823) (amended by 2 and 3 Victoria c.56) on printed forms giving particulars under 34 heads, 1844-57.*

Year	1. Capacity for separate sleeping cells	2. Capacity where cells are shared	3. Total Number of Prisoners Michaelmas	4. Debtors	5. Number of Misdemeanours	6. Number of Felonies	7. Number of prisoners committed during course of the year	8. Number of Tried prisoners	9. Number of Untried prisoners	10. Number of prisoners above 17 years of age	11. Number of prisoners under 17 years of age	12. Greatest number at any one time	13. Number of prisoners who have been committed before				14. Prisoners Employed		15. Prisoners not employed	16. Punishments for Offences within the Prison			
													Once	Twice	3 times	4 or more	Hard Labour	Other		Whipping	Irons	Solitary	Other
1825-26	218	246	50	0	43	7	375	50	0	46	4	80	4	0	0	0	0	44	6	0	0	71	0
1826-27	225	254	99	0	52	47	538	99	0	92	7	132	25	3	4	2	59	33	7	0	4	189	0
1827-28	225	254	128	0	68	60	633	128	0	124	4	189	17	7	2	5	70	40	18	0	0	81	0
1828-29	225	272	151	0	78	72	1034	151	0	141	10	300	18	12	2	5	73	53	25	0	6	158	0
1829-30	225	272	128	0	68	60	823	127	1	121	7	283	34	10	3	0	63	28	37	0	0	133	0
1830-31	225	272	237	0	109	128	1238	148	89	13	224	312	47	21	6	6	100	24	113	1	13	72	0
1831-32	229	320	281	0	136	145	1400	193	88	263	18	323	44	18	3	9	100	62	119	1	4	139	0
1832-33	229	320	252	0	131	121	1285	156	96	229	23	314	57	13	6	10	110	26	116	0	0	53	0
1833-34	229	320	215	0	113	102	1309	139	76	192	23	286	53	20	10	10	106	19	90	1	2	111	0
1834-35	229	320	143	0	67	76	1171	90	53	132	11	302	29	18	7	7	62	18	63	0	2	93	0
1835-36	229	320	174	0	78	96	1012	114	60	155	19	263	47	20	7	9	79	21	74	0	2	83	0
1836-37	229	320	196	0	75	121	1092	111	85	182	14	225	35	18	6	11	75	19	102	9	11	187	0
1837-38	229	320	176	0	72	104	982	109	67	163	13	238	39	11	5	7	68	28	80	0	2	338	18
1838-39	229	320	164	0	73	91	862	102	62	154	10	215	27	12	7	12	53	37	74	1	1	305	25
1839-40	229	320	193	0	63	130	967	101	92	182	11	219	220	65	31	39	63	22	108	0	1	418	1
1840-41	229	320	190	0	80	110	1039	132	58	178	12	217	156	49	23	35	96	19	75	0	2	343	7
1841-42	229	320	273	0	99	174	1455	145	129	250	23	278	195	73	34	42	97	21	155	1	0	486	0
1842-43	229	320	155	0	49	106	1364	105	50	152	3	362	182	81	36	32	71	14	70	1	0	511	0
1843-44	229	320	161	0	93	68	1063	107	54	153	8	208	181	72	34	28	68	29	64	2	0	362	0
1844-45	229	320	153	0	75	78	998	100	53	148	5	225	181	67	32	40	55	34	64	0	0	271	9
1845-46	138	158	136	0	55	81	978	70	66	115	21	220	193	64	24	38	36	30	70	0	0	262	13
1846-47	149	165	146	0	68	78	979	82	64	138	8	179	156	53	33	57	16	61	69	0	6	95	23
1847-48	372	393	212	13	81	118	1176	115	84	190	9	261	221	79	37	52	48	71	93	0	3	212	16
1848-49	372	393	225	12	101	112	1280	153	60	197	116	262	228	62	39	54	95	69	61	3	0	166	11
1849-50	372	393	232	16	75	141	1137	152	56	203	13	209	220	51	33	53	110	40	74	11	0	191	17

Appendix B - Springfield Gaol Statistics, 1859-65Data extracted from TNA, HO 24/20 – 24/25, *Annual prison returns*.

