

**The Institutional Treatment of Juvenile Delinquency:  
Aspects of the English Reformatory and Industrial  
School Movement in the Nineteenth Century.**

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## CHAPTER 1 : INTRODUCTION

The early nineteenth century response to social deviants, whether they were paupers, vagrants, criminals or mentally ill was manifested in the development of institutions which were designed to be mechanisms of both treatment and control. Reformatory and industrial schools were a later part of this development which marked the emergence of the concept of child criminality and the ideology of child reform in an institutional setting.

When the work on this thesis was started, the history of the reformatory school was still a relatively neglected aspect of the history of education and social policy in the nineteenth century. Indeed, earlier work undertaken by me for a master's dissertation was one of the earliest explorations of these institutions as products of an ideological movement.<sup>1</sup>

Since that time, further research has contributed much to an understanding of the nature of this ideology of reform, and recent theses, including a study of the development of the reformatory system in Scotland,<sup>2</sup> an examination of some aspects of institutional practice in English schools after

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1. E.Parkinson, "The Origins and Development of the Reformatory and Industrial School Movement to 1874", Unpublished, M.A. dissertation University of Leicester, 1976.
  2. A.G. Ralston, "The Treatment of Destitute and Delinquent Children in Scotland 1812-1872, with specific reference to Industrial and Reformatory schools", Unpublished D. Phil. thesis, University of Oxford, 1982.

the mid-nineteenth century,<sup>1</sup> and a full-scale survey of changes in the laws relating to juvenile offenders in the eighteenth and nineteenth centuries<sup>2</sup>, have added to the body of knowledge of both the theory and practice of reformatory and industrial schools.

However, these have been only partial accounts which have not really come to terms with the problems of analysis with which revisionist theories have confronted the historian. The purpose of this study is to offer a more comprehensive reconstruction of the ideas and practices involved in the treatment of deviant children in the second half of the nineteenth century while, at the same time, attempting to assess the uses and limitations of the theoretical perspectives which have developed around this and related areas in the last ten years.

There have been a number of major theoretical influences on the study of reformatory institutions. The first of these, as presented in the traditional interpretations of an evolving child-care policy in the nineteenth century, considered reformatory and industrial schools as aspects of the state's gradual recognition of

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1. P.J. Rooke, "Education in the Treatment of Young Offenders during the Nineteenth Century in England and Wales", Unpublished Ph.D. thesis, CNAA Bulmershe College of Higher Education, 1984.
  2. M.M. May, "A Child's Punishment for a Child's Crime: the Reformatory and Industrial School Movement in Britain, c.1780-1880", Unpublished Ph.D. thesis, University of London, 1981.

its duties towards certain categories of children, which, in some cases, could replace or supersede that of natural parents.<sup>1</sup> These interpretations also emphasised the increasing involvement of government as opposed to voluntary enterprise as the nineteenth century progressed, together with the humanitarian basis of nineteenth century social policy and the trail-blazing nature of nineteenth century charitable enterprise.<sup>2</sup>

The perspective advanced by this progressive/reformist school has undoubtedly offered valuable tools for research, not the least of which have been those institutional studies which have emphasised the practices of particular schools or the merits of individual reformers.<sup>3</sup> The criticisms levelled against this perspective however have been considerable. The most important of these has been that it has erroneously assumed that the new provisions

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1. See for example, I. Pinchbeck and M. Hewitt, Children in English Society, vol.II (1973). Earlier examples of the "progressive" approach can be found in M.A. Spielman, The Romance of Child Reclamation (1920) and, to a certain extent, in J. Carlebach, Caring for Children in Trouble (1970).
  2. See for example, H.W.Schupf, "The Perishing and Dangerous Classes, Efforts to Deal with the Neglected, Vagrant and Delinquent Juvenile in England 1840-1875", Unpublished Ph.D. thesis, University of Columbia, 1971., and H.W.Schupf, "Single women and Social Reform in the mid-Nineteenth century: the case of Mary Carpenter", Victorian Studies, vol.XVII, no. 3 (1974), pp.301-317.
  3. Of particular interest are two such studies, R.J. Saywell, Mary Carpenter of Bristol, Bristol (1964), and J. Manton, Mary Carpenter and the Children of the Streets (1976). The thesis has also used the celebratory histories of a number of reformatory and industrial schools.

for delinquent children were in all ways better than the old ones and that reformers were motivated by the need to improve not only the quality of statutory provision but the quality of life of the recipients of that provision. It was an assumption which overlooked the evidence of repressive regimes and punitive practices, and ignored the possibility that legislation concerning deviant children operated as much, if not more, to the advantage of the legislators as it did to the benefit of miscreant youth.

Since then, revisionist histories have radically modified this view by pointing out that nineteenth century social policy was also motivated by a concern over the allocation of power between social groups and a desire to devise mechanisms whereby social equilibrium could be maintained. In the field of reformatory and industrial school legislation, American studies have dominated, moving the focus away from the benign intentions of reformers towards the punitive elements of reformatory regimen which were intended to affirm traditional middle-class values and to punish non-conforming or independent behaviour among the young. They have also stressed the fact that reformatory institutions aggravated the very problem of juvenile

delinquency they were designed to correct.<sup>1</sup>

These American studies have no direct parallels in England. However, recent developments in approaches to the history of social deviance in Europe have begun to highlight the possibility that reformatory and industrial schools might be regarded as devices or aspects of a new kind of social engineering which emerged in the nineteenth century. As such they could be viewed as part of a wider attempt to deliberately control anti-authoritarian behaviour in new and more subtle ways than previously, and at the same time extend the concept of deviance to a wider range of increasingly differentiated groups or categories of deviance. This attempt, which can be represented as a kind of 'social technology', was manifested not only in the changes made to the penal system but also in the ideological basis of the revised poor law and the development of the mental asylum as an agency of new policies towards 'lunatics'.

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1. See for example, A.M.Platt, The Child Savers: the Invention of Delinquency, Chicago (1969); S.L.Schlossman and S. Wallach, "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era", Harvard Educational Review, vol. 48, No. 1 (1978); S.L.Schlossman, Love and the American Delinquent: the Theory and Practice of "Progressive" Juvenile Justice 1825-1920, Chicago (1977); S.E. Houston, "Victorian Origins of Juvenile Delinquency: a Canadian Experience", History of Education Quarterly, Fall (1972).

Much of the impetus for this reinterpretation of institutional history in the nineteenth century has come from the perspectives on the history of social deviance set out by a small number of pioneering analyses. One of the first of these was offered by the neo-Marxian theorist, Michel Foucault, whose work on the history of discipline and punishment as embodied in the prison<sup>1</sup> was a sequel to his study of the clinic in which he developed his analysis of 'the archeology of medical perception'.<sup>2</sup> These, together with other studies by Foucault marked a major departure from the traditional way of looking at western society and its institutional developments, which included the prison, hospitals, barracks, schools and factories as well as reformatories. For Foucault, institutions of this sort were not random innovations designed to deal with the new contingencies of rising crime rates or ill-disciplined populations, but part of a new perspective on society, involving a radical change in the structures of policy and practice, based on a transformation in social relationships between classes and a resultant redistribution of power and knowledge in society.

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1. M. Foucault, Discipline and Punish: the Birth of the Prison (1977). Originally published as Surveiller et punir: naissance de la prison, Paris (1975).
  2. M. Foucault, The Birth of the Clinic, New York (1973). Originally published as Naissance de la clinique, Paris (1963). A cogent analysis of Foucault's work appears in A. Sheridan, Michel Foucault: the Will to Truth (1980).

A second study, an analysis of the late eighteenth and early nineteenth century prison which appeared in Ignatieff's A Just Measure of Pain, drew attention to the fact that agents of coercive control such as the prison, and later the reformatory, were capable of being analysed in terms of new functions involving the surveillance, control and reformation of 'deviant' behaviour. Ignatieff's analysis covered not only the development of the penitentiary for the criminal but hospitals for sanitising the poor, asylums for the insane and houses of industry for paupers - an agency of control in fact for each newly perceived category of deviance from the 1780s onwards, ensuring that

'In each environment, the poor were to be "cured" of immorality, disease, insanity or crime, as well as related defects of body and mind, by isolation, exhortations and regimens of obedience training'<sup>1</sup>.

This stress on the functions of institutions is an approach which was developed in David Rothman's work on the

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1. M. Ignatieff, A Just Measure of Pain: the Penitentiary in the Industrial Revolution, 1750-1850 (1978), p.213. See also M. Ignatieff "State, Civil Society and Total Institutions: a Critique of Recent Social Histories of Punishment", in S. Cohen and A.T.Scully, Social Control and the State (1983), pp.51-75. (Ignatieff here is critical of his own earlier analysis.)



concept of the asylum as a 'total institution' capable of developing regimen designed to modify behaviour<sup>1</sup>. Rothman, like Ignatieff, identified the origins of social control mechanisms in the perceived threats to social equilibrium in the late eighteenth and early nineteenth century, but contributed further evidence to suggest that the original aims of institutions of social control were systematically undermined by managerial and pragmatic considerations, thereby differentiating between the rhetoric of early reformers and later consequences.<sup>2</sup>

A further theoretical influence on this thesis has been Andrew Scull's study which identified the asylum as part of a series of strategies or exercises in the 'normalisation' and remoralisation of the 'deviant' in the

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1. D.J.Rothman, The Discovery of the Asylum: Social Order and Disorder in the New Republic, Boston (1971). Rothman's concepts have also been influential in recent school studies, particularly of the Victorian public school. See J.A. Mangan, Athleticism in the Victorian and Edwardian Public School. Cambridge (1981).
  2. See D. Rothman, "Social Control; the Uses and Abuses of the Concept in the History of Incarceration," in S. Cohen and A.T.Scull, op.cit., pp.115-117.

nineteenth century.<sup>1</sup> In this study, he was concerned with the major changes in the early nineteenth century social organisation of deviance which he saw as emanating from the evolution of capitalist systems in Western Europe. The focus of Scull's attention, the lunatic asylum, he identified as a function of the monopolisation of coercive powers in the state which was an inevitable part of that evolutionary process.

What has been offered in Museums of Madness is another version of a social control approach to the history of social policy which has been much in vogue in recent years. Its contribution has been invaluable to my own thesis, but the approach it adopted has a number of limitations.<sup>2</sup> The unacceptable level of reductionism which results from the sometimes casual application of the concept of social control to historical analysis is the chief of these. Thus revisionist histories of the reformatory and industrial school movements, Platt's in particular, and to some extent Rooke's study of the English reformatory school, have overlooked a wealth of information which cannot be fitted easily into the revisionist

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1. A.T.Scull, Museums of Madness: The Social Organization of Insanity in Nineteenth Century England (1979).
  2. Scull himself identifies the limitations of approaches offering 'little more than either crude conspiracy theory; or an account pitched in terms of a nebulous cultural angst.' op.cit., p.256.

framework. The extended use of the social control theory makes it very difficult to deal with non-conforming information other than to categorise it as the exception to the rule. It becomes impossible to find satisfactory answers to explain why some pioneers of the reformatory movement were much more enlightened and humanitarian than others, why some schools were more obviously humane and adaptable to social change than others and why attitudes and control styles varied so much from institution to institution. The assumption which must follow from an allegiance to revisionist perspectives is that these were only minor variations in an overall pattern of repressive practices. A study of each separate institution however may tell a different story.

Oversimplifications can arise not only in exaggerating the consistency and unity of purpose within the reformatory movement but in failing to take account of the extraneous factors influencing the development of institutions, which in the case of reformatory schools, for example, might include shortage of funds, the influence of personalities within and outside the Home Office, changing perceptions of criminality and the effect of other social control agencies on the behaviour of delinquent children, notably the influence exerted by the family and the immediate community.

A new look at revisionist histories has been offered in Cohen and Scull's collection of papers by leading social historians, including Ignatieff, Rothman, Scull and

Stedman-Jones, who have partly reassessed their original perceptions of institutions as manifestations of an increase of state control in capitalist society. This exposition not only highlights the oversight of much evidence inconsistent with the social control thesis, but also calls for a new interpretation of the nature of social control which takes into account the wide variety of other controlling agencies in nineteenth century society which have been hitherto unexplored.<sup>1</sup>

This thesis has not set out to apply critical or revisionist theories in any deliberate sense. However, the perspectives involved in these theories and the issues which they have raised for interpretations of the history of reformatory and industrial schools have undoubtedly contributed to shaping the framework of the analysis entered on here.

Thus it seems appropriate to start in section one (Chapters Two and Three) at the beginning of the so-called reformatory school movement as the manifestation of a new social ideology. This involves studying the historical origins of the idea of the reformatory school as a new, more effective and humane way of dealing with deviant or criminal children in the context of the growth of an ideology of reform. Within this overall approach, questions

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1. See Cohen and Scull, op.cit., especially chapters, 2,3,4 and 5.

are asked about how juvenile criminality came to be identified as a social problem and whether a consistent body of concepts was ever formulated as a guide to the practice of the reformatory school. This analysis also involves a study of the sources and directions of discontent with the existing apparatus for dealing with young offenders.

A second section (Chapter Four) raises fundamental questions about the influence of the reformatory movement as a social ideology. This involves a study of the politicisation of ideas about the reformatory school as a movement. To what extent did reformatory 'pioneers' create an effective pressure group and how representative were they of reformist opinion? What were the political mechanisms employed by the pressure group to procure the enabling legislation which they saw as necessary to the effective prosecution of their cause? Such an analysis should help to illuminate how far reformatory ideas were translated into official policy and also throw further light on the nature of the reformatory movement by studying the personalities involved in the political campaign.

A third section turns to an examination of the development of the reformatory and industrial school system (Chapters Five, Six and Seven). This section is regarded as a crucial element in the thesis, going beyond ideology and politics, to ask questions about the bureaucratic context and operational practices of the reformatory school. Thus

it is concerned both with the administration of the schools and the day to day practice employed when reformatory ideas became translated into institutional reality. The questions to be asked in this section concern the location of power within the reformatory school hierarchy and the extent to which regulations were uniformly applied. The section also includes a separate chapter on the growth of industrial schools which illustrates how further categories of deviance were institutionalised into schools which became indistinguishable from reformatory schools in ethos and regimen. The aim of a thorough examination of matters pertaining to the internal regulation of the schools is to lead to some conclusions about the relations between the intended and actual functions of the schools as instruments of control and reconstruction.

A last section (Chapters Eight and Nine) deals with the continuation of reformatory school practice against a background of new challenges and criticisms. Account has been taken of the effect on reformatory school ideology of new theories about the causes of crime and the treatment of the criminal young. This section also looks at the responses of the schools to the criticisms made of their practices. A study of these matters may help to show the extent and nature of the interaction between the schools and the society responsible for their creation.

In conclusion, the aim of this thesis is to offer a more comprehensive reconstruction of the ideas and

practices involved in the treatment of deviant children in the second half of the nineteenth century. Its major purpose, as outlined in this introduction, is to assess the impact of social ideology upon the foundation and development of the reformatory school system, and at the same time to analyse the limitations of ideological forces in the every day operations of the schools. In doing so, it is hoped that some light may be thrown on the role of the schools as it was perceived in the nineteenth century and perhaps as it is perceived today in the twentieth century successors to the reformatory institution, which still struggle with many of the issues which are highlighted in the following pages.

## CHAPTER 2 : THE IMPETUS FOR REFORM 1 : EARLY NINETEENTH CENTURY IDEOLOGICAL CHANGES AND THE EMERGENCE OF THE INSTITUTIONAL RESPONSE TO SOCIAL DEVIANCE

This and the following chapter analyse the development of beliefs and practices which exerted a formative influence on the reformatory and industrial school movement in England in the first half of the nineteenth century.

Central to Chapter Three will be an assessment of the impetus for changes in the law relating to both the sentencing procedures and subsequent treatment of young criminals up to and including the Select Committee on Juvenile Offenders and Transportation of 1847.<sup>1</sup>

This chapter assesses emergent reformatory ideology against the background of shifts in philanthropic, political and religious beliefs concerning social deviance and its treatment. It proposes that these early nineteenth century ideational developments were responsible for the identification of juvenile criminality as a social problem. It further suggests that such developments were to affect, in due course, the complete spectrum of nineteenth century welfare provision by promoting a two-tiered attack on issues which were seen as social, and specifically, urban problems. The first involved the identification of the problem itself through a process of description, quantification and categorisation, and the second was concerned with the establishment of the appropriate mechanism to effect its containment and eventual elimination.

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1. House of Lords' Select Committee Appointed to Inquire into the Execution of the Criminal Law, especially respecting Juvenile Offenders and Transportation. First Report, 1847 (447.) VII,1. Second Report, 1847 (534.) VII,637.



This approach to problem solving, which survived well into the twentieth century, took as its base the need to separate and segregate socially deviant groups and to subject them to a series of measures designed to moralise, instruct and correct. The mechanism devised to exert this control was the institution, a building, discrete and enclosed, where separation was enforced by bars, locks or high walls and regulated behaviour was enforced by strict regimen and systems of rewards and punishments.<sup>1</sup>

In the case of juvenile criminality, a factor which affected early nineteenth century social and legal responses to young lawbreakers can be identified in the political unease engendered by aggregates of children and young adults, particularly in towns and cities<sup>2</sup>, who appeared undisciplined by work and, in view of the decades of unrest in Europe, potentially disruptive and lawless.

A wide spectrum of sectional interests which supported measures to discipline and reform these juvenile offenders was motivated by two major underlying ideological developments. Both the protestant revival and

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1. A full discussion of the characteristics of total institutions appears in E. Goffman, Asylums, (1961), (1968 edition, pp.11-117). Goffman refers specifically to the characteristics of mental asylums as does A. Scull op. cit. For contemporary reflections on the functions and significance of asylums see, for example, Quarterly Review, vol. 101, no. 202, January/April (1857), pp.353-393, and Edinburgh Review, vol. CXXII no. 249 (1865), pp.37-74.
  2. Although Scull has identified the institution as a specifically urban response to social problems, other historians have argued that institutions were also to be found in non-urban communities and were responsive to the demands of basically rural problems (Ignatieff argues for example that the late eighteenth century unrest in the English countryside initiated prison reform in this country, op.cit., pp.44-79).

the new liberal politics of the early nineteenth century stressed the importance of social investigation coupled with effective remedial mechanisms in the fight against lawlessness and disorder. Their perspectives were often dissimilar, although their practical application shared much common ground, particularly in the treatment of young offenders.

The significance of both ideological developments will be assessed in turn. Their separation for the purpose of analysis, however, is not intended to suggest that they were in any way ideological alternatives. As a subsequent chapter attempts to illustrate, key figures in the reformatory school movement were deeply influenced by both.

## I

The influence of the Protestant Reveil was a decisive factor in the growth of the institutional treatment of juvenile offenders in N.W. Europe. Its impact was not confined to the reformatory movement alone however, but was manifested in a wave of voluntary charitable enterprises which centred on the labouring classes of

urbanised society.<sup>1</sup>

To a large extent, protestant revivalism in nineteenth century Britain was an urban phenomenon in that non-conformist churches and their philanthropic offshoots were most numerous in London and the industrial towns, where there were

'vast multitudes, ignorant and excitable in themselves, and rendered still more so by oppression or neglect.'<sup>2</sup>

The evangelical movement within the Church of England for example was a powerful influence in London, while Unitarians, the intellectual and social elite of non-conformity, concentrated their philanthropy on areas of the West Midlands, Lancashire, Cheshire and London.

The significance of the non-conformist church in the early nineteenth century however went beyond its geographical proximity to the problems of urbanisation. It lay rather in the powerful ideology of the evangelical movement which was to influence the way society as a whole perceived and treated those who fell outside its boundaries of respectability.

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1. For a discussion of the relationship between evangelicalism and urban charity, see D. M. Rosman, Evangelicals and Culture (1984), and I. Sellers, Nineteenth century Non-Conformity (1977).

2. Quarterly Review, vol.67, no. CXXXIII (1840-41), p.181.

It would not be possible within the scope of this study to encompass the complexity of nonconformist, particularly evangelical, doctrine. Discussion will be restricted therefore to those aspects which had a direct bearing upon social reform and which affected ideological and structural changes within the penal system in the first half of the nineteenth century. The roles played by individual evangelicals in the early years of the reformatory movement will be discussed in Chapter Four.

Of great importance to the development of reformatory ideology was the fact that the evangelical movement was strongly anti-revolutionary, and as such constituted a powerful reactive response to political unrest in Europe and to perceived increases in criminality at home. It supported a hierarchy of social division based upon duty and obligation, in which delinquent or other forms of non-conformist behaviour had no place.<sup>1</sup>

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1. Some Unitarians influenced by the work of Joseph Tuckerman were in favour of a more egalitarian approach. Dr Tuckerman's work with delinquent boys in Boston led to the creation of the first state-supported institution for boys in America - the Massachusetts's State Reform School. His interests extended to non-delinquent children, particularly vagrants, and resulted in the opening of the Boston Asylum and Farm School for Indigent Boys in 1832. He corresponded with Mary Carpenter and visited the Unitarian community of Bristol in 1833 as part of his preaching tour of Europe. His influence upon her, and thus the origins of the English reformatory movement, appears to have been considerable. For an account of Tuckerman's visit to Bristol, see J. Manton, op.cit., pp.48-52.

Equally significant to the development of reformatory institutions was the protestant rejection of the doctrine of predestination and its emphasis upon conversion and personal salvation. The faith in personal conversion through the power of preaching and exhortation was in itself a recognition of the possibility of reclamation, both at a spiritual and a social level. This belief in reformability, which was also basic to the faith of such early prison reformers as Wesley and Howard became the corner-stone of the reformatory movement.<sup>1</sup> In these terms the criminal child was the individual sinner who could be saved.

Evangelical influence however reached far beyond the young delinquent, extending into the lives of the urban poor in an attempt to achieve reclamation on a national as well as an individual level. The fight to moralise the working classes of the industrial towns was a fight to convert the potentially disruptive to essentially middle class values by a process of redirection, re-education and self-help. In the early nineteenth century, missionary work was the major weapon in this fight, the domestic

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1. c.f. J. Howard, The State of the Prisons in England and Wales (1777), and Rev. J Field's account of Howard's life and work, The Life of John Howard (1850), in which he claimed that Howard's motivations were always threefold: to "relieve their [the prisoners'] miseries, correct their morals and at the same time be conducive to the welfare of the Community". p.152.

mission became the focus of non-conformist philanthropy<sup>1</sup> and the wayward or neglected child became a major recipient of philanthropic zeal. In the capital, Baptists had their mission in connection with the Bloomsbury and Regent's Park Chapels, and the Methodists were responsible for the foundation of the Bermondsey Settlement. Both Baptists and Congregationalists were later to become involved in the work of the Police Court Missions of the 1870s. In addition, the evangelical wing of the Anglican church devoted much of its charitable work in London to the rescue of children and young people. They were responsible, for example, for the establishment of the Y.M.C.A. in 1844 and of the Y.W.C.A. in 1855, the Church of England Waifs and Strays Society in 1881, and the Dr. Barnardo Orphanages, the first of which opened in 1866.<sup>2</sup>

The rescue of children became therefore an acknowledged focus of missionary work in the first half of the nineteenth century. The role of women, a key factor in the development of reformatory schools, was also well established. Women workers were involved not only in the capacity of 'background' helpers but were themselves

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1. For an outline of Unitarian charitable enterprises see S.L.Ollard and G.Crosse, A Dictionary of English Church History (1912), and M.P.Hall and I.V. Howes, The Church in Social Work (1965).
  2. cf. G. Wagner, "Education and the Destitute Child after 1870", History of Education Conference Papers December 1980, p.49-64 and G. Wagner, Barnardo (1979).

admitted into the church hierarchy.<sup>1</sup> The evangelical emphasis upon duty and service, two traditionally female virtues, which took precedence over formal doctrine, gave women a particularly significant role in the work of the missions and children's charities. The domestic experience of women was a further qualification which made them ideally suited to the internal management of institutions and missions. It was their skills as household managers which were required in prisons, workhouses and orphanages alike and it was these same skills which were deemed essential in the early reformatory schools.<sup>2</sup> The female temperament, which according to evangelical interpretation, was patient, long suffering, caring and resilient, was a further reason for their involvement in rescue work; for while

'the peculiar office of man is to govern and defend society, that ... of the woman is to spread virtue, affection and gentleness'<sup>3</sup>

1. For example, The Mildmay Deaconesses' Home, established in 1860 provided the London Missions with women church workers. See Quarterly Review vol.108 no.216 (1860), pp.342-87 for an account of the work of Deaconesses in London.
2. F. K. Prochaska, Women and Philanthropy in Nineteenth Century England (1980), pp.138-181 draws attention to the fact that women visitors to Newgate prison moved between the home and the prison with relative ease because the same skills of household management were required in both situations.
3. Edinburgh Review, vol. LXXIII, no. CXLVII (1841), p.209.

It was from this body of women that early reformatory schools drew their superintendants, teachers and visitors.<sup>1</sup> No woman played a more influential role in the life of the reformatory movement up to 1870 than Mary Carpenter, an active and single-minded Unitarian.<sup>2</sup> Unitarians had taken a lead in philanthropy ventures firstly through their medical and educational charities during the Napoleonic wars, and again through their domestic missions in the 1830s and 40s. Their adherence to the principle of self-help extended their influence to many aspects of working class life. The Unitarian voice for example was heard in wash-house schemes, plans for city parks and district nursing, ragged schools as well as later in the reformatory school movement.

This new emphasis on the care of wayward and neglected children together with a faith in the power of personal salvation was largely responsible for a reassessment of the role of children in society, a role which emphasised the innocence of childhood by contrasting

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1. Frances Power Cobbe an active campaigner for female emancipation and life-long friend of Mary Carpenter, had much to say about women's particular aptitude for the institutional life. In "Workhouse sketches", MacMillan's Magazine, vol. III (1861), pp448-461, she expanded the theme that women were naturally more suited to the role of carers and supervisors in charitable enterprises.
  2. See L. Carpenter, Principles of Education (1820), pp.1-17 and 149-170, for reference to his views the education which had most influence on his daughter.



it with the guilt of unreformed adult sinners.<sup>1</sup> A wave of sentimentalism in English literature which stressed the innocence and vulnerability of childhood did much to focus attention on the destitute child and the work of the evangelical rescue agencies. The popular image emerged of the innocent child, who, by enduring the hardships of poverty, became the child evangelist, the symbol of victory in a holy war against lawlessness and degradation.<sup>2</sup> Whether this marked 'a new, more humane, more tolerant, indeed more optimistic, sentimental view of the child and childhood',<sup>3</sup> which T.W. Laqueur suggests emerged in the latter part of the eighteenth century is open to debate.

Attitudes to childhood seemed to have been more complicated than this. Much of the reformatory literature upon which this thesis is based suggests that early and mid nineteenth century views of certain categories of children were far from tolerant and benevolent. Many reformers were shocked by precocious street children and 'turned from such a picture of premature depravity as from

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1. This theme is expanded in J. Shattock, The Victorian Press. Samplings and Surveys (1982); P. Coveney, The Image of Childhood (1967) and F.J.H. Darton, Children's Books in England, Cambridge (1932). Revised edition (1982).
  2. This sort of imagery appears to have had a very powerful effect. Mrs Sewell's famous Household Tract, Our Father's Care, with its account of the watercress girl, sold over 776,000 copies. See Mrs. Sewell, Our Father's Care: A Balad, (185-?).
  3. T. W. Laqueur, Religion and Respectability: Sunday Schools and Working-class Culture 1780-1850 (1976), p.9.

something loathsome'.<sup>1</sup> The reaction to these children was indeed very different from the reaction to the child innocents of the religious tracts. These two converse images of childhood, which were both products of the protestant revival, and particularly of evangelicalism, produced a tension which was resolved by the rationalisation that child criminals belonged to a race,

*'sui generis*, differing from the rest of Society not only in thought and manners, but even in appearance.'<sup>2</sup>

The dilemma between welfare and benevolence on the one hand and punitive discipline on the other continued unresolved. Thus, at the same time as extreme vigilance was being urged against this the juvenile criminal, 'child in years ... a man in knowledge and profligacy',<sup>3</sup> the National Association for the Promotion of Social Science was urging its members to:

'spread a bed without thorns for the child, and lull him to rest by the gentlest influences. He will soon enough wake to the stern realities of life.'<sup>4</sup>

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1. Edinburgh Review, vol.XCIV, no. CXCII (1851), p.405.
  2. Second Report from the Select Committee of the House of Lords Appointed to Inquire into the Present State of Several Gaols and Houses of Correction in England and Wales 1835: (439.) XI.494. Minutes of evidence, p.395.
  3. Edinburgh Review, vol.XCIV no.CXCII (1851), p.405.
  4. Transactions of the Congress of the National Association for the Promotion of Social Science, Edinburgh meeting (1863), p.431. (Hereafter, T.N.A.P.S.S., with venue and year as appropriate).

The common ground between these two views was provided by the evangelical doctrine of personal salvation. It was this view that 'all children, unless suffering from the taint of insanity are capable of reformation if properly treated,'<sup>1</sup> which motivated reformatory school pioneers until the early years of the 1870s, when the concept of reformability received its first serious challenges.

The means by which the evangelical movement put its faith into practice brought it close to the social control techniques advocated by the new wave bourgeois liberals, political economists, Utilitarians and social statisticians which emerged in the early nineteenth century. This uneasy alliance strengthened the cause of reformers who sought to control deviant children through the processes of total institutionalisation. It is to the influence of these new political ideas that this chapter now turns.

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1. W. Gilbert, "A Plea for Criminal Boys", Good Words, vol. VII, April (1866), p.279.

## II

The changes in social control styles and practices which evolved during the first half of the nineteenth century were much influenced by those liberal politics of early Victorian England which emphasised the need for rational scientific method in the solution of the problems of urbanisation. This positivistic approach to social disorder had, as its explicit aim, the moralisation and regeneration of the working classes.<sup>1</sup>

The growth of positivism, with its emphasis on description and quantification, not only influenced the development of sociology in Europe, but was responsible for a new movement in social research which attempted to use scientific techniques to investigate and subsequently to solve the problems associated with urban growth.<sup>2</sup> Thus sanitation, pauperism and criminality became foci of attention for such political economists as Edwin Chadwick and Nassau Senior (who were both gifted with a degree of perspicacity which reduced the most complex social problem to its essential elements) and for Utilitarians,

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1. M. J. Cullen, The Statistical Movement in Early Victorian Britain (1975), pp.137-144, gives detailed analysis of the motives which prompted statisticians and statistical societies to carry out large scale surveys of working class life. He concludes that the consensus of motivation lay in the creation of a virtuous and quiescent working class.
  2. For a discussion of positivism in relation to the growth of sociology and social inquiry see R. Keat and J. Urry, Social Theory as Science (1975), pp.71-95, and J. Hughes The Philosophy of Social Research (1980), pp.16-34.

particularly Jeremy Bentham, whose ingenuity was manifested in the cellular confinement system operating at Mettray from 1833 and at La Petite Roquette from 1836.<sup>1</sup>

Despite common ground, there were areas of major differences between evangelicalism and positivism in their approaches to the problems of social order, both in the nature of charitable endeavours and the direction in which they should be guided. For evangelicals, charity was a Christian duty, and as such should not be superseded by the intervention of the state. There were further reasons why it was thought that state intervention should be kept to a minimum. It was argued, for example, that 'voluntary societies ... can act more freely than national authorities could do',<sup>2</sup> and that 'laws are designed to form a basis for the flesh of voluntaryism to make a living body of national charity.'<sup>3</sup> Alternatively, the *laissez-faire* principles of political economists like J. S. Mill did not apply to their perception of social legislation, where state intervention was taken for granted. Mill, for example, maintained that voluntaryism was only a temporary measure which would be made redundant

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1. For details of Bentham's plans for a system of cellular confinement and its adaptation for use in prisons, workhouses and schools, see J. Bowring (ed.), The Works of Jeremy Bentham, vol.4, reproduced from the Bowring Edition of 1838-1843, New York (1962), pp.37-172.

2. Edinburgh Review vol.C, no.204 (1854), p.619.

3. F. P. Cobbe, op.cit., (1861), p.460.

by the advance of state mechanisms of provision and control.<sup>1</sup>

There was divergence too on the means by which the correction of deviant behaviour could be effected. Political economists, for example, favoured the system of categorisation, isolation and confinement outlined by Bentham and practiced in penal establishments in France, Belgium and the Netherlands. The evangelical approach alternatively, whilst based on the principle of institutional correction utilised methods of retraining through industrial occupation and good example which had already been put into practice in their houses of refuge and ragged schools.<sup>2</sup>

In common with the evangelical movement however, the positivistic approach of liberalism helped to identify and refine the image of social deviance. The impact of this upon the reformatory school movement was so fundamental, that the process of identification and description requires closer analysis.

The positivist perception of social problems in the first half of the nineteenth century was concerned not only with statistics but with the study of the

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1. J. S. Mill, Principles of Political Economy, Book V (1848), Ch.IX discusses the intervention of the state in matters of social policy and centres upon questions of how much state intervention there should be and in what directions it should be channelled.
  2. See M. M. Dick, "English Conservatism and Schools for the Poor 1780-1833; a study of the Sunday School, School of Industry and the Philanthropic Society's school for Vagrant and Criminal Children", unpublished Ph.D thesis, Leicester University, 1979.

environmental factors linked to social deviance. Thus the Society for the Investigation of the Causes of the Alarming Increase in Juvenile Delinquency in the Metropolis, which later became the Society for the Improvement of Prison Discipline and for the Reformation of Juvenile Offenders, attracted such members as David Ricardo and J.S. Mill because of their faith in scientific method, documentation, statistical analysis and causal investigation. Similarly, the statistical societies of early nineteenth century England, both in London and the provinces, were a powerful force in the identification of social problems through scientific investigation. It was also their aim to trace and eradicate the sources of disorder and, as in the case of the London Statistical Society, to secure 'the foundation of a superior moral character for the working population.'<sup>1</sup> The collection of statistical information and the formation of causal theories will be appraised in turn.