	1859-60		1860-61		1861-62		1862-63		1863-64		1864-65	
	M	F	M	F	M	F	M	F	M	F	M	F
Table 2 - Age and Sex												
Age under 16	66	6	74	10	67	10	70	13	61	7	70	8
Age 16-40	612	77	761	114	943	99	910	106	866	96	794	90
Age 40 and above + age not ascertained	144	33	202	36	220	29	239	28	227	29	225	35
Total	822	116	1037	160	1230	138	1219	147	1154	132	1089	133
Table 3 - Degree of Instruction												
Neither read nor write	250	24	327	44	373	29	340	34	338	37	318	32
Read or Read and Write Imperfectly	554	92	680	116	810	108	827	111	746	92	726	101
Read and Write Well	18	0	26	0	44	1	48	0	65	0	45	0
Superior Instruction + Instruction not ascertained	0	0	4	0	3	0	4	2	5	3	0	0
Total	822	116	1037	160	1230	138	1219	147	1154	132	1089	133
Table 3 - Class of Occupations												
No occupation	0	46	4	73	5	70	3	84	4	73	0	66
Domestic Servants	1	18	5	21	15	14	10	26	13	18	17	28
Labourers, Charwomen, Needlewomen	582	38	749	54	877	37	883	24	838	18	794	24
Factory Workers	14	4	0	10	65	5	23	9	11	8	11	3
Mechanics and Skilled Workers	97	0	186	2	103	4	140	0	150	1	130	3
Foremen and Overlookers of Labour	1	0	0	0	0	1	0	0	3	0	1	0
Shopmen, Shopwomen, Clerks	5	0	7	0	13	0	23	0	31	1	12	0
Shopkeepers and Dealers	20	10	11	0	49	7	40	3	38	12	37	6
Professional Employments	1	0	2	0	5	0	1	0	1	0	1	0
Sailors, Mariners, Soldiers	100	-	73	-	98	-	94	-	64	-	85	0
Prostitutes	-	-	-	-	-	-	-	-	-	-	n/a	3
Occupation not Ascertained	1	0	0	0	0	0	2	1	1	1	1	0
Total	822	116	1037	160	1230	138	1219	147	1154	132	1089	133
Table 4 - Disposal of the Prisoners												
Number at beginning of year, committed or removed to prison in Year	1167	146	1347	190	1548	162	1559	167	1479	158	1418	157
Discharged on termination of sentence or commitment	933	118	1086	166	1276	146	1286	137	1220	139	1169	134
Total removed, discharged etc	978	119	1137	169	1320	148	1328	142	1273	139	1206	139
Remaining in Prison at end of Year	189	27	210	21	228	14	231	25	206	19	212	18
Table 5 - Capacity and State of the Prison												
Numbers prison constructed to contain	330	42	330	42	330	42	330	42	330	42	-	-
Numbers of separate sleeping cells	-	-	-	-	-	-	-	-	219	38	118	3
Number of certified cells	-	-	-	-	-	-	-	-	-	-	219	38
Greatest number at any one time	215	31	232	38	276	38	307	29	279	31	2626	32
Table 5 - Punishments for Offences in Prison												
Whipping	0	0	0	0	0	0	2	0	0	0	1	0
Irons or Handcuffs	0	0	1	0	1	0	0	1	4	15	4	11
Solitary/Dark Cells	65	0	72	15	30	11	137	3	142	44	144	9
Stoppage of Diet	3	1	0	0	82	11	29	0	128	1	289	0
other punishments	0	0	14	0	11	0	14	0	1	0	-	-
Total Punishments for offences in prison	68	1	87	15	124	22	182	4	275	60	438	20

Appendix C - Gender and age profile, Springfield Gaol, 1847-65

Data for 1847-1850 from ERO Q/CR 4/4, *Annual returns under the Act of 4 George IV, c.64, s.22 (1823) (amended by 2 and 3 Victoria c.56) on printed forms giving particulars under 34 heads, 1844-57.*

Data for 1849-1854 from PP. *Annual Prison Inspector reports (16th, 17th, 18th, 19th and 20th).*

Data for 1859-1865 from TNA, HO 24/20 – 24/25, *Annual prison returns.*

Total numbers in prison on day of inspection			
	M	F	total
1847-48	195	17	212
1848-49	210	15	225
1849-50	205	27	232

Total confined in course of year			
	M	F	total
1849-50	1205	115	1320
1850-51	1325	112	1437
1851-52	1233	91	1324
1852-53	1128	127	1255
1853-54	1375	129	1504

Total committed in the year			
	M	F	total
1859-60	992	116	1108
1860-61	1158	163	1321
1861-62	1338	141	1479
1862-63	1331	153	1484
1863-64	1248	133	1381
1864-65	1183	133	1316

		Age under 16	Age 16-40	Age 40 and above + age not ascertained	Total
1859-60	M	66	612	144	822
	F	6	77	33	116
1860-61	M	74	761	202	1037
	F	10	114	36	160
1861-62	M	67	943	220	1230
	F	10	99	29	138
1862-63	M	70	910	239	1219
	F	13	106	28	147
1863-64	M	61	866	227	1154
	F	7	96	29	132
1864-65	M	70	794	225	1089
	F	8	90	35	133

Appendix D - Number of prisoners receiving instruction in reading and writing. Totals for Chelmsford Gaol and House of Correction and Springfield Gaol, 1825-32

Data taken from PP. *Reports and Schedules pursuant to Gaol Acts*

Session 1826-27, (46), XIX.365

Session 1828, (2), XX.327

Session 1829, (24), XIX.1, 401

Session 1830, (5), XXIV.1

Session 1830-31, (41), XII.1

Session 1831-32, (167), XXXIII.197

Session 1833, (12), XXVIII.1

Year	Number 'taught to read'	Number 'instructed in writing'	Greatest number of prisoners in prison at any one time
1825-26	204	31	338
1826-27	273	17	379
1827-28	236	0	332
1828-29	242	0	456
1829-30	265	2	412
1830-31	No data	No data	409
1831-32	293	0	416

Appendix E - Prison chaplain duties, Springfield Gaol, 1851

ERO, Q/ACp 8, *Statement put in by Revd. G.B.Hamilton, Gaol and House of Correction Expenditure Committee, 24 September 1851.*

	HOURS
SUNDAYS	
Divine Services	2 ³ / ₄
Occasional	-
Class Instruction	1
Visits or separate interviews The Sick	2 ¹ / ₂
TOTAL SUNDAYS	6¹/₄
WEEKDAYS	
Prayers	¹ / ₂
Class Instruction	³ / ₄
Visits or separate interviews The Sick General State of Observation of particular cases Superintendence of distributing Books Examining and superintending Schools Letters	5
Books	¹ / ₂
Prisoners under capital charge, occasional	-
TOTAL WEEKDAYS	6³/₄

Appendix F - National prison dietaries, 1843

PP.1843 (457), *Report relative to System of Prison Discipline, by Inspectors of Prisons, Appendix*, pp.4-5.

CLASS 1		
Prisoners confined for any term not exceeding three days.		
	MALES	FEMALES
<i>Breakfast</i>	1 pint of oatmeal gruel	1 pint of oatmeal gruel
<i>Dinner</i>	1 lb. of bread	1 lb. of bread
<i>Supper</i>	1 pint of oatmeal gruel	1 pint of oatmeal gruel

CLASS 2		
Convicted prisoners for any term exceeding three days, and not exceeding fourteen days.		
<i>Prisoners of this Class employed at hard labour to have, in addition, one pint of soup per week</i>		
	MALES	FEMALES
<i>Breakfast</i>	1 pint of oatmeal gruel, 6 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread
<i>Dinner</i>	12 ounces of bread	6 ounces of bread
<i>Supper</i>	1 pint of oatmeal gruel, 6 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread

CLASS 3		
Prisoners employed at hard labour for terms exceeding fourteen days, but not more than six weeks.		
	MALES	FEMALES
<i>Breakfast</i>	1 pint of oatmeal gruel, 8 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread
<i>Dinner</i>		
Sunday & Thursday	1 pint soup, 8 ounces of bread	1 pint soup, 6 ounces of bread
Tuesday & Saturday	3 ounces of cooked meat, without bone, 8 ounces of bread, ½lb of potatoes	3 ounces of cooked meat, without bone, 6 ounces of bread, ½lb of potatoes
Monday, Wednesday, Friday	8 ounces of bread, 1 lb of potatoes, or 1 pint of gruel when potatoes cannot be obtained	6 ounces of bread, 1 lb of potatoes, or 1 pint of gruel when potatoes cannot be obtained
<i>Supper</i>	Same as breakfast	Same as breakfast