Statistical information was the essential weapon in the positivist attack upon social deviance, especially upon crime. A great deal has been written about early nineteenth century criminal statistics both then and more recently. The Manchester Statistical Society's surveys in

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1. The London and provincial statistical societies were much influenced by the work of A. Quetelet who visited and corresponded with the London Statistical Society and whose environmentalist approach substantiated the view that crime was endemic in the population. c.f., "*Recherches sur le penchant au crime aux Différents Ages*", a report to the Royal Belgium Academy of Science in July 1831 published in Journal of the Statistical Society of London, vol.III, April (1840). The works of Quetelet and A. M. Guerry are described in more detail in T. P. Morris, The Criminal Area (1958), ch.3.

the 1830s<sup>1</sup> and the London Statistical Society's Survey of 1846 claimed to prove that crime rates had increased 600% between 1805 and 1842.<sup>2</sup>

The fascination for statistical information on crime spilled over to the public at large, undoubtedly contributing to a continued distortion of the popular perception of its extent. Accounts of criminal activity became highly saleable commodities through the successive revelations of periodicals and newspapers. Charles Dickens' columns in the Daily News and later Henry Mayhew's articles on 'Labour and the Poor' sponsored by the Daily Chronicle were designed to generate concern, if not alarm, in their readers.<sup>3</sup> This emotional public response is reflected in Thomas Beggs' comment that:

'The results were published in voluminous reports, forming some of the most mournful and instructive commentaries upon the state and society to be found in modern literature. They are the more powerful for their circumstantial and matter-of-fact character. There is nothing to excite the imagination, or throw an air of romance over the darkness and the suffering. There is no artistic embellishment, no poetical display, - everything is dull, cold and harrowing reality.'<sup>4</sup>

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1. Report of the Committee of the Manchester Statistical Society on the Condition of the Working Classes in an Extensive Manufacturing District in 1834, 1835 and 1836 (1838).
  2. Journal of the London Statistical Society, vol.IX (1846).
  3. Dickens writings on the subject of London's criminal life both in the "Daily News" in the mid. 1840s and in "Household Words" in the early 1850s, are elaborated in P. Collins, Dickens and Crime (1962). Selections of Mayhew's contributions to the "Morning Chronicle" during the period 1849-50 are reproduced in E.P. Thompson and E. Yeo, The Unknown Mayhew : Selections from the Morning Chronicle 1849-50 (1971).
  4. T. Beggs, An Inquiry into the Extent and Causes of Juvenile Depravity (1849), p.2.



A realistic assessment of the rate of crime during this period is as difficult now as it was in the first half of the nineteenth century. There has been very little consensus on the subject, and it may be that the nature of available statistical material is such that any conclusions must inevitably remain tentative.<sup>1</sup> An assessment of such information as is available however would seem to suggest that there was a heightened sensitivity to crime from the latter decades of the eighteenth century which resulted both in an increase in the number of non-indictable offences brought before the courts and also in an increase in juvenile convictions for minor offences carrying shorter sentences. (A more detailed analysis of crime rates in the first half of the nineteenth century is given in appendix I).

In the development of the reformatory movement the significance of positivism lay not only in its emphasis on quantification but also in its pursuit of environmental explanations of criminality. It was this perspective which allowed reformatory pioneers to separate and categorise their inmates according to their environmental backgrounds<sup>2</sup> and which led to the segregation of

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1. See for example the varying theses offered in: J. J. Tobias, Crime and Industrial Society in the Nineteenth Century (1967); A. G. Ralston, op.cit.; D. Philips, Crime and Authority in Victorian England: the Black Country 1835-1860 (1977); P. J. R. King, "Crime, Law and Society in Essex 1740-1820", unpublished Ph.D. thesis Cambridge University (1984).
  2. Thus, Chamber's Edinburgh Journal, no. 507 Oct. 16th (1841), p.305 stated that 'Criminals are of three leading orders - those who act under the influence of temporarily pressing circumstances, those who are depraved by a bad moral atmosphere, and those who do evil in obedience to the promptings of natural inclinations.'

incorrigible children<sup>1</sup> which was to have far-reaching implications for the schools later in the century. Some discussion of environmental explanations is therefore pertinent to this chapter. The findings of social investigations also allowed, however marginally, for the view that all men (except those hereditarily inclined to crime) were equal in terms of their moral potential but unequal in the opportunity to live their lives lawfully.<sup>2</sup> It was a perspective in which lay the seeds of what Katz labelled "a profoundly democratic"<sup>3</sup> theory of crime. The variety of pitfalls which existed in the physical and moral environment of the home and the street are illustrated in the following observation:

'The physical conditions are bad, to begin with,... the parents have of course been vicious, or their children would not be in the class. Intemperance of some sort has spoilt their health; they have few children; of those few, most die in infancy, and those who survive have small chance of the commonest bodily ease. The infants who are not half-starved are stuffed with unwholesome food, and unnerved by poisonous drinks. They are out begging or thieving, in all weathers in the day; if beggars, they are barefoot and nearly naked, and if thieves, they may

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1. A. Scull, op.cit., (1979) p.188-140, draws attention to the development of similar concepts of "curables" and "incurables" applied to lunatics placed in asylums. c.f. Edinburgh Review, vol. CXXII, no.249 (1865) pp.37-74, which contains a lengthy article on the virtues of classification in terms of environmental background.
  2. The heredity factor, which was prominent in reformatory school philosophy later in the century was well established before that time. Edinburgh Review vol. CXXII (1865) p.355, for example, suggested special schools for hereditary thieves, 'the natural and necessary criminals of each generation'.
  3. M.B.Katz, The Irony of Early School Reform: Educational Innovation in Mid Nineteenth Century Massachusetts, Cambridge, Mass.(1968), p.180.

advantageously wear the beggar's rags. They come home at night either to be chased away from the fire, and knocked into a corner of the crowded room, to lie on straw, or they are made much of for their doings, praised for trickery or audacity, and rewarded with gin and a gross supper.'<sup>1</sup>

Featured here are the detrimental effects of vicious parents, the inadequate moral judgement of parents, the intemperance of parents and children, starvation and physical neglect, the influence of beggars and thieves and overcrowding. It was widely maintained that at the root of the problem of juvenile crime was "the tainted" parent, who through neglect, or, as in the case cited above, through positive encouragement, forced their children into a life of poverty and crime. The Committee for Investigating the Causes of the Alarming Increase in Juvenile Crime in the Metropolis compiled a list of formative influences upon juvenile offenders, of which the improper conduct of parents was placed first.<sup>2</sup> Fifty years later, Her Majesty's Inspector of Reformatory and Industrial Schools still regarded this as the primary factor in determining juvenile criminality. Reformatory

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1. Edinburgh Review, vol. CXXII no. 250 (1865), pp.342-3.
  2. Report of the Committee for Investigating the Causes of the Alarming Increase in Juvenile Crime in the Metropolis (1816), p.9.

philosophy maintained, on the basis of this view, that character reformation could be achieved only if the delinquent child was completely and preferably permanently removed from his parents.<sup>1</sup>

The primary importance of parental influence did not of course exclude the formative influences of related deprivations. In fact, the path to crime was typically viewed as an eclectic, multicausal affair. Poverty, crime, migration, family disorganisation all seemed related, although the nature of the relationship remained unclear. The physical context in which the children of the poor were most at risk were those which the urban slum was thought to foster. The concept of contagion, both in the physical and moral sense was frequently applied when describing the ill effects of these slums.

'Each individual criminal has a sphere of influence (or rather infection), small perhaps, but certain. Each is the centre of a circle of sympathising and gradually emulous admirers and associates, whose tendencies for the thief's life he fosters, develops and directs. Reckon but five of such satellites of crime to every juvenile delinquent, and we have a mass of at least 50,000 deprived and vicious lads, professionally living on the plunder and injury of society.'<sup>2</sup>

As the concept of moral as well as physical contagion developed, so too did the Victorian faith in the restorative powers of fresh water which was extended to

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1. Report of Her Majesty's Inspector of Reformatory and Industrial Schools (1870), p.28 recommended this separation, and the view was endorsed in the Rules and Regulations of most early reformatory schools (see App. 2). Her Majesty's Inspector of Reformatory and Industrial Schools, Annual Reports 1858 (2436.) XXIX to 1914 (2537.) Sess. 2 XXII part II will be referred to hereafter as HMI Report with the appropriate date.
  2. Edinburgh Review, vol. XCIV, no. CXCII (1851), p.405.

cover both the problems of physical disease and moral degeneration. Edwin Chadwick's Report on the Sanitary Condition of the Labouring Population of Great Britain argued that it would be cheaper to eradicate poverty, closely linked to ill-health and poor sanitation, than to increase poor relief expenditure.<sup>1</sup> Similarly such reformatory pioneers as Sydney Turner and Joshua Jebb were much in favour of sanitary reforms as a first step on the road to the elimination of crime and the 1868 meeting of the National Association for the Promotion of Social Science concluded that

'drainage, water supply, open spaces for walks and recreations...all these form important parts of a remedial machinery.'<sup>2</sup>

The important social and moral effect of the washing-bath was stressed by Mr. Sargeant Adams to the 1847 Select Committee, and both Mary Carpenter and Matthew Davenport Hill were similarly

'very much disposed to believe that any improvement in the moral desires and aspirations of the class inhabiting these houses will come in aid of sanitary measures.'<sup>3</sup>

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1. E. Chadwick, Report on the Sanitary Conditions of the Labouring Population of Great Britain (1842), contains the argument that 'these adverse circumstances tend to produce an adult population, short lived, improvident, reckless and intemperate, and with habitual avidity for sensual gratification.' (1965 edition, p.423).
  2. T.N.A.P.S.S. Birmingham Meeting (1868), p.345.
  3. Report from the Select Committee on Criminal and Destitute Juveniles, 1852 (515.) VII.I. Minutes of evidence, p.35.

An attack upon the slums themselves as criminogenic agents was not confined to the impurities of their sanitary arrangements, but extended to the inevitable overcrowding in the houses of slum dwellers which was seen to be similarly detrimental. Beggs' essay quotes from a report made by the Manchester Statistical Society which examined 2,755 slum dwellings to find that 1,512 of them contained six persons per bed. Beggs was of no doubt that

'whenever a population are so placed, a low tone of morality and an inferior standard of decency prevail.'<sup>1</sup>

The deterministic approach, which had identified the city slum as a major source of contagion, claimed repeatedly that the lack of educational provisions in these areas was a contributory reason for the increased incidence of juvenile crime.<sup>2</sup> Although the Sunday schools, into which much Evangelical and Methodist energy for the education of the working class had been poured, were designed to fill this gap in provision, they were apparently not attracting the poorest and least respectable elements. The children of the respectable working class were still in the majority in these schools and social mixing was rarely a reality, although it was considered necessary in 1846 to issue the assurance that 'the fears entertained ... as to

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1. T. Beggs, op.cit., p.47. cf. E. Chadwick, op.cit., p.423.
  2. See for example, Eclectic Review, vol. XX, New Series (1846), pp.129-168.

the injurious effect of such a mingling of classes are very groundless'.<sup>1</sup> Even the ragged schools, whose sole purpose was the education of the children of the very poor, were without the legal powers to retain their pupils and relied upon exclusion from the school as a major sanction against the recalcitrant. Thus the exclusion of the socially disreputable from recognised establishments of formal education served to further segregate and identify the intractable, the ill-behaved and the neglected as a group in need of special attention.

Of all the environmental influences which were "discovered" through the use of positivist method, poverty, or more accurately, pauperism, was seen as the most severe and intractable. For many observers, pauperism was the true enemy of social stability, delinquency was merely the symptom.<sup>2</sup> J. R. Gillis has concluded further that juvenile crime was still being associated primarily with the children of the poor well into the 1880s.<sup>3</sup>

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1. S. Pearson, The Evangelical Magazine, vol.10, New Series (1868), p.36.
  2. R. M. Mennel, Thorns and Thistles : Juvenile Delinquents in the United States, 1825-40, New Hampshire (1973), p.xxiii.
  3. J. R. Gillis, "The Evolution of Juvenile Delinquency in England 1890-1914", Past and Present, no.67 (1975), pp.96-126.

The link between poverty and criminality was not however a simple one. Although it had become accepted that

'unless the poor can by degrees be brought to think seriously, to have some sense of their duty to society and to their Maker, little permanent improvement can be expected',<sup>1</sup>

the research completed by Quetelet had suggested rather that some of the poorest departments of France were in fact the most law abiding.<sup>2</sup> Evidence such as this supported the conclusion that it was not the state of poverty, but the individual's response to it which determined his life style and his attitude towards the law. This view was upheld by the Select Committee of 1852 which concluded that idleness rather than the state of poverty was directly productive of crime.<sup>3</sup>

There was however one link between poverty and crime which was denied by no-one. An unequivocal connection had been made between juvenile delinquency and society's only official response to pauperism - the workhouse. Few disputed that the training given to children who were obliged to follow their parents into the workhouse led almost inevitably along the road to crime. The contaminating effect of the workhouse upon the young had

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1. Hints on District Visiting Societies, a Plea for their Formation and Suggestions to Visitors (1836), p.21.
  2. Quoted in L. Radzinowicz, Ideology and Crime (1966), p.36.
  3. Report of the Select Committee 1852. Minutes of evidence, p.196.



been observed in

'numerous instances ... in which the juvenile delinquent has owed his initiation into crime to a short sighted anxiety to save the rates; for economy's sake, the destitute boy has been associated with the adult profligate and idler in the House, or has been hastily, apprenticed to an indifferent and unfit master.<sup>1</sup>

Thus Early nineteenth century positivism was responsible for the creation and refinement of the multi-causal perspective on criminality. It created an explanation for social behaviour which, despite the challenges of later nineteenth century criminological analysis, survived virtually intact into the twentieth century. It provided substantiating evidence to support the view that the social environment was the catalyst for deviant behaviour. It did not, however, eliminate or even reduce the individual moral responsibility on which the eighteenth century criminal code had been based,<sup>2</sup> but suggested rather a two-fold approach which combined plans for the improvement of environmental conditions with schemes for the expansion of institutional discipline and correction.

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1. Edinburgh Review, vol. XCIV no. CXCII (1851), p.413.
  2. cf. L. Radzinowitz, A History of English Criminal Law and its Administration from 1750, 4 vols. (1948-68); L. Radzinowitz, Ideology and Crime (1966); R.S.E. Hinde, The British Penal System 1773-1950 (1951); J. Heath, Eighteenth Century Penal Theory (1963); I. Taylor, P. Walton and J. Young, The New Criminology (1973).

### III

This chapter has attempted to draw out the impact of religious, political and scientific ideologies on early nineteenth century attitudes to social deviants and particularly to criminal children, illustrating that at the root of a wide diversity of perspectives lay the belief in the need to investigate, to intervene, to control and to reform.

Incarceration was already seen to perform many of those functions and attempts to make the prison a more effective instrument of discipline had begun as early as the 1770s. Dissatisfaction with penal provisions, especially those applied to juveniles, provided the immediate impetus for changes in the laws relating to juvenile offenders. This dissatisfaction, its source and its impact will be analysed in the following chapter.

### CHAPTER 3 : THE IMPETUS FOR REFORM 2 : EARLY REFORMS AND REFORMERS

#### I

The ideological shifts outlined in Chapter Two produced a social climate in which some reconsideration of the problem of juvenile crime was possible. Three factors were largely responsible for drawing the attention of reformers to children in prison; the increased rates of juvenile convictions, administrative changes in prisons which identified a separate category of juvenile criminals, and the emergent faith in the possibility of reformation of character which was optimistically applied to the young and malleable offender.

It might be supposed that under these considerable pressures for change, some recommendation for major revisions in the law relating to juvenile offenders would have been supported both in the House and in society at large. A number of the traditional studies of the reformatory movement have traced its origin to a ground-swell of support in the 1840s and 50s, notably the work of Pinchbeck and Hewitt<sup>1</sup> which identified what the authors saw as a gradual realisation that criminal children were being treated too harshly under the law and that large numbers of relatively innocent children were being consigned to a life of crime through their

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1. I. Pinchbeck and M. Hewitt, op. cit., pp.638-656.

experiences in prison. The concern expressed about stories of abuse and death in prisons,<sup>1</sup> the ill effects of the treadwheel and the silent system have all supported the thesis which Pinchbeck and Hewitt extended to cover the whole nineteenth century child welfare policy.

Other historians have similarly attached great significance to the early recognition of intolerable social problems. The 'intolerability' thesis, identified by O. MacDonagh in his study of nineteenth century government and social changes<sup>2</sup> was adopted by a number of reformatory historians to explain the changes in the law relating to children in the middle decades of the nineteenth century. Official and unofficial figures for crime rates did suggest an increase in juvenile crime, and the fears of over-crowding in prisons, made even greater by the possibility of the cessation of transportation, are obvious reasons why a radical new approach might have been made to the problem of the juvenile offender.

No such approach was forthcoming however. On the contrary, evidence would suggest that there was little support for any changes in the treatment of juvenile offenders, and considerable support for no changes at all. In addition, those modifications which were suggested showed no indication of a more lenient disposition towards the young criminal.

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1. See, for example, Report of the Commissioners appointed to Inquire into the conditions and treatment of the prisoners confined in Birmingham Borough Prison, 1854 (1809.) XXXI.1.

2. O. MacDonagh, "The Nineteenth Century Revolution in Government, a Reappraisal", The Historical Journal, vol.1 no.1 (1958), pp.52-67.

The 1847 Select Committee gave considerable weight to the argument that prison was the right treatment for a young offender because its shocking impact would be more likely to deter than any other punishment. Nor did the schemes for the separation of juvenile from adult offenders in prison meet with universal approval. Critics argued on practical grounds that the expense involved would be too great, 'not only in building the prisons, but in the supposed necessary increase of the number of officers of the Establishment'.<sup>1</sup> Opposition to the extra financial commitment involved was also in evidence outside parliament. As Barbara Weinberger has pointed out, the additional burden on the local rates which juvenile penal establishments would incur did not make them a popular option with the Councillors of Birmingham.<sup>2</sup>

Nor did the public generally seem particularly interested in what happened to young offenders. The poor public response to a meeting held in June 1848 to discuss the question of alternative custody for children was matched 'by Parliament's equally unenthusiastic reception of the resulting petition introduced to the House by the

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1. First Report of the Select Committee, 1847, Minutes of Evidence, p.175.

2. B. Weinberger, "The Children of the Perishing and Dangerous Classes; Industrial and Reformatory Schools and the Elementary Education System", History of Education Society Conference Papers, December 1980, pp.65-82.

Duke of Richmond in that year. The petition was roundly rejected.<sup>1</sup>

Even the magistracy, arguably more alert to the potential of youthful recidivism, was not wholeheartedly in favour of alternative institutions for such offenders. Indeed, some were apparently unaware that such alternative measures were being discussed, and in some instances, were already a reality.<sup>2</sup>

In terms of legislative procedure, attempts to introduce summary conviction for certain minor offences by juveniles were also resisted. A bill for the Punishment, Correction and Reform of Young Persons charged with Privately Stealing from Houses or the Person in Certain Cases, which was also intended to make use of solitary confinement with the aim of preventing the usual evils of gaol association was resisted twice, in 1821 and again in 1828.<sup>3</sup> The following year, the proposition that Courts of Summary Conviction should replace Quarter Sessions in the cases of petty larcenies committed by juveniles was similarly opposed.<sup>4</sup> Objections continued to be made in Parliament to any statutory changes regarding the

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1. Hansard's Parliamentary Debates, vol. C (1848), p.82.

2. Hansard, vol. C (1848), p.84.

3. Hansard, vol. 20 (1829), pp. 9 95-98.

4. Idem.

sentencing of juvenile offenders despite renewed efforts to introduce such legislation in 1832 and 1838.<sup>1</sup>

The overwhelming overt criticism of summary jurisdiction remained its denial of the benefits of trial by jury. Implied throughout the debates in the House was a reluctance to introduce any new measures which would alter the law to the advantage of the juvenile, and which would also produce 'a proportionate increase of the county rate.'<sup>2</sup>

Perhaps of greatest significance is the fact, overlooked by those who have supported the 'intolerability' thesis, that the concessions which were won, and which laid the foundations of an alternative provision for young offenders, in no way compromised existing concepts of justice, nor were they seen as other than piece-meal measures of expediency or small-scale experiments which affected only a small part of the juvenile population in prisons. The precedent for alternative measures was well established. Compulsory physical labour for the idle and dissolute for example was a Tudor strategy for which Edward VI gave over the Bridewell Palace to the Corporation of London. The element of reformability had been well established by 1840 as part of the basic ideology of the new model prison system. Government financial support for the retraining of young

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1. Hansard, vol. 40 (1838), pp.246-49.

2. Hansard, vol. 40 (1838), p. 49.

criminals had also been established in principle by its partial funding of the work of Red Hill Farm School. Even the introduction of formal education as an agent of reform was not an innovation. Pauper schools were already paying lip-service to the 3 R's, and schemes to educate young criminals in prisons had been in operation for some time. Finally, and perhaps the most important principle relating to the reformatory scheme, the notion of *parens patriae* was already well established by 1840. Children had always represented in law one of the few categories where a case could be made for the intervention of an outside rescue agency or an adaptation of the law in accordance with the immaturity of the offender.<sup>1</sup> The revised Poor Law<sup>2</sup> had reinforced the right of the state to remove children from what were seen as the contaminating effects of pauper parents on the basis that

'children belong less to their parents than to the public; they are the children of the people; they are the hope and strength of the body politic'.<sup>3</sup>

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1. P.J.R. King, op.cit., points out that the more lenient attitudes of the courts towards child offenders was fundamental to the concept of justice in English law well before the eighteenth century (p.404).
  2. Poor Law Amendment Act (1834), 4 & 5 Will.IV., C.76.
  3. Rev. D. Turner, Hints on Religious Education, Being Two Sermons in favour of Sunday Schools (1794), pp.9-10.



## II

It is questionable whether the concern expressed in the 1840s about rising juvenile crime rates was at such a level that positive intervention by the state was inevitable. What seems more likely is that relatively minor penal and legislative changes during this period paved the way for the more fundamental modifications embodied in the first reformatory and industrial school acts of 1854 and 1857.<sup>1</sup> The sources and direction of these changes will be discussed in this section.

Much of the dissatisfaction with the existing treatment of juvenile criminals was manifested within a framework of major prison reforms which had been modifying penal theory and practice in America and Europe since the 1820s. As far as the treatment of juveniles was concerned, this dissatisfaction was expressed by a relatively small group of influential figures within the prison system including chaplains, governors and some members of the judiciary, and centred on three main propositions; that juveniles in prison were in need of formal, spiritual and secular education; that the deterrent effect of imprisonment on the young was short-lived; and finally that the contaminating influences of these establishments increased the probability that inmates would continue in a life of crime after release. These propositions will be examined in turn.

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1. See App.3.

The need to provide some sort of education for certain categories of children was already acknowledged. The children of the urban poor formed one such category. Henry Brougham in his speech to the Commons in 1820 for example, had warned members of the inherent dangers in the situation where 'the proportion of those actually receiving education was only one-fourteenth or one-fifteenth of the whole'.<sup>1</sup> That number had increased by 1851 to 40% of the male child population and 48% of the female child population. Well before compulsory elementary education became a reality, the government had recognised, in the passage of the Poor Law Amendment Act, the need to counteract pauperism and indigence by compulsory formal and industrial training for the children of the workhouse. The principle upon which pauper education was theoretically based, that of preventative education as practiced in the Pestalozzian Schools of Switzerland, Prussia, Germany and Holland, became the corner-stone of the reformatory movement twenty years later.<sup>2</sup>

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1. Hansard, vol.11 (1820), p.61.

2. Pestalozzian ideas, widely influential in 19th century Europe, stressed the importance of early parental and home experiences as well as the need to call on the personal sensory experience of children. For an account of Pestalozzi's life and work, see K. Silber, Pestalozzi, the Man and His Work (1973).

There were practitioners within the penal system, (in the main prison chaplains, who as a group were responsible for much of the face-to-face contact with prisoners) who propounded the belief that lack of education bred criminality as well as pauperism. They believed further that the education and training of young prisoners could claim back those who had already embarked upon a criminal career. Reclamation was not a new concept. In 1746, Francis Hutcheson had written,

'It is poor policy merely to punish crimes when they are committed. The noble art is to continue such previous education, instruction and discipline, as shall prevent vice, restrain these passions, and correct these confused notions of great happiness in vicious courses, which enslave men to them.'<sup>1</sup>

From 1835 onwards, prison returns had supplied information on the state of education of everyone who was listed in the Calenders of Persons sent for Trial and the reports of Her Majesty's Inspectors of Prisons gave yearly details of the educational details of prisoners. The following example is taken from a table illustrating the instructional state of children in prison in England and Wales in 1849:-

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1. F. Hutcheson, System of Moral Philosophy, vol.II (1755). Facsimile edition (1969), p.310.

By Assize or Session   By Summary

	<u>conviction</u>			
<u>State of Instruction</u>	<u>M</u>	<u>F</u>	<u>M</u>	<u>F</u>
Can neither read nor write	848	195	4063	868
Can read only	540	143	1798	375
Can read and write or both imperfectly	802	94	2704	214
Can read and write well	72	9	194	8
State of instruction not ascertained	-	-	28	-

The education of both children and adults in prison was occasionally the responsibility of a specially appointed teacher, more usually it was a task assigned to the prison chaplain who thus took on a role of considerable significance in the new reformed prisons of the early nineteenth century.<sup>2</sup> They were, as in the case of the Reverend John Clay, an esteemed public figure with considerable status in the prison world, both the representatives of the prison system and its chief critics. From this source came the earliest

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1. Report of the Select Committee Appointed to Inquire into the treatment of Criminal and Destitute Children, 1853 (674.) XXIII. 1. Appendix p.429
  2. The Seven Chaplains called as witnesses before the 1847 Select Committee were all responsible for the education in their own penal establishments.

recommendations for reform in the treatment of young offenders, which included a greater stress on their educational needs.

The corner-stone of the prison sentence, namely its power to deter was also under attack from the same quarter. Deterrence since the eighteenth century, had been 'the sole consideration which authorises the infliction of punishment of Human Laws.'<sup>1</sup> On the other hand, it was acknowledged that prisons had the power to return 'malefactors ... more hardened in their crimes and more instructed.'<sup>2</sup> Inevitably opposing views emerged and polarised. One view maintained that young criminals should be subjected to even stricter and more severe punishment to reinforce the deterrent effect of the sentence. Sydney Smith's remedy, for example, was that

'there must be a great deal of solitude, coarse food, a dress of shame, hard, incessant, irksome eternal labour; a planned and regulated and unrelenting exclusion of happiness and comfort.'<sup>3</sup>

Other critics also condemned prisons for being too lenient, to the extent that they encouraged potentially criminal children within their walls. S.P. Day, for example maintained that 'many of our juvenile culprits have never feasted upon such luxurious abundance before they entered the prison.'<sup>4</sup>

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1. E. Paley, (Ed.), The Works of William Paley D.D., vol. 4. New Edition (1825), p.425.
  2. Idem.
  3. Edinburgh Review vol.XXXVI no. LXXII (1822), p.374.
  4. S.P. Day, Juvenile Crime: its Courses, Character and Cure (1858), p.18.

If the principle of deterrence was to be reintroduced, and the reactionary backlash of the post-Peterloo period reinforced this need, then it was important that punishment should be recognised as the major element of a young offender's sentence. It was in this belief that Sir George Grey, Home Secretary stated to Parliament in 1849 that he was

'most willing to receive any suggestions on the subject; keeping in view the principle that crime required punishment, and that those who had been guilty of offences against the law ought not to be better treated than those who had not.'<sup>1</sup>

The opposing view on the principle of deterrence, that held by the Select Committee in 1847, was not that punishment should be made less severe for juveniles. The Reverend John Field reminded the Committee that

'with few exceptions I have found the supposition a sad mistake, that their hearts, because young, are therefore tender and more susceptible of good. Being naturally corrupt, they have become hardened by evil council and wicked example, whilst they are insensible to many arguments by which those of mature age may be convinced and persuaded.'<sup>2</sup>

The view was rather that punishment needed to be tempered by instruction if reformation was to be achieved. Successful examples of this policy were already being held

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1. Hansard, vol. CVII, 1849, p.105.

2. First Report of the Select Committee 1847, Minutes of evidence, pp.147-8.

up as models by 1847. Millbank Prison School, Preston Gaol and Reading Gaol were all able to offer evidence that deterrence and reform were both possible in one sentence.<sup>1</sup>

Six years later, the climate of opinion amongst reformers had moved away from the concept of a school-within-a-prison, towards the idea of separate institutions. The combined elements of deterrence and reform however were still retained both during and after the preliminary and compulsory fourteen days prison sentence. Although sending children to prison became, for some, 'a monstrous act which can only tend to increase the immoral pestilence which reigns and which all deplore,'<sup>2</sup> the majority of young offenders continued to receive only prison sentences and were not sent on to reformatories.<sup>3</sup>

The related problem of 'contamination' was one which had troubled reformers and stretched the ingenuity of prison architects since 1821, when John Haviland's design for a system of complete solitary confinement became a reality in the Eastern penitentiary at Cherry Hill, Pennsylvania.<sup>4</sup> The possibility that prisoners would

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1. First Report of the Select Committee 1847; Minutes of evidence, pp.135, 145, 241, 258, 262.
  2. E.E. Antrobus, The Prison and the School (1853), p.46.
  3. For example, the Prison Inspector for the Northern and Eastern District reported that in 1850, 2070 boys were sent to prison for up to 14 days, 2146 for between 14 days and 1 month and 2024 for between 1 and 2 months, which constituted the bulk of juvenile delinquents. Report of HMI of Prisons, North Eastern District, P.P. 1850, (1167.) XXVIII, 291.
  4. For a discussion of the role of architectural design in the prevention of contamination see A.D. King, (ed.), Buildings & Society: essays on the Social Development of the Built Environment (1980),

'contaminate' each other was a major preoccupation of the Select Committee on the Present State of Several Gaols and Houses of Correction in 1835.<sup>1</sup> The concept of contamination was applied not only to the influence of prisoner upon prisoner, but to the impact of one social class upon another. The term, borrowed from the world of medicine, denoted the existence of a distinct class where the 'vices' of pauperism and criminality spread like a contagion to infect the rest of society. Not only were groups of people capable of spreading 'moral and physical contagion and pestilence,'<sup>2</sup> but individual children could contaminate each other by the allegedly corrupting influence of bad example. The imagery of disease continued into the 1850s and 60s and was used to justify reformatory schools as hospitals for the treatment of moral diseases.

The need to prevent the cross-fertilisation of criminal tendencies was most acute in the old borough gaols which continued to leave prisoners unsegregated and uncategorised until the prison system was centralised in 1878. Despite the innovatory separate system employed in Pentonville Prison and the alternative, and less expensive silent system at work in Coldbathfields, most children in prison according to Mayhew and Binney were still subjected to

'a scene of riot and lawless revelry, of filth and

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1. See, for example, the Second Report of the Select Committee of the House of Lords on the Present State of Several Gaols and Houses of Correction in England and Wales 1835; Minutes of evidence, p.395.
  2. W.B. Neale, Juvenile Delinquency in Manchester: its causes and history, its consequences and some suggestions concerning its cure, Manchester (1840),



fever ... where the juvenile offender could be duly educated in vice by the more experienced professors of iniquity.'<sup>1</sup>

The three propositions cited above did not account for all the dissatisfaction expressed about prison sentences for juveniles. Other problems were also identified. The use of the birch and leg-irons for young offenders at Parkhurst had been a contentious issue since the opening of that institution in 1838. The lack of supervision after release was also seen as a serious failing. However, the witnesses called before the Select Committee of 1847 were united in the conviction that the prison sentence could be effective if it contained elements of mental and moral discipline, and if it segregated young offenders from adult criminals.

Other groups were equally influential in re-examining the effectiveness of juvenile imprisonment. Of those thirty six witnesses called to give evidence before the committee, thirteen were magistrates, Recorders or other members of the legal profession. Whilst the activities of chaplains were mainly confined to their own penal establishments, those of magistrates and Recorders probably had a more widespread and diffuse influence. Their impact was felt, not because they were an effective pressure group, although some magistrates were part of a reformatory school pressure group in the 1850s, but because they were able to exert an influence on parliamentary opinion in two ways. Firstly, by virtue of

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1. H. Mayhew & J. Binney, The Criminal Prisons of London and Scenes of Prison Life (1862), p.97.

the fact that magistrates were also members of the landowning classes, they were advantageously positioned to apply both direct and indirect pressures, through personal acquaintances or formal representation. Petitioning parliament was a method frequently used. The 'Leicester Journal' reported in 1855 that

'for many years past the Court of Quarter Sessions has petitioned parliament for a measure by which juvenile criminals might be dealt with otherwise than by sending them to prison.'<sup>1</sup>

Petitions signed by a large number of magistrates were sent most often from urban areas where the problems of recidivism were seen to be most acute. Both Birmingham and Liverpool magistrates demanded legislative changes to remove second and subsequent offenders from prisons to alternative institutions, which would produce the additional bonus of reducing the expenses of repeated imprisonment.<sup>2</sup>

Secondly, magistrates were in the unique position to experiment with alternative arrangements for young offenders without having to run the gauntlet of parliamentary inquiry. There were those, for example, who had supported a rudimentary probationary scheme for some considerable time.<sup>3</sup> The Recorder of London had been in the practice of dismissing younger children into the care of

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1. 'Leicester Journal' Friday, February 23. 1855.

2. Reported in Birmingham Reformatory Institute Papers, 1861, at acc.11 2 54, and in Liverpool Catholic Association Minutes, 1856, at 364 Cat.1.

3. For a discussion of probationary schemes in the nineteenth century see P. Young, "A Sociological Analysis of the Early History of Probation", British Journal of Law and Society, vol.3 no.1 (1976), pp.44-58.

approved adults, and the Warwickshire County Asylum, in operation since 1818, had provided alternative treatment for some young criminals in the area. In addition, magistrates who were landed gentry could offer their own properties as sites for schools.<sup>1</sup> Hardwicke Hall, the property of T.B.Lloyd Baker became a reformatory school in this way, and also developed as a central meeting place for the dissemination of information on the reformatory movement, which led to the formation of an "informal reformatory brotherhood".<sup>2</sup>

The judiciary's discontent with existing arrangements for juveniles was given force and direction by model schools for young offenders which had already been established in this country and on the continent. These working alternatives to imprisonment were probably as least as powerful as any other influences upon legislative changes during this period.