CLASS 4		
Prisoners employed at hard labour for terms exceeding six weeks, but not more than three months.		
	MALES	FEMALES
<i>Breakfast</i>	1 pint of oatmeal gruel, 8 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread
<i>Dinner</i>		
Sunday, Tuesday, Thurs, Sat	3 ounces of cooked meat, without bone, 8 ounces of bread, ½ lb of potatoes	3 ounces of cooked meat, without bone, 6 ounces of bread, ½ lb of potatoes
Monday, Wednesday, Friday	1 pint of soup, 8 ounces of bread	1 pint of soup, 6 ounces of bread
<i>Supper</i>	Same as breakfast	Same as breakfast

CLASS 5		
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Prisoners employed at hard labour for terms exceeding three months.		
	MALES	FEMALES
Sunday, Tuesday, Thursday, Saturday		
<i>Breakfast</i>	1 pint of oatmeal gruel, 6 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread
<i>Dinner</i>	4 ounces of cooked meat, without bone, 6 ounces of bread, 1 lb of potatoes	3 ounces of cooked meat, without bone, 6 ounces of bread, ½ lb of potatoes
Monday, Wednesday, Friday		
<i>Breakfast</i>	1 pint of cocoa, made of ¾oz. of flaked cocoa or cocoa nibs, sweetened with ¾oz. of molasses or sugar, 6 ounces of bread	1 pint of cocoa, made of ¾oz. of flaked cocoa or cocoa nibs, sweetened with ¾oz. of molasses or sugar, 6 ounces of bread
<i>Dinner</i>	1 pint of soup, 1 lb of potatoes, 6 ounces of bread	1 pint of soup, ½ lb of potatoes, 6 ounces of bread
<i>Supper, the seven days</i>	1 pint of oatmeal gruel, 6 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread

CLASS 6		
Convicted Prisoners not employed at hard labour for periods exceeding fourteen days.		
	MALES	FEMALES
<i>Breakfast</i>	1 pint of oatmeal gruel, 8 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread
<i>Dinner</i>		
Sunday, Tuesday, Thursday, Saturday	3 ounces of cooked meat, without bone, 8 ounces of bread, ½ lb of potatoes	3 ounces of cooked meat, without bone, 6 ounces of bread, ½ lb of potatoes
Monday, Wednesday, Friday	1 pint of soup, 8 ounces of bread	1 pint of soup, 6 ounces of bread
<i>Supper</i>	Same as breakfast	Same as breakfast

CLASS 7

Prisoners sentenced by Court to solitary confinement.

Males and Females: The same as Class 6

CLASS 8

Prisoners for examination, before Trial, and Misdemeanants of the First Division, who do not maintain themselves.

Males and Females: The same as Class 4

CLASS 9

Destitute Debtors.

Males and Females: The same as Class 4

CLASS 10

Prisoners under punishment for Prison Offences, for terms not exceeding three days. 1 lb. of bread per diem		
Prisoners in close confinement for Prison Offences under the provisions of the 42nd section of the Gaol Act.		
	MALES	FEMALES
<i>Breakfast</i>	1 pint of oatmeal gruel, 8 ounces of bread	1 pint of oatmeal gruel, 6 ounces of bread
<i>Dinner</i>	8 ounces of bread	6 ounces of bread
<i>Supper</i>	Same as breakfast	Same as breakfast

Note: - The soup to contain, per pint, 3 ounces of cooked meat without bone, 3 ounces of potatoes, 1 ounce of barley, rice or oatmeal, and 1 ounce of onions or leeks, with pepper and salt. The gruel, when made in quantities exceeding fifty pints, to contain 1½ ounce of oatmeal per pint, and 2 ounces per pint when made in less quantities. The gruel, on alternate days, to be sweetened with ¾ ounce of molasses or sugar and seasoned with salt.