Institutions for young offenders which had been established in England during the eighteenth or early nineteenth century all suffered the disadvantage of having no power of detention over their inmates. They were nevertheless commended for their efforts to reclaim wayward children. The Marine Society, founded in 1756, and the Children's Friend Society (an amalgamation of the institutions at Hackney Wick and Chiswick) were involved

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1. See J.A. Stack, "The Provision of Reformatory Schools, the Landed Class, and the Myth of the Superiority of Rural Life in Mid-Victorian England", History of Education, vol.8 no.1 (1979) pp.33-43.
  2. T.B. Lloyd Baker, "Our Reformatory Schools," in H. Phillips and E. Verney, (eds.), War with Crime (1889), p.173-4.

in the reclamation of those who had already broken the law. The acclaimed ragged schools, which were often the training grounds for reformatory school teachers and superintendents, were designed to deal with potentially criminal children - those who came from what were later known as the perishing classes. The absence of powers of compulsory detention however often resulted in the most intractable and ill-behaved children being excluded from the attentions of these institutions.<sup>1</sup> The agricultural colony at Stretton-on-Dunsmore which took six to nine boys each year on the recommendation of the magistrates of Birmingham's Quarter Sessions attempted to compensate for its lack of legal powers of detention by making attendance at school a condition of discharge. Nevertheless Stretton suffered not only a high number of absconders but a severe shortage of funds. The other famous English model, the Philanthropic Society's School at Red Hill was similarly thwarted in its attempts to reform by its large number of absconders. The report of a committee appointed to examine the state of the philanthropic society in 1796 had found for example that during the first nine years of the School's life, fifty-one of its one hundred and seventy six boys had absconded and were not traced.<sup>2</sup>

Both the colony at Stretton and Red Hill Farm School were influenced by continental model schools. Red Hill,

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1. M.M. May, "Innocence and Experience: the Evolution of the Concept of Juvenile Delinquency in the Mid Nineteenth Century", Victorian Studies, vol.XVIII, No.1 (1973), pp.21-3, examines the implications of this exclusion.
  2. Report of the Committee Appointed to Examine the State of the Philanthropic Society 1796, p.61.

'where the boys were subjected to the wholesome influence of open air, free discipline, country associations and country habits'<sup>1</sup> was influenced by the famous Rauhe House experiment in Germany, and by the Mettray institution which received a stream of English visitors.<sup>2</sup> In terms of their immediate influence upon reformers in this country, both schools displayed characteristics which were approved by members of the 1847 Select Committee and adopted wholeheartedly by reformatory school pioneers. Both were agrarian experiments based on pestalozzian educational principles. Cellular confinement and strict disciplinary methods were used and both institutions employed a complicated system of rewards and punishments designed to regulate every aspect of the inmates' lives. Physical punishment was not favoured, the system of rewards and punishments directed rather 'on the soul, not - or only indirectly - on the body.'<sup>3</sup> The five basic principles of the larger Mettray schools became fundamental to the spirit of the early reformatory movement: it employed only trained staff; it divided its inmates into 'family' groups; it used persuasion rather than force; its finances were based on the profits of agricultural labour, and it combined charitable funding with financial support from the government.

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1. M.A. Spielman, op.cit., (1921), pp.48.

2. See for example, M.D.Hill's Report on the Mettray Colony, Report of the Select Committee 1852. Minutes of evidence, pp.43-48.

3. Idem.

Model schools such as these gave critics in this country a sense of direction with which to move forward. They allowed the numerous misgivings about the treatment of juvenile offenders to be turned towards one positive solution, the establishment of alternative provision in the form of the reformatory institution.

### III

Although criticisms of legislative arrangement for juveniles had sown the seeds for reforms in the 1840s and 50s, they were not well formulated or powerful enough to effect anything but piece-meal changes in the law during the first half of the nineteenth century.

Just as the major sources of criticism were the parson chaplains and the magistracy, so the modifications in the treatment of young offenders centred on their treatment in prison, particularly the treatment of 'hardened' criminals, and the exclusion from prison of those children awaiting trial and some of those serving short sentences. A brief survey of the changes in the law regarding criminal children in the period up to 1850 illustrates this point. On the one hand, some attempts were made to provide rudimentary education for the juvenile offender, although the extent of such ameliorative measures depended almost entirely upon the degree of enlightenment of the various prison governors and were thus limited in impact. Of greater significance was the flurry of legislative activity which sought to rid the gaols of certain categories of juveniles. These

included the proposal of 1821 for the extension of summary conviction to certain categories of young thieves, and the attempt in 1827 to extend the powers of magistrates to pass summary sentences of solitary confinement on first offenders, (see Chapter Two).

Continued attempts to clear the gaols of some of their child offenders were eventually rewarded by compromise legislation in 1847 whereby children not exceeding fourteen years found guilty of simple larceny could be summarily convicted by two justices in petty sessions, who were empowered to commit the offender to a gaol or house of correction for not more than three months, with or without hard labour.<sup>1</sup> The Act also provided for the alternatives of a fine or private whipping and was extended in its jurisdiction to delinquents up to the age of sixteen years in 1850.

A measure, whose significance has generally been undermined because it did not meet with the approval of reformatory school pioneers, was introduced by parliament to deal specifically with criminal boys and girls as early as 1838. This was the establishment of Parkhurst Prison following the recommendation of the Lords' Committee of 1835, for the

'effective punishment and timely reformation of that large class of juvenile offenders whom the ingenuity of more mature and experience delinquents renders the instrument of so much and such increasing criminality.'<sup>2</sup>

1. An Act for the More Speedy Trial and Punishment of Juvenile Offenders 1847, 10 & 11 Vict., cap.82.
2. The Report of the Select Committee 1835,(440.) XII, 1. p.v.

The Parkhurst Act allowed for the admission of juveniles under the sentence of transportation or imprisonment and although held up by some late reformers as an example of how juvenile institutions should not be conducted, it began a protracted debate about the need and value of penal institutions for hardened juvenile criminals which continued throughout the nineteenth century.

#### IV

This chapter has attempted to illustrate a number of points.

Firstly, contrary to the traditional views of the early years of the reformatory movement, there is no evidence to support the thesis that the lot of the child criminal was generally and widely deplored, or that the prison conditions in which such children were kept were so intolerable that a major revulsion against the imprisonment of children was inevitable.

Secondly, the judicial and legislative system which was founded on eighteenth century concepts of justice did not concede to any proposals which would have removed the elements of punishment and deterrence from the sentencing of juveniles.

Thirdly, the call for some modification in the treatment of juvenile offenders came from two major sources. The first of these was the prison system itself and centred on the need to provide some form of education for children in prison, the need to re-establish the deterrent effect of prison, and the need to separate



children from the influences of adult offenders. A second source can be found amongst some members of the judiciary who were impressed by the model schemes for the reformation of juvenile criminals in evidence in this country and abroad.

Lastly, this chapter points to the fact that early legislative modifications were designed to deal with the two extremes rather than the middle ground of child criminality. Some attempts to keep petty offenders out of prison took place alongside the development of a scheme to deal specifically with 'hardened' young criminals.

Contrary to some of the traditional views about the early years of the reformatory movement in England, changes in the laws relating to juvenile offenders appear not to have been guided by strongly felt humanitarian or benevolent motives. The public may have warmed to the image of the child innocent but the treatment of the guilty child was guided more than ever in the 1840s by the need to control and discipline him more effectively.

Much of the early legislation relating to special provisions for young offenders was concerned with the re-establishment of deterrence and punishment. The third element of the prison sentence, that of reformation, was introduced in parliamentary and public debate by the political activities of a small group of reformers. Their activities and achievement are discussed in the following chapter.

#### CHAPTER 4 : POLITICS AND LEGISLATION : THE REFORMATORY MOVEMENT AS A PRESSURE GROUP, 1847-57

The previous two chapters attempted to show that, prior to the establishment of the Select Committee of the House of Lords on Juvenile Offenders and Transportation, there was already some pressure for an alternative penal policy which would achieve the two-fold aim of reducing the number of children in prisons and minimising the number of crimes committed by children. Both pragmatic considerations arising from the overcrowded state of English prisons, and ideological pressures to introduce into the prison system regimes which were reformatory as well as punitive were responsible for the emphasis which was placed on penal reform in the early 1840s. A further pressure was added by the vision of the end of transportation, as this penal arrangement with the colonies began to falter by the early 1850s.

This chapter will trace the development of these generalised misgivings about the imprisonment of young offenders into the small but well organised campaign for the introduction of a system of state certified reformatory schools. It will attempt to identify the key individuals and groups involved in this campaign, and the political mechanisms they adopted to achieve their goals. It concludes with a survey of legislative changes achieved during this time and suggests that the state of reformatory philosophy after the Reformatory Schools Act

of 1854 was, in many respects, very different from that envisaged by reformers in the 1840s.

## I

As a preliminary measure, the first section of this chapter attempts to assess the climate of opinion within parliament on the question of changes in the laws relating to young offenders, and suggests that parliamentary opinion was generally unreceptive to any changes in the law which reduced the punitive element of sentencing. In this light, the successful political campaigning of a small number of reformatory pioneers would appear to be the more remarkable.

Despite some favourable responses to schemes for alternative treatment for young offenders outside parliament,<sup>1</sup> neither liberal principles nor the strain of an overcrowded prison system were felt sufficiently strongly within the House to produce an immediate call for legislative amendments. It would seem rather that the principles of retribution and deterrence which had dominated penal policy for the previous two hundred years remained the greater influence. The view of this pro-imprisonment lobby was upheld by the conclusions of the Select Committee appointed to Inquire into the State of the Law Relating to Juvenile Offenders and Transportation, 1847, which concluded that both

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1. The principles embodied in the model Schools at Mettray and the Rauhe House, and the operation of the Philanthropic School and Parkhurst Juvenile Prison had received considerable publicity.

imprisonment and transportation could be regarded as 'advantageous punishment' for young offenders.<sup>1</sup>

As indicated in the previous chapter, there was a resistance, too, to the idea of changes in legislative procedure. To make children a special category under the law could be seen not only to reduce the effectiveness of judicial procedure, but also potentially to overload a judicial system already under pressure. The establishment of alternative institutions to cater for child criminals suggested to some members not only a reduction in the punitive elements in the courts' sentencing, but a move away from the principles of less eligibility which traditionally has been applied to both the prison and the workhouse.

The judicial principles of the eighteenth century continued to dominate the question of juvenile crime in the middle decade of the nineteenth, despite the 1847 Select Committee's tentative conclusions that prison sentences might corrupt the young. No support was received for motions brought before the House which were designed in any way to alter the legal position of juvenile offenders. Thus Lord Shaftesbury's motion in 1853 for the Repression of Juvenile Mendicancy and Crime, which proposed that young thieves and beggars should be sent to workhouses rather than prisons, was seriously opposed.<sup>2</sup>

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1. First Report of the Select Committee 1847, Minutes of evidence pp.35-37, and Second Report 1847, p.5.
  2. For an account of this debate, see S.E. Hodder, The Life and Work of the Seventh Earl of Shaftesbury, K.G. (1886), p.423-425. See also Hansard, vol. CXXVIII (1853), p.905-8.

The element of indifference referred to by parliamentary campaigners on a number of occasions appears to have arisen in part from the entrenched views about the punishment of criminal children held by many M.Ps, and in part from a general ignorance of the subject of juvenile crime, its extent, and proposals for its treatment. Richard Monckton-Milnes, Conservative M.P. for Pontefract and reformatory school campaigner, reported to the conference on reformatory schools held in Birmingham in 1851, for example, that his attempts to gain support in the House had been thwarted not just by apathy but by general ignorance of the subject of juvenile crime. He claimed,

'I there found that the very basis had to be laid on which to construct my argument. They were wanting even the recognition of the plain and palpable truth of the distinction between juvenile and adult crimes.'<sup>1</sup>

This reported indifference in the House for the cause of reform in the law affecting juvenile offenders may also have been partly created by the fact that other issues, particularly free-trade, factory reform and public health legislation were under more urgent consideration. Indeed, Kitson-Clark has described the middle decade of the nineteenth century as

'an interlude of relative quiescence and indecision between the political activities of the first half of the century and the even more drastic changes that marked its close.'<sup>2</sup>

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1. Report on the Proceeding of a Conference on the Subject of Preventative and Reformatory Schools, held at Birmingham (1851), p.37. (Birmingham R.O.).
  2. G.Kitson Clark, The Making of Victorian England (1962), p.43.

It would seem therefore that the general hostility within parliament was created by a combination of negative predispositions towards the issue of child criminality. The effect of its cool response on some campaigners was understandably unnerving. Lord Shaftesbury wrote for example,

'I shall have great difficulties in the Lords, and no hearty mouthpiece in the House of Commons... The House of Lords is terrible; there is a coldness, an inattention, and an impassibility which are perfectly benumbing.'<sup>1</sup>

One of the major stumbling blocks for parliament, reflected in Milnes' comment, was the lack of differentiation between adults and children under the criminal law.<sup>2</sup> The identification of children as a distinct category of the population with specific areas of need was part of a very new social and educational philosophy which produced many facets unacceptable to parliament. A significant problem was undoubtedly the fear that statutory provision for children would weaken a social structure built upon family responsibility, for

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1. S.E. Hodder, op.cit., (1892), p.425.
  2. Although some consideration for the youthfulness of offenders existed under the law, the right for the separate treatment of juveniles was contentious. Thus the Royal Commission set up in 1835 to consider whether or not any distinction should be made in the mode of trial between adults and juveniles had not recommended any such course of action although it had supported limited provision for juveniles in prison. See 3rd Report of the House of Lords Select Committee, 1835, pp.iv-v.

'however desirable it may be to take a child from under the control of a vicious, depraved and brutal parent, it is no light matter to suspend or destroy altogether home ties and family affections.'<sup>1</sup>

It was not only the institutional treatment of children that posed a threat to fundamental and cherished beliefs. Early measures to introduce probation schemes were similarly viewed as a denial of family rights and responsibilities. Attempts to provide for young persons outside the prison system proposed in an act of 1840<sup>2</sup> which gave the High Court of Chancery the power to assign the care and custody of criminal children under twenty-one to any person willing to undertake the charge, met with strong opposition, and the act remained virtually inoperable as a result.

The closely related argument that parents should not be allowed to relinquish their responsibility to their children was yet another reason for parliament's reluctance to support the reformatory school scheme. It had already been one of the chief criticisms levelled against the Juvenile Mendicancy Bill - the Earl of Wicklow voicing the majority opinion that it was

'most objectionable to allow any parent to get rid of his child by sending him or her into the street, from which it was to be taken by a police constable and placed in a workhouse'.<sup>3</sup>

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1. T.C. Sneyd-Kynnesley, The Law Relating to Juvenile Offenders in Reformatory and Industrial Schools (1862), p.9.
  2. An Act for the Care and Education of Infants who may be convicted of Felony, 3 & 4 Vict., Cap.CXC.
  3. Hansard, Vol.CXXVIII (1853), p.907.

## II

A considerable campaign of persuasion and pressure was necessary to overcome this degree of resistance to legislative change, and a great deal was achieved, though not without compromise, in the relatively short period between 1847 and 1854. It is to the politicisation of reformatory school ideals that this analysis now turns.

It will examine the role played by reformatory pioneers and their effectiveness as members of a pressure group both outside and within parliament. Much of the information on which this section is based is of a personal or promotional nature. It includes letters, diaries, autobiographies as well as reports and conference proceedings. As such it carries the risk of attaching undue significance to some individuals and undervaluing others. It may also reveal more about the public image of the reformatory movement as it was displayed in conferences and committees than about the behind-the-scenes activity which was often more contentious in tone.

The personalities who made up the reformatory movement between 1847 and 1857 came from diverse backgrounds and adopted a variety of ideological positions to the issue of child criminality. Indeed, although it would be rewarding to find unity in political, religious and ideological background, it may be possible to argue that there was never enough unity of aims and similarities of ideological background to be able to group individuals



together as members of a pressure group. As this chapter will illustrate, there were, for example, considerable differences in attitudes towards incarceration, some reformatory campaigners being more anxious to retain the element of punishment than others.

Anthony Platt's thesis on the American reformatory movement has suggested a common and cohesive motive amongst pioneers in the suppression and control of deviant or non-conforming behaviour amongst the lower classes.<sup>1</sup> Schlossman has more recently reinforced this perspective by identifying a common reformatory philosophy among welfare reformers "who differed greatly in the depth of their understanding of social and cultural phenomena."<sup>2</sup> In terms of the English reformatory system however this revisionist interpretation obscures the variety of motives within the movement. It was this characteristic of the reformatory movement which was responsible for much of the conflict endemic in the reformatory school system later in the century. Platt's thesis tends to conceal much of the conflict and ambivalence which was at the centre of a movement which attempted to be both punitive and benevolent.

One of the most eloquent and influential groups which campaigned for reformatory legislation epitomised this diversity. The formative influence of prison chaplains upon penal reform has already been mentioned in Chapter

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1. A.M.Platt, op.cit., pp.3-4.

2. S.L.Schlossman, op.cit., p.68.

Three. Their concerted voice made a considerable impact upon the 1847 Select Committee; but even within this group of men from the same professional and religious background, there were several important points of difference in attitudes towards young offenders and their treatment. The Select Committee's Report, for example, recorded the conviction expressed by the Reverend John Field of Reading gaol that juvenile imprisonment was the best mode of treatment for young offenders and as such ought to be retained.<sup>1</sup>

He was opposed to the view favoured by other members of the campaigning movement, including Mary Carpenter, that young criminals because of their impressionable age, should be treated more gently than a prison regime allowed. He was not alone in advocating the prison for juvenile recidivists. The Reverends Whitworth Russell and John Davis testified to the 1847 Select Committee that prison provided a degree of deterrence which could not be emulated in a reformatory institution, although Russell had doubts about the long-term effectiveness of deterrence:-

'I have visited prisons when children have been brought in for the first time and I have seen them overwhelmed with fear and distress, clinging with instinctive dread even to the officer that brought them there'...3 or 4 days afterwards, I have seen those very children laughing and playing in the prison yard, the dread of prison gone for ever.'<sup>2</sup>

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1. First Report of the Select Committee 1847, Minutes of evidence pp.144-150.