Appendix G - Profile of female prisoners, Springfield Gaol, 1853

ERO, Q/SBb 593/15, *Appendix to Chaplain's report, submitted to magistrates at Quarter Sessions, Michaelmas 1853.*

Table 7-1	
<i>Female Prisoners committed from the end of the Summer Assize 1852 to the corresponding period 1853, their condition, etc</i>	
Felony	45
Misdemeanor	56
Total	101
Strangers	8
Husbands in work	19
Occasional work	2
Out of work	4
Widows employed	10
Widows unemployed	1
Married womendeserted	1
Ditto Separated	3
Paupers	19
Occupation unknown	1

Table 7-2	
Living with Parents or Friends	10
In Service	13
Living with Men	6
Prostitutes	5
Living honestly apart from friends	4
Doubtful	1
Deserted	1

Table 7-3	
Good	15
Plain	54
Poor	18
Ignorant	3
Unknown	11

Appendix H - Hard Labour and Punishments, Chelmsford House of Correction and Springfield Gaol, 1845-1865

1845-1854 data taken from PP. *Inspectors of Prisons of Great Britain I: Home District.*

1859-1865 data taken from TNA, HO 24/20 – 24/25, *Annual prison returns: statistical information on county gaols and juvenile reformatory schools for England and Wales, arranged by county.*

	1845-46*		1846-47*		1847-48*		1848-49	
	12th Report		13th Report		14th Report		15th Report	
	M	F	M	F	M	F	M	F
Mode in which Prisoners confined in the Prison in the course of the Year have been Employed.								
Hard Labour	491	83	357	90	652	93	619	82
Employment not being Hard Labour	98	0	189	0	220	2	173	14
Not employed	501	55	497	48	383	39	491	46
Mode of Employment not ascertained	0	0	0	0	0	0	0	0
Punishments for Offences in Prison								
Whipping	0	0	0	0	0	0	3	0
Irons or Handcuffs	0	0	6	0	4	0	0	0
Dark Cells	56	9	56	10	206	0	219	10
Solitary Cells	209	0	128	2	96	7	2	0
Stoppage of Diet	0	0	0	0	0	0	0	0
Other Punishments	12	10	0	12	18	12	0	0
Total Punishments for offences in prison	277	19	159	21	334	19	224	10

	1849-50		1850-51		1851-52		1852-53		1853-54	
	16th Report		17th report		18th Report		19th Report		20th Report	
	M	F	M	F	M	F	M	F	M	F
Mode in which Prisoners confined in the Prison in the course of the Year have been Employed.										
Hard Labour	672	47	971	69	630	37	551	62	780	74
Employment not being Hard Labour	284	25	145	43	161	10	236	46	495	55
Not employed	249	43	185	0	140	10	341	19	100	0
Mode of Employment not ascertained	0	0	-	-	-	-	0	0	0	0
Punishments for Offences in Prison										
Whipping	11	0	4	0	1	0	0	0	0	0
Irons or Handcuffs	0	0	0	0	0	0	0	0	1	0
Dark Cells	167	0	230	3	170	6	158	4	167	5
Solitary Cells	0	0	34	0	71	0	0	0	7	0
Stoppage of Diet	0	1	0	0	0	0	0	0	0	0
other punishments	42	0	0	3	0	0	0	0	0	0
Total Punishments for offences in prison	220	1	268	6	242	6	158	4	175	5

	1859-60		1860-61		1861-62		1862-63		1863-64		1864-65	
	M	F	M	F	M	F	M	F	M	F	M	F
Punishments for Offences in Prison												
Whipping	0	0	0	0	0	0	2	0	0	0	1	0
Irons or Handcuffs	0	0	1	0	1	0	0	1	4	15	4	11
Solitary/Dark Cells	65	0	72	15	30	11	137	3	142	44	144	9
Stoppage of Diet	3	1	0	0	82	11	29	0	128	1	289	0
other punishments	0	0	14	0	11	0	14	0	1	0	-	-
Total Punishments for offences in prison	68	1	87	15	124	22	182	4	275	60	438	20

* Annual Inspectors Reports combined statistics for Chelmsford House of Correction and County Gaol Springfield

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