2. Ibid., p.79.

Russell supported rather the additional measures of agricultural and workshop training within a penal environment. Both Russell and Davis were united in their belief that a programme of industrial training was more advantageous than formal education. Education in the three R's had already been seen to founder in the workhouse schools and as there was, in the Ordinary of Newgate's opinion, a very close link between 'the scum of the workhouse'<sup>1</sup> and juvenile offenders, there was no reason to believe it would be more successful in penal institutions.

Other chaplains whose opinions were influential during the pioneering years of the reformatory movement were, however, totally opposed to the view that punishment and deterrence were the most effective means of reform. Among these were the Reverends Osborn, Clay and Carter, all of whom were witnesses before the 1847 Select Committee and active participants in the reformatory movement. John Clay, for example, advocated not only the necessity of education in all its forms, but differed from other colleagues by maintaining along with Mary Carpenter that the deterrent effect of prisons and penal institutions was itself an obstacle to effective retraining and reformation.

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1. Ibid., p.44.

Despite the variety of ideological positions within the reformatory movement during the period 1847-54, it is nevertheless possible to detect sectional interests which cohered around certain key figures and their beliefs about society and young offenders. An analysis of three such groups - landowners, women and politicians - together with the identification of key representatives of these groups, follows.

(i)

One of the most influential forces in the early campaigning years of the movement emanated from the aristocratic and landowning class whose philanthropic interests in the middle years of the century were closely connected with their desire to protect the fabric of society from the possible effects of social upheaval and increasing lawlessness.<sup>1</sup> It is very doubtful if the reformatory movement would ever have got off the ground without the patronage, financial and practical support they offered at a time when private benevolence was the mainstay of reformatory institutions, a fact acknowledged by Her Majesty's Inspector of Reformatory and Industrial Schools in his report of 1859, in which he stated that

'almost all the certified reformatories now in action have been, in the first instance, established at a large cost for buildings, land, etc., defrayed entirely by private bounty'.<sup>1</sup>

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1. For a discussion of the role of the upper classes in nineteenth century philanthropy see F.M.L. Thompson, English Landed Society in the Nineteenth Century (1963).

Of the forty-one protestant boys reformatory schools established in the twenty-one years following the first Reformatory Schools Act of 1854, nineteen were initiated directly by the efforts of the landed class.<sup>1</sup> Eight of these were situated on land donated by a member of the aristocracy or of the landed gentry and managed by their owners,<sup>2</sup> seven were situated on land donated by a landowner and managed by a locally established committee,<sup>3</sup> and the remaining four were purchased by reformatory committees and managed by them.<sup>4</sup>

As respected members of local communities, the influence of the gentry was confined not only to the provision of material support for the movement, but in

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1. These figures are taken from J.A. Stack, op.cit., p.36.
  2. The Devon and Exeter Reformatory for Boys, for example, was given over by Sir Stafford Northcote, first Earl of Iddesleigh. His personal connection with the school through management and teaching illustrated 'the good that a country gentleman may do, in the least pretentious way, by a wise use of his influence, and a judicious employment of the means most readily at hand.' (A. Lang, The Life, Letters, and Diaries of Sir Stafford Northcote First Earl of Iddesleigh, Vol.1 (1890), p.122.
  3. For example, Lady Noel Byron donated fourteen acres and Peckleton Hall, rent free, to Leicestershire Reformatory Committee, the School to be managed by three appointed members of the Committee. Leicester Reformatory Committee Report 1855, (Leicester Record Office at Q8/32/6/1).
  4. As for example in the case of the Liverpool Reformatory Ship. cf., "Liverpool Catholic Reformatory Committee Minutes 1863, (Liverpool R.O.).

some cases extended to the dissemination of information about reformatory schools and the encouragement of reformatory schemes amongst similarly minded landowners. No one was more influential in this respect than Barwick Lloyd-Baker, a member of the Gloucestershire gentry, a magistrate and guardian of the poor law, who gave over Hardwicke Hall for the purposes of a small reformatory school in 1852. His view of the style and purpose of reformatory training was of considerable significance in the early years of the movement not only because of the publicity it attracted but also because Baker was able to provide a practical example of how schools should be run efficiently with modest expenditure whilst at the same time embodying the principles of reformation already at work in the model institution at Mettray.

The appeal of economy of expenditure was considerable. The majority of interested gentry were, like Baker, poor law guardians involved in local endeavours to keep poor law spending to the minimum. Hardwicke Hall offered the proof that little needed to be expended to provide a reforming environment whilst at the same time 'giving no advantage...which the sons of honest labourers could not get'.<sup>1</sup>

The principle of less eligibility, according to Baker, was second only to a belief in the reforming influence of the countryside, a belief which probably did

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1. T.B.Lloyd Baker, op.cit., p.180.

much to stimulate landed-class interests. He was not alone in his faith in agricultural labour as a means of reformation. The Philanthropic Society for example had started its farm school in the Surrey countryside in 1850 following Sydney Turner's inspection of the agricultural system operating in Mettray.<sup>1</sup> Baker's influence however added considerable impetus. His belief in the virtues of rural labour, both as a means of punishment and a means of reform was widely publicised. He wrote, for example,

'The mind of a boy fresh from the excitement and passions of the streets of a town - the alternate crime and idleness - the lavish expenditure when lucky, and the cold want when unsuccessful - is in a state of feverish restlessness, which requires to be allayed before it can safely be operated upon. Now, I know of no employment which will allay the excitement and tranquillise the mind, so as to prepare it to be acted upon by a firm kindness, like steady digging.'<sup>2</sup>

The interest shown by members of the landowning classes in the promulgation of reformatory theory and practice was crucial to the early success of the movement and Baker's role as spokesman and organiser within that group was particularly significant. Between 1855 and 1861 he encouraged and coordinated attempts to establish other schools on the Hardwicke Hall model, and his enthusiasm for economy of expenditure and the reformatory value of rural

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1. Sydney Turner was then Chaplain Superintendent of the Philanthropic and on the basis of this experience was appointed the first HMI of Reformatory and Industrial Schools.

2. T.B.Lloyd Baker, op.cit., p.167.

life was reflected in the fact that almost all the boys'reformatories established before 1875 bore witness to his influence in their rural location and extreme austerity.

(ii)

The role played by women in the establishment of a reformatory school system has also been debated in recent revisionist histories of the reformatory movement in America. In these, women have been represented as active agents of social control in a movement which was intended to guard the morality and values of the past and to re-establish the importance of family life.<sup>1</sup>

The parallel English reformatory movement however, beginning some forty years earlier, may have attracted women with a greater range of motives than the American theorists have implied.<sup>2</sup>

The concept of institutional control embodied in the reformatory idea necessitated the replacement of one family by another and the substituting of inadequate or absent parents by others deemed more suitable for the task. To this extent it may have had an appeal to middle-class women insofar as it

'defended the importance of the home, of family life, and of parental supervision, since it was these institutions which had traditionally given purpose to a woman's life'.<sup>3</sup>

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1. A.M. Platt, op.cit., pp.75-83.
  2. An analysis of the role played by women in charitable enterprises, including work with criminals, although not specifically with reformatory inmates appears in F.K. Prochaska, op.cit., (1980), pp.138-181.
  3. A.M. Platt, op.cit., p.83.



The aim of regulating the lives of wayward children was one which also had its attractions, particularly for unmarried women, who may have felt that the "natural" urge for caring was met in the management and supervisory roles they assumed in the reformatory school system. The view that every woman was a teacher<sup>1</sup> and a child protector was a firmly held conviction in the middle years of the nineteenth century, and these attributes were seen as particularly effective in the area of criminal reform where women had 'a power and a passion to deliver Hearts from the prison house and souls from Hell'.<sup>2</sup>

Women who did not provide practical skills as visitors or teachers were encouraged to lend their financial support to charitable endeavours. Fund raising activities to provide money for reformatory schools were much in evidence by the end of the 1850s. The Quarterly Review carried the comment in 1856,

'... we have not, indeed, yet reached the stage of reformatory bazaars, reformatory balls, and reformatory private theatricals; but now that we have got as far as that of dinners, the others will probably follow'.<sup>3</sup>

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1. Mary Carpenter expressed the view that 'there is no lack of women particularly qualified for teaching and who devote themselves heart and soul to it, delighting in it and therefore doing it as it should be done'.  
English Women's Journal, July (1858), p.291.
  2. Quoted in J.E. Carpenter, The Life and Work of Mary Carpenter (1879). New edition (1881), p.52. See also, for example, M. Carpenter, "Women's Work in the Reformatory Movement",  
English Women's Journal, July (1858), p.291.
  3. Quarterly Review, vol.XCVIII (1856), p.32.

Thus the reformatory movement in the formative years was a natural repository for the talents of many middle class women. Generally such women were not leaders in movements for social reform, but among their numbers were to be found women of unusual talent whose support for the principles of law reform extended beyond an interest in the care of children to include female suffrage, poor law reform, anti-slavery legislation and anti-vivisectionism.

Such a woman was Frances Power Cobbe, a social reformer who supported the cause of reform within the workhouse<sup>1</sup> and worked for some time with Mary Carpenter, the founder of the model reformatory for girls at Red Lodge. Carpenter remained in close correspondence with Cobbe on reformatory matters throughout the pioneering years of the movement, and found in her the support for one of the basic principles upon which reformatory schooling was founded, namely, that the removal of children from prison was a manifestation of a humane society in which women played a major role as carers and protectors. Like Mary Carpenter, Frances Power Cobbe believed that the involvement of women in reformatory work was essential to the 'fulfilment of the law of love as well as the law of justice'.<sup>2</sup> Unlike Mary Carpenter however, she took this further into the realm of female

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1. See for example F.P. Cobbe, "Workhouse Sketches", MacMillan's Magazine, vol.III (1861), pp.448-61.

2. F.P.Cobbe, Essays on the Pursuits of Women (1863), p.32.

suffrage which she saw as 'a means ... of doing good, fulfilling our social duty of contributing to the virtue and happiness of mankind'.<sup>1</sup>

During the period 1847-1854, when the need to promote the reformatory ideal was at its greatest, even confirmed social reformers like Frances Power Cobbe and Mary Carpenter did not put themselves directly before the public. Public speaking was still the reserve of male campaigners, and although both women took a major part in the organisation of the first Birmingham conference on reformatory schools held in 1851, once the session had begun both preferred to remain anonymous. Schupf points out that it was to be another generation before middle class women, single or married, 'stepped forward in a rank to take their place among the councils of social reform.'<sup>2</sup> Although ten years later women were rather more prominent in the promotional work of the movement, their major influence remained confined to financial assistance and practical help.<sup>3</sup> Mary Carpenter's position in the reformatory movement was certainly different from that of

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1. F.P.Cobbe, The Duties of Women (1881), p.152.

2. H. Schupf, op.cit., p.310.

3. The conference held at Birmingham in 1851 was preceded by a petition which had three female signatories out of sixty-six. First Annual Meeting Leicester Reformatory Committee 1856, (Leicester R.O.).

other women supporters. A psycho-historical biography of Carpenter<sup>1</sup> has ascribed many of her leadership traits to her close relationship with her father, a powerful Unitarian figure who provided his daughter with an intellectual and moral education which emphasised the strength of character more usually associated with men in the mid nineteenth century. Her early upbringing in Bristol had brought her into close contact with the Unitarian social reform movements in New England, and she received her early training in reformatory principles from the ragged school which she established at St. James Back in 1846 for 'inculcating the principles of religious and moral education, intellectual and industrial training, self-respect.and cleanliness.'<sup>2</sup>

She was, according to contemporary and later accounts, a powerful and dominating personality who even as a child, displayed 'a degree of mental and moral regulation which we have seldom witnessed in a child'.<sup>3</sup> Much of this personal power apparently spilled over into a tenacity and single mindedness which produced intolerance for others less committed to the cause of reformatory

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1. J. Manton, Mary Carpenter and the Children of the Streets (1976).
  2. M. Carpenter, Ragged Schools, their Principles and Modes of Operation (1850), p.7.
  3. L. Carpenter, Principles of Education (1820), p.187.

schools and an unyielding belief in the strength of her own argument which was modified hardly at all in the course of her life. It was a trait which brought her into constant conflict with other reformers, but at the same time, it enabled her to push for reforms while others were only debating theoretical propositions. An example of her approach is seen in her comment to her life-long friend Lady Byron upon the slow progress of the 1851 reformatory conference

'I did not gather a single new thought or principle, scarcely a new fact from the whole proceedings'<sup>1</sup>

In many details, Carpenter's views very often collided with those of her fellow workers. The main points of divergence between Mary Carpenter and others in the reformatory movement are to be found in her views about the imprisonment of children, which brought her into sharp conflict with many who, like the tireless reformatory campaigner Sir Stafford Northcote, supported the Juvenile Prison at Parkhurst which he thought particularly suitable for some categories of young offenders.

In that particular argument Mary Carpenter discredited herself in the eyes of colleagues and members of the 1852 Select Committee, by attacking the principles of Parkhurst although she had never visited the prison. On

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1. Carpenter correspondence, (Bristol Archives at acc.no.12693). F. P. Cobbe described her 'incompetancy to enter into the everyday feelings of those around her.' See, Life of F.P. Cobbe as told by Herself (1894). Second edition (1904), p.276.

the subject of punishment and retribution too, she remained opposed to the majority opinion. She maintained that punishment as a part of reformatory or industrial training was both vindictive and counterproductive. The idea of removing punishment as a deterrent would have brought the reformatory movement a great deal of disrepute and it was one area where Mary Carpenter did not sway opinions. Reformatory pioneers as a whole remained firmly in support of the retention of the punishment principle, either as an integral part of the strict routine of the schools or as a prerequisite of reformatory training. John Clay, for example, supported the use of solitary confinement at the commencement of a reformatory sentence. Sir Stafford Northcote advocated the retention of preliminary imprisonment prior to commitment to a school, whilst Sydney Turner, calling on his experience at the Philanthropic Society's School, maintained the need for punitive overtones to the whole discipline of the schools. The report of the Reformatory Conference held in Bristol in 1857<sup>1</sup> estimated that many able men who were potential recruits to the movement in these early years were prevented from joining the ranks of supporters by the possibility of the movement disassociating crime from punishment. In effect, the legislation of 1854 compromised on the issue of punishment although the controversy continued through the second half of the century.

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1. Report of a Conference on Reformatory Schools held in Bristol 1857, (Bristol Archives).

Despite the fact that Mary Carpenter was a dynamic and often controversial figure, she remained a backroom worker rather than a public speaker during the period covered by this chapter.<sup>1</sup> It was not until 1860 that she first spoke in public on the issue of reformatory schools,<sup>2</sup> thereafter speaking regularly to the Social Science Association except during the time she was in India. By the time she had matured as a public speaker however, she was already disillusioned by the fact that, although official recognition for reformatory and industrial schools had been gained, government financial support appeared no closer to reality than it had a decade earlier.

The strength of Mary Carpenter's influence on the movement between 1847 and 1854 lay not in her public image, but in her power as a communicator, a skill developed from her acute intellect and her directness of approach which became invaluable in her frequent correspondence with figures of political importance. Brief remnants of Carpenter's letters illustrate the degree of success she met through her persistent correspondence with men in high places. After her death, Lord Sandon was to

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1. It has been suggested that this reticence was due to her 'morbid self consciousness rather than from any womanly modesty'. See M. Garrett-Fawcett's description of Mary Carpenter in Some Eminent Women of our Time (1889), p.15.
  2. Mary Carpenter, "Help from the Government Grant to the Destitute and Neglected Children of Great Britain," Transactions of the British Association for the Advancement of Science (1860).

write 'I was so early convinced by what she told me [of reformatory schools] that I determined in my mind ... to give every help I could to her plan'.<sup>1</sup> Her own letters to friends testify to her constant correspondence with intellectual and political figures which made her the centre of a communication network linking together prison personnel, magistrates and practitioners in the field of criminal and destitute children, and the great social and intellectual reformers of the day.<sup>2</sup> Her effectiveness as a writer and campaigner did not escape her. She wrote, for example,

'If I have performed any service well...I profess not to think myself deserving of praise, but I have a secret consciousness of having performed it better than others would have done. I also feel a very unchristian satisfaction in imagining my own feelings of a superior caste to those of others'.<sup>3</sup>

Her ability to write was perhaps her greatest asset to the reformatory movement during the 1850s. She had already elaborated her principles of ragged school

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1. Letter of condolence from Lord Sandon, July 3 1877, (Bristol Archives).
  2. The collection of Carpenter's letters illustrates the extent of her correspondence with Lord Palmerston, Lord Aberdare, Lord Salisbury, Lord Shaftesbury, Sir George Grey and many others, together with a flow of letters to Scotland, Ireland, America and India. For a comprehensive reference to these letters see R.J. Saywell, op.cit.
  3. Quoted in J.E. Carpenter, op.cit. p.20.



education in a series of publications anonymously published in 1850.<sup>1</sup> Between then and the publication of her first book in 1851,<sup>2</sup> she was in close contact with the measures being taken to establish Unitarian reform schools in Massachusetts and her correspondence with Sheriff Watson of Aberdeen<sup>3</sup> acquainted her with the details of the industrial feeding schools he had established there in 1841 for the reception, training and feeding of the vagrant and neglected children of that town. A similar scheme to make provision for those children whose state of neglect might lead them to acts of delinquency was incorporated into the three point plan which she elaborated in her book. The 'perishing class' she described thus,

'those who have not yet fallen into actual crime, but those who are almost certain from their ignorance, destitution and the circumstances in which they are growing up, if a helping hand be not extended to raise them'.<sup>4</sup>

In contrast, the 'dangerous classes' which she treated as a distinctly separate group comprised 'those who had already received the prison brand or .... who are notoriously living by plunder!'<sup>5</sup>

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1. M. Carpenter, op.cit.
  2. M. Carpenter, Reformatory Schools for the Children of the Perishing and Dangerous Classes and for Juvenile Offenders, (1851).
  3. Sheriff Watson, known as "the Children's Sheriff" was a foremost exponent of the need to combine education, moral discipline and industrial training with the practical provision of food for vagrant and neglected children.
  4. M. Carpenter, op.cit., p.2.
  5. Idem.

She wrote to John Clay in 1850 concerning her literary plans, stressing the need to provide intellectual, moral and religious education to potential and actual young offenders for the purpose of social defence, if for no other motive. Her three point plan to accomplish this end included the provision of firstly, good free day schools run on ragged school lines, secondly, a compulsory feeding industrial schools aided by the rates and based on the Aberdeen model, and for the third category, penal reformatory schools financed by a combination of governmental, local and parental contributions.

The book was an immediate success in so far as its broad aims were adopted as those of the reformatory movement as a whole and became the basis of demands for legislative change. The strength of its message lay in the fact that it successfully bridged the gap between humanitarian principles which rejected the elements of punishment in reformatory training and the Benthamite radicalism of those reformers who approved of the scheme primarily because it implied no increase in governmental costs.

(iii)

As a promotional pressure group, it is unlikely that the reformatory movement would have achieved much without the support and hardwork of a handful of members of parliament who supported the cause.

The move for a select committee to investigate the problems of juvenile crime in 1847 was made by Sir John Pakington, conservative MP for Droitwich and life-long supporter of the reformatory principle. He campaigned continually in the House for the introduction of measures to reduce the rate of juvenile crime, advocating that 'some extensive system of education throughout the country would be found to be a great means of its diminution',<sup>1</sup> and he, together with Lord Shaftesbury, presented a petition to the Home Secretary in 1851 calling for the introduction of legislation to establish a national system of reformatory schools.<sup>2</sup>

Much of the parliamentary interest in the movement was kept alive by the political activities of Charles Adderley who, after Pakington's petition had met with long delays, moved for a committee of the House of Commons to re-examine the subject matter of the 1847 Committee, suggesting at the same time that Mary Carpenter should sketch out lines for the enquiry. Survival of interest in the House depended not only upon his hard work, but also on his popularity amongst members of the Commons, belied by his stern Tory-evangelical approach. Apart from his own reformatory work at Saltley<sup>3</sup> he was responsible for the

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1. Hansard, Vol.XC (1847), p.430.
  2. Hansard, Vol.C. (1848), pp.82-4.
  3. Saltley Reformatory for Boys opened in 1854 on Adderley's estate in Birmingham. He was actively involved in the work of the school which maintained its high reputation in the reformatory world throughout the nineteenth century. For an account of the life and work of Charles Adderley, see W.S.Childe-Pemberton, Life of Lord Norton (Rt.Hon Charles Adderley, M.P.) 1814-1905 (1909).

introduction of the Juvenile Offenders Bill in 1854 which reached the second reading before it was withdrawn on the government's pledge that it would be taken up again the following session.<sup>1</sup>

He sat as Vice President of the Committee of Council in 1858 and was later a member of the Reformatory and Industrial Schools Commission 1883<sup>2</sup>. He was a leading contributor to both the conferences held in Birmingham in 1851 and 1853 and his commitment to the cause stood him in much favour with Mary Carpenter. She was to comment in a letter to Lady Byron in 1853,

'I stayed with Sir John Pakington and Mr. Adderley and am happy to find how zealous both these gentlemen are'<sup>3</sup>

Carpenter was also in correspondence with Sir Stafford Northcote, Conservative member for Dudley in 1855 and for Stamford in 1858. It was at his request that the committee of the Law Amendment Society had prepared a bill concerning the introduction of industrial schools which was brought before the House by Pakington in 1857. The Law Amendment Society had proposed that industrial schools should be established for the schooling of vagrant and truant children which would be financed by a combination of treasury grant and parental contribution. According to his biographer, Sir Stafford Northcote referred to this as his "Omnibus" as it had taken up so many passengers in the

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1. Hansard, Vol. CXXXI (1854), p.782.
  2. Report of the Royal Commission on Reformatory and Industrial Schools P.P.1884 cmd.3876 XLV.1.
  3. Carpenter Correspondence, (Bristol Archives).

shape of amendments.<sup>1</sup>

The bill was passed without disagreement on the second reading 'without the possibility of a word being said, as there were only five minutes left for business'.<sup>2</sup> Some days later he wrote

"My bill came on about 8 o'clock, and went through Committee very swimmingly - the Government were very friendly"<sup>3</sup>

Stafford Northcote, despite the fact that he was not returned to parliament in 1857 to see through his industrial schools bill, remained an active spokesman for the movement throughout his life.

For Mary Carpenter, Richard Monckton-Milnes, proved an invaluable ally within Parliament. His links with the literary world of Tennyson and Thackeray and the world of the Oxford liberals, including Lingen, Matthew Arnold and Frederick Temple put the reformatory movement in an advantageous position as did the link he provided with his patron Lord Palmerston. Monckton Milnes had been one of the first to bring the subject of reform in the laws regarding criminal children before parliament. In 1849 he presented his own plan before the House whereby juveniles convicted of first offences should be subject to corporal punishment and then freed. For subsequent offences he argued that a period of imprisonment should be followed by reformatory training in a special school

'and that for five or six years, where they would be subjected to constant and severe labour, not without

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1. A. Lang, op.cit., p.137.
  2. Idem.
  3. Ibid.pp.138-9.

moral superintendence, but with a reforming purpose and process'.<sup>1</sup>

The apathy which Monckton Miles often faced over the reformatory question in parliament reflects the generally subdued response to the issue at all levels. In the face of this response it is an illustration of the tenacity of pioneers that within ten years, parliamentary opinion had been sufficiently swayed by their efforts for agreement to have been reached on the provision of a basic national system of reformatory schools. Activities and their consequences during the ten years between the first Select Committee of 1847 and the Industrial Schools Act of 1857 were sufficiently involved to necessitate some chronology of events and their outcome.

### III

After the rejection of the first bill to establish state-aided reformatory schools in 1847, the Select Committee on Juvenile Offenders and Transportation was formed, took evidence and reported in the following year. It gave only hesitant support to the general principle of reformatory institutions, praised the work of Parkhurst Juvenile Prison and supported the principles of reformatory training which were imparted there. Following the publication of the Select Committee's findings, some disappointment was felt by reformatory pioneers when the House of Lords rejected a petition requesting the reconsideration of the treatment of juvenile offenders<sup>2</sup>.

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1. Hansard, Vol.CVII (1849), p.102.

2. See Chapter 3.

Despite the fact that the petition was unsuccessful in the House, the campaign for reformatory schools continued, much of the interest being generated in Birmingham which, at the time was reputed to be a centre of radicalism and reform activity. It was in that city that the first reformatory conference was held in 1851. It brought together a small group of interested individuals who decided to work through the medium of a reformatory committee to hasten reform within parliament. A memorial was immediately sent to both Houses and the Chairman of the Quarter Sessions for signatures.<sup>1</sup>

How well the memorial was received remains a subject of speculation but the reformatory conference appeared well satisfied, reporting that 'there can be little doubt that the number of petitions obtained and the character of the persons from whom they emanated materially advanced the favourable consideration of the subject in parliament.'<sup>2</sup> A deputation including Sir John Pakington and Lord Shaftesbury presented the committee's petition to the Home Secretary who was characteristically polite but guarded in his reception. There was little evidence to suggest the advancement of the cause after the deputation had submitted its claims, but after a long delay Charles

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1. The memorial, together with a complete list of signatories was later published and sent to each reformatory school committee. See Leicester Reformatory School First Annual Report. (Leicester R.O.).
  2. Report of the Proceedings of a Second Conference on the subject of Juvenile Delinquency and Preventative and Reformatory Schools, December 1853, p.3. (Birmingham R.O.).

Adderley was successful in his move for the establishment of a further Select Committee, to look specifically into the question of criminal and destitute juveniles. By this time there were a number of reformatory establishments already in existence, which whilst not perhaps forcing the Select Committee's hand, at least provided indisputable evidence of the feasibility of such institutions. George Bengough and Barwick Lloyd Baker had started the "Children's Friend School" at Hardwicke in 1852 and in the same year Saltley reformatory and Kingswood opened their doors. Stretton-on-Dunsmore had proved its effectiveness over the years (although by 1852 it was in several financial difficulties) and the Rev. Sydney Turner was more than willing to demonstrate the efficacy of Red Hill. The resolution of the 1852/3 Select Committee introduced three new and important principles:-

1. That a great proportion of criminal children of this country, especially those convicted of first offences appear rather to require systematic education, care and industrial occupation than mere punishment.
2. That penal reformatory establishments ought to be instituted for the detention and correction of criminal children convicted before magistrates or courts of Justice of serious offences - supported entirely at public cost and to be under the care and inspection of the government.
3. That Reformatory Schools should be established for the education and correction of children convicted of



minor offences, founded and supported partially by local rates and partially by contributions from the state.<sup>1</sup>

Again the 1852/53 Select Committee made only a limited impact on all except committed reformers. Its recommendation to the Committee of Council on Education that aid should be given for the training of ragged and industrial school staff met with an unfavourable response. A second reformatory conference was called in an attempt to rekindle interests, and efforts were made to ensure that the message of the conference reached a wider section of the relevant population.<sup>2</sup>

The assurances of parliamentary action which had been given over the previous three years materialised at last in a Youthful Offenders Bill which became law in 1854. The Act sanctioned minimal governmental involvement in reformatory schools by granting legal recognition to such schools as were already in existence and by authorising treasury contributions in conjunction with compulsory parental contributions. Parliament however did not allow for any major changes in penal ideology and required the retention of punishment, which, as a compromise with the anti-punishment minority within the movement, was to be administered by a compulsory preliminary prison sentence of not less than fourteen days. It gave power to the courts to enable them to convict a young offender under

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1. Extracts of the Resolutions adopted by the Select Committee of the House of Commons, 1853. (Leicester R.O.).
  2. Cf. Report of the Proceedings of the Second Birmingham Conference 1853, p.4.

sixteen to detention in a reformatory for not less than two and no more than five years in cases where it was considered beneficial to that offender. The amendments of 1855 and 1856<sup>1</sup> provided for existing institutions to remain under voluntary management, whilst receiving legal powers of detention and control. The interests of the state were safeguarded by certification and inspection. Again it was envisaged that the scheme should be no more than supplemental to the existing prison system.

The Reformatory Schools Act of 1857<sup>2</sup> enabled local authorities to contribute to reformatory establishments. These local authorities, quarter sessions in counties and councils of quarter sessions in boroughs, were also empowered to contract for the reception of children from other areas. By section 13a of the Act, power was given to grant licences to the inmates on a system of probation after at least half of the period of detention had been served.

The Industrial Schools Act which was passed in the same year brought legal recognition to schools opened for the purpose of educating and training vagrant children between the ages of seven and fourteen years, with parental contributions set at three shillings per week. Poor law guardians were empowered to contract with managers of industrial schools for the education of pauper children. No provision was made for government contribution. Both Acts of 1857 brought the schools under

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1. 18 & 19 Vict., cap. 87 and 19 and 20 Vict., cap.109.

2. See App.3.

the control of the Committee of Council for Education where they remained until they were transferred to Home Office control in 1861.

#### IV

An analysis of the political activities mentioned in the previous section indicates that much of the success of the reformatory movement during these years was due to two political devices, the select committee and the conference. These will be examined briefly in turn.

The select committees of 1847 and 1852 were entirely different in aim and character. The first was a cautious and arguably ineffective enquiry into the state of juvenile crime and punishment, while the second was a platform engineered to support the reformatory cause.

The major concerns of the 1847 Committee were punishment, deterrence and the prevention of contamination. References to alternative institutions for young offenders were couched in punitive terms - they were establishments where 'all the pain endured strictly arises from the means found necessary to effect a moral cure'.<sup>1</sup> The focus of the Committee's attention was still the prison however, and the value of its conclusions as far as the reformatory movement was concerned lay in its tentative examination of the missing factors in prison education, namely moral and industrial training. Wakefield Prison for example could boast that 'the education given

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1. First Report of the Select Committee 1847, Minutes of evidence, p.52.

is such as would qualify them [the inmates] for almost every situation available in their state of life'<sup>1</sup> and yet the recommittal rates of juveniles to Wakefield were alarmingly high. Thus the members of the 1847 Committee requested unanimously that a system of moral and industrial training over and above that already provided for young prisoners should be put into operation. While recommending the extension of the Parkhurst system, it did not recommend the establishment of non-penal schools based upon reformatory principles.

The 1852 Select Committee was totally different in composition and outlook. Unlike its 1847 predecessor, the Committee called together witnesses from outside the prison system who did not consider a modification of existing prison arrangements adequate. The formation of the Committee was moved by Charles Adderley who proceeded to exercise considerable control both over the choice of witnesses and the subject matter of the evidence, calling on witnesses who had already gained experience of alternative institutions for young offenders.<sup>2</sup> Mary Carpenter's book which had recently been published received the Committee's full support and the Committee's conclusions echoed her belief that 'the whole principle

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1. Idem.

2. Witnesses included the Rev. Guthrie from the Edinburgh Industrial School, J. Macgregor (Reformatory and Refuge Union), M.D. Hill, Rev. Sydney Turner, M. Carpenter, E.C. Tufnell and the Rev. F. Temple.

[of imprisonment] I consider positively adverse to reformation'.<sup>1</sup>

The support for the prison system which had been expressed by the 1847 Committee had already begun to wane by the time the 1852 Committee met. The general public too was to be influenced by reports of the mistreatment of juveniles in adult gaols which made news during 1852 and the spring of 1853.<sup>2</sup>

If it was the function of the 1852 Select Committee to present parliament with a unanimous call for legislative changes, the conferences which were held in Birmingham before and after were rallying points as much for the movement's own members as for the public at large. The device of a conference placed limits upon public participation, and although prior notice of the conferences, together with statements concerning the activities and aims of the movement were circulated, the publicity was directed to those already involved in the sentencing and treatment of young offenders. The motion before the second conference deplored the fact

'that England remains almost the only civilized country in which the legislative deals with the moral destitution and crimes of children by means of imprisonment alone, and hesitates to establish the remedial institutions which other nations have

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1. Report of the Select Committee, 1852, Minutes of evidence p.102.
  2. See for example, J.Allday (ed.), A True Account of the Procedures leading to, and a full and authentic report of the Searching Inquiry by Her Majesty's Commissioners, into the horrible system of discipline practiced at the Borough Gaol of Birmingham (1853).

learned to reckon amongst the primary provision for the welfare and safety of the community.'<sup>1</sup>

Prominent reformatory leaders attending the conferences included Sir John Pakington, M.D. Hill, Charles Adderley, Monckton Milnes, the prison chaplains, the Rev. Lant Carpenter and his daughter, together with David Power, Recorder of Ipswich and School Inspector, and exponent of industrial training for the labouring classes Jellinger Symons. Neither conferences aided the formulation of new ideas - the same groundwork of ideology being covered on both occasions. Members reiterated their condemnation of the existing system and their support for a new system of reformatory and industrial schools. Both conferences offered united support for the main aims of the movement to provide three types of educational and industrial training. It was also agreed that whilst such training should best be effected in a voluntary controlled school, voluntary funds would be insufficient without government financial support. Government aid was deemed unfortunate but necessary.

"I would rather ten times over see voluntary education than government education, but voluntary effort can never conquer the evil."<sup>2</sup>

The degree of ideological unity displayed by members of both conferences masked the very real differences which lay between them. Controversial issues such as

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1. Notice of the Second Reformatory and Industrial School Conference to be held at the Dee Hotel Birmingham, on December 10th 1853, (Leicester R.O.).
  2. Jellinger Symons to the first Birmingham Conference: Report p.47.

imprisonment were kept carefully in the background for the benefit of the movement's public image. The fact that the first conference was not able to reflect this image to a wider audience disappointed many members. The 1853 conference was seen as much more of a success, assured as it was of the support if not the attendance of a much wider group of MPs both conservative and radical, mayors and significant political and judicial figures, all of whom were individually canvassed before the conference began.

As rallying points for those whose motivation may have lessened in the long years between initiative and government action, the conferences were an undoubted success. As a form of pressure group upon parliamentary opinion through the presentation of memorials and deputations, they probably had limited value. As vehicles for the formulation and clarification of reformatory policy the conference almost certainly failed. The situation after the acts of 1854 and 1857 lacked clarity of administration and unity of aims, and the schools established under this legislation were managed and controlled in the main by those who had been zealous members of reformatory conferences, but who in over-emphasising principles, had given little thought to practicalities.

## V

By 1857, considerable legislative advances had been gained and public opinion had at least been alerted by the efforts of a small but vociferous group of reformers.

Histories of the reformatory movement have traditionally interpreted these years as the take-off point for future improvements and consolidation. But it may be erroneous to assume that a movement as such was ever created by these ten years' activities and certainly not one which bore any resemblance to the policy of a hundred or even fifty years later. It is possible to attribute many of the failings of the Home Office Schools in the later nineteenth century to the ambiguity and dissent which was characteristic of these early years. Practical differences were to be revealed as soon as the basic principles of the movement became the realities of local reformatories and industrial schools.

However, there were common themes which together made up an outline ideology by the end of this pioneering period. Basically the reformatory and industrial school network in this country emerged from social anxieties concerning the increasing incidence of juvenile crime combined with growing fears of social disorganisation. By the middle of the century, the identification of juvenile offenders as a specific group and the development of various causal theories had produced a set of basic assumptions amongst a small group of people about neglected and deprived juveniles which became fundamental to the ideology of the reformatory movement. The most significant assumption was that criminal children were different from criminal adults. They were on the whole



less hardened and their characters were more open to reform - as such they were in need of and could benefit from separate corrective treatment. Thus every effort to deal with them required reformation as its principal aim. Such children were considered the products of the most depraving and immoral circumstances and were without the ameliorative influences of formal education or secure home background. At the same time, forceful counter-arguments militated against an attitude which was too soft or sentimental. Religious and social ethics demanded fit punishment for wrongdoers, and the majority belief was that any provision which might give criminal children an advantage over the honest children of the poor was to be strongly resisted. There was in fact a constant dilemma in the minds of those who maintained the necessity of providing education and training whilst at the same time advocating the validity of deterrence as a penological principle.

The value of education in stemming the rise of criminality amongst the poorest classes was never in doubt in the middle years of the century although the quality

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1. See for example, J. Symons, On the Reformation of Young Offenders (1855); T.B.Lloyd Baker's uncompromising view that criminal children should be punished first and foremost in Report of a Conference on Reformatory Schools held in Bristol (1857), (Bristol Archives); Lord Hatherton's comment on the necessity of penal wings in every reformatory at the same conference, and HMI Sydney Turner's warning at the conclusion of his term of office that 'vice and mischief should not be seen to be rewarded or encouraged', HMI Report (1875), p.12.

of education was always a point of controversy. There was no doubt that for Carpenter and her co-workers the lack of education led to crime - the prison returns had proved it beyond a doubt, and that juvenile depravity could be checked only by a combination of intellectual and religious training. The education of the intellect alone was considered not only inadequate but positively harmful to the cause of juvenile reform. Jelinger Symons, a zealous advocate of industrial training for all social classes and most particularly for the reformatory class, expressed the view held by the majority of pioneers when he wrote that 'schooling as our humbler classes have hitherto had leads rather to crime than to virtue.'<sup>1</sup> He went on to give evidence to prove that between 1838 and 1847 no less than sixty-five and a half per cent of the criminal class had been schooled, at a time when no more than half the population could read or write. Preference was shown towards industrial education which was considered, initially at least, to be useful only if it was thoroughly practical and applicable to the business of life.'<sup>2</sup> Agricultural work for boys and domestic training

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1. J. Symons, School Economy: A Practical Book on the Best Modes of Establishing and Teaching Schools (1852). New impression (1971), p.30. The contradiction presented by statistical enquiries into the relationship between education and criminality produced an ambiguity for reformation pioneers. Resolution lay in the belief that the type of education was more pertinent in determining criminality than the quantity.
  2. Ibid., p.51.

for girls were seen as the most useful reformatory occupations, not because of their value in earning a living, but because such occupations taught the general habits of industry, honesty and duty which were seen to be lacking in the criminal classes. To this end the reformatory schools of this period made provision for a maximum of three hours schooling, the remainder of the time being set aside for non-profit making industrial labour.

In the late 1850s, there was united feeling about the types of schools which should be established to cater for this category of child. Under the broad categorisation of children in danger of becoming criminal and actual juvenile criminals, a subdivision of three types of schools were called for, all modelled on Mary Carpenter's original design. For the non-criminal, but neglected child there was proposed a scheme for free day schools, with specially trained staff, and with close similarities to the ragged schools. For those children who wandered on the streets a system of feeding industrial schools based on the Aberdeen model was advocated. Both these types of school were to be preventative in aim and character. The third type of school, the penal reformatory school, was designed to accommodate only the convicted offender, although opinions differed as to whether such treatment would be most profitable if given to first offenders or recidivists. This classification of schools was in fact one of the first tenets of the reformatory movement to

give way under the pressure of events, numbers and financial constraints.

It was envisaged that all schools should inculcate reformatory values through a process of direct influence and control, thereby restoring the child to what was seen as his "naturally" dependent position. Mary Carpenter's explanation of the reformatory process which she attempted to put into practice at Red Lodge exemplifies the basic philosophy of the movement towards the criminal child and his place as a reformed member of society.

"The child must be placed... where he will be gradually restored to the true position of childhood. He must be brought to a sense of dependence by re-awakening in him new and healthy desires which he cannot himself gratify, and by finding that there is a power far greater than his own to which he is indebted for the gratification of these desires. He must perceive by manifestations which he cannot mistake that this power, while controlling him, is guided by wisdom and love; he must have his affections called forth by the obvious personal interest felt in his own individual well-being by those around him... Faith in those around him being once thoroughly established, he will soon yield his own will in ready submission to those who are working for his good: it will thus be gradually subdued and trained, and he will work with them in effecting his reformation, trusting, where he cannot perceive the reason of the measures they adopt to correct or eradicate the evil in him. This ... is the fundamental principle of all true reformatory action with the young..."<sup>1</sup>

Parental rights was an issue on which considerable disagreement existed. Whilst the reformatory movement saw itself first and foremost as a rescue agent for children

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1. M. Carpenter, Juvenile Delinquents; their Condition and Treatment (1853), pp. 298-299.

suffering from the effects of parental depravity, the family remained the central unit of social control and the most venerated of all social institutions. The enforcement of legislation which had the power to sever family ties must have seemed to many who had allegiances to the reformatory movement as potentially dangerous as the problem of juvenile criminality itself. Thus the system of parental contributions had a greater significance than simply supplying additional funds, or even punishing negligent parents, although this was one of its important functions. It kept intact the principle of parental responsibility whilst removing the right of absolute parental control.

The greatest areas of unresolve at the close of the 1850s concerned the element of punishment.<sup>1</sup> The value placed upon its reforming properties and the proper place for its infliction, if it were to be inflicted at all, became central and decisive issues. The majority view was in favour of its retention - a view in keeping with the court or prison background of a large number of reformatory supporters. The value of solitary confinement at the commencement of the reformatory sentence was extolled by the same section of the movement. They supported their argument with examples of the reforming

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1. Accounts of parliamentary debates on the subject of punishment for juvenile offenders appear in Hansard, XCII (1847), pp.33-47, XCIII (1847), pp.2-7, and CX (1850), pp.496-532.

effects of isolation and reflection within those prisons which had adopted a modified form of the separate system. The Rev. Clay was a strong believer in the softening effects of solitary confinement. Mary Carpenter and those who supported her views on the other hand condemned the use of punishment either at the commencement of the schooling process or as an integral part of the day-to-day routine of the schools, denying as they did the value of both the retributive and the deterrent elements of punishment.

Each school which was established and run on a voluntary basis was subject to an individual interpretation of the reformatory philosophy. Each management committee worked from its own set of principles based upon the wide range of beliefs which together made up the pioneering reformatory movement. It was inevitable that such diversity should bring with it a large number of inconsistencies, not the least of which was the confusion facing everyone involved as to whether they were punishing children or reforming them.

The reformatory ideology and the legislation which had ensued from the political and social activities of the reformatory movement during these years was based on attitudes which were both conservative and punitive. It emanated from those who had most to lose if the criminal classes were not controlled, and it was supported by those who saw punishment as the most effective weapon against

the criminally inclined. It had its roots in the harshness of eighteenth century penal theory and its rationale in the principles of political economy. Even to such as Mary Carpenter, the reduction of national expenditure through the rigorous application of a national reformatory policy was second only to the reformation of individual children.

'Reformatory Schools and true political economy are not at variance. If a great duty is neglected, retribution is sure to follow. It rests as a blight on our country and is felt in the enormous expenditure of public money in gaols and workhouses'.<sup>1</sup>

Indeed, the economic advantages of the reformatory scheme were prominently discussed in promotional material in the hope of gaining additional support for the movement.

'The success of the work will depend, in a very great degree, upon obtaining the assent of persons who may desire to see economical advantages in the courses proposed',<sup>2</sup>

advocated John Clay to the Birmingham conference of 1851.

Undoubtedly, those who led the movement and those who were to join the ranks of its supporters were motivated by an ideology which was repressive and coercive and which sought to impose its own morality upon a significantly large section of the child population through a regime of discipline and austerity. To look no further than this conclusion however would be to mask other motivating

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1. M. Carpenter, Red Lodge; Twenty Years Review (1874), p.59. (Bristol Archives).
  2. Report of Proceedings of the First Birmingham Conference 1851, p.47.

forces, including a belief in democracy, humanitarianism and liberalism, fragments of which were to be found in the ideology of most reformers at this stage of reformatory development.

However coercive their intentions, some early model reformatories did portray an inescapable quality of authoritarian kindness, a 'ministry of love' in Mary Carpenter's terms, which extended a form of care few of their inmates would have otherwise experienced. Such institutions were established at a time well before theories of innate criminality had achieved an ascendancy in England, and were demonstrations rather of the optimism and democracy which were an integral part of the theory of environmental causation.

'We must yet see that he is of the same nature with ourselves, that had we been treated with the same neglect or exposed to the same temptations, we should have been as he is; that even as he is, he is still human, and has the feelings and instincts of humanity; that so long as all hope, all aspiration is not utterly dead within him, so long is there a possibility of making him a good member of society.'<sup>1</sup>

This chapter has attempted to place the origins of the reformatory and industrial school within the political context of the 1850s. It has outlined the personalities and their involvement in parliamentary debates and political activities designed to sway opinion in favour of

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1. J. Hole, Light, More Light: On the Present State of Education amongst the Working Class of Leeds (1860), p.105.



the reformatory school alternative to prison. It has further attempted to assess the effectiveness of their campaign and what in fact was achieved by the legislation of 1854 and 1857. The limitations and compromises outlined in the concluding pages of the chapter re-occur as major themes later in the thesis.

The following two chapters will study the translation of reformatory aims into the practice of reformatory schools as they were established under the Acts of 1854 and 1857, paying particular attention to the national structure which evolved, the practices adopted by various schools, and the personnel who made up the reformatory and industrial school system.

## CHAPTER 5 : REFORMATORY SCHOOLS : STRUCTURE AND ADMINISTRATION 1854-1876

This and the following chapter consider the establishment and expansion of reformatory schools in England during a period of their development when they enjoyed considerable prestige as effective antidotes to increasing juvenile crime rates.<sup>1</sup> The first of these two chapters considers the local and national administration of the reformatory school system. The second will concentrate upon the experience of schooling within various reformatory establishments.

Four major areas of interest will be considered in this chapter:-

- I. the impact of legislation
- II the early geographical expansion of the schools
- III their financial and administration arrangement
- IV their political control.

### I

Despite the publicity which the new reformatory models had received and the support which had been generated for the anti-prison lobby during the vigorous political campaigns of 1847-54, the Youthful

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1. The complete plan for the reclamation of criminal and neglected children as envisaged by Mary Carpenter and her contemporaries included other complementary establishments - day and boarding industrial schools and truant schools. These will be dealt with separately in a subsequent chapter.

Offenders Act of 1854 did not produce an immediate or widespread response in the form of large numbers of new schools, nor was the legislation viewed, except by a very few, as the first step in the complete abolition of prison sentences for juvenile offenders.<sup>1</sup> In judicial terms it was seen rather as providing an additional sentence to be used in the case of a certain category of offender.<sup>2</sup> It could be applied only after the expiration of a prison sentence, incarceration as an integral part of the reformatory process remaining inviolable until 1893.<sup>3</sup> Nor was the reformatory school appendage part of the sentence applied to all juvenile offenders after 1854. The majority continued to be fined, birched or imprisoned for a period not exceeding three months with or without hard labour,

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1. The Youthful Offenders Act, 17 and 18 Vict., Cap. 86 was not mandatory. Magistrates were not forced to send convicted children to reformatory schools, nor was central or local government empowered to create such schools. The government's role was rather to certify private establishments offering to defray part of the costs of maintaining inmates.
  2. An inmate could be any person under sixteen who had been convicted of "any offence punishable by law" providing he/she had first served a minimum sentence of fourteen days imprisonment. The period of reformatory training was to last between two and five years.
  3. Lord Leigh's Act 1893, 56 and 57, Vict., Cap. 48, made the accompanying prison sentence optional.

which were the alternatives provided under the 1854 Act.<sup>1</sup>  
The Governor of Bath gaol stated in his 1860 report for example that

'during the last three years, the number of juvenile offenders committed to prison has been 31,758 of whom only 2,890 have been at the expiration of their prison time removed to reformatory schools.'<sup>2</sup>

Similarly the Governor of Liverpool gaol reported in 1862 that of the twenty-seven thousand juveniles committed to the gaol in that year, only one hundred and eight were sent on to reformatories after the statutory period of imprisonment was completed.<sup>3</sup> Of those committed to reformatory training the greatest majority had been convicted of minor offences including food thefts and the infringement of police regulations.<sup>4</sup> Clearly in the formative years of the schools' history they were dealing with only a very small proportion of the total numbers of convicted juvenile offenders.

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1. See App. 3.

2. T.N.A.P.S.S., York meeting (1864), pp. 247-255.

3. Idem.

4. See App. 4 for an illustration of the nature of crimes committed by children sent to reformatories by magistrates in Liverpool 1854-55 and 1860. A contemporary comment on the triviality of the children's crimes can be found in the T.N.A.P.S.S., Glasgow meeting (1860), p.493.

## II

In terms of the number of schools, the reformatory system made its greatest expansion in the years immediately following the 1854 Act. By 1859, the number of reformatory schools was higher than at any other time in the nineteenth century. Over fifty schools had been inspected by the Committee of Council on Education in accordance with the regulations of the Act and had been certified as being of an acceptable standard to undertake reformatory training.<sup>1</sup> Thirty-four of these schools were for boys, ten for girls, and one had a short career as a mixed school.<sup>2</sup> Much of this early response was due to the philanthropic ventures of interested individuals who had land or buildings to donate and time to spare. Such early benefactors were also undoubtedly attracted by the relative freedom from government control and excessive centralised uniformity which early legislation promised. The attraction of the reformatory scheme was considerable by the mid 1850s, so much so that the Quarterly Review announced that 'There is hardly perhaps a subject, the war excepted, which occupies a larger share of attention at the present time than Reformatory Schools.'<sup>3</sup>

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1. HMI Report (1858), p.6.
  2. Generally speaking, mixed schools were not approved of. See for example HMI Turner's comment 'It is scarcely necessary to remark that it is very inexpedient (to say the least) to receive into the same school, however ingeniously divided and arranged, inmates of both sexes of the reformatory class.' HMI Report (1859), p.2.
  3. Quarterly Review, vol.98, no. XCVIII (1855), p.32.

Among the first reformatories to open are to be found some of the most famous names. Kingswood and Red Lodge, Hardwicke, Stoke Farm and Saltley, all founded by active pioneers in the reformatory movement, were opened in 1854. The following year, Leicester Reformatory at Peckleton opened under the patronage of Lady Noel Byron 'pursuant to a requisition, numerous and respectably signed and a large and influential meeting composed of the principal inhabitants of the town'.<sup>1</sup> Also among the earliest certified reformatory schools were Newcastle and Birmingham Girls' Reformatory opened in 1854; the Devon and Exeter Reformatory for Boys, Cumberland, Norfolk, Berkshire, Hampshire, Cheshire, West Riding, and the Home in the East (1855); the 'Akbar' School Ship, Northampton Boys' Reformatory, Toxteth Park Girls' School, Allesley Farm School, Redhill, Warwickshire, Essex and Wiltshire Schools (1856). In 1857 the schools in Dorsetshire, Bedfordshire, Norfolk, Mount Vernon Green, Leeds, Hertfordshire, Manchester and Salford, North Lancashire, the North Eastern and the Rescue Society's Home for Girls at Hampstead received their certificate. Three Roman Catholic Schools opened in 1854 (Mount St. Bernard's Abbey, Market Weighton and Arno's Court) and two the following year (Beauchamp Lodge and Hammersmith). 1858 saw the opening of the Industrial Home for Girls at Ipswich, the Devon and Exeter Girls' Reformatory and the

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1. Leicester Journal, Feb. 23, 1855.

Boys' Home in Wandsworth. The Monmouth School, the 'Cornwall' School Ship and the Liverpool Farm School followed in 1859.<sup>1</sup>

A major influence on the location of the early schools was the donation of leases on large private country houses. The link thus forged between landed gentry and the reformatory movement was not without its critics. For some it gave weight to the assumption that this exercise, like many others, was no more than a fashionable and diverting pastime for the rich. A published letter from Thomas Mulcock of Saltley to the Earl of Litchfield makes this point about the 'new reformatory school at Saltley.

'The planters of our cosy colony were noblemen and gentlemen rejoicing in the renown of high-souled philanthropy or exulting in the more questionable odour of sanctity - the latter chiefly of the established church, with a sprinkling of Quakerism and some other isms - in short paying pietists.'

Mulcock goes on to suggest that Saltley and other reformatory schools were deemed 'good for nothing if not enticingly graced with a galaxy of stars and garters.'<sup>2</sup>

The phenomenon of the rural reformatory in the 1850s appears to have originated therefore as much from the practical results of charitable donation as it did from

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1. See App. 5 for a map of the distribution of the early schools.
  2. Letter from Thomas Mulcock to the Earl of Litchfield, Chairman of Staffordshire Quarter Sessions 1860, (Birmingham R.O.).

the development of a philosophy of rural superiority and urban degeneration, although the myth of rural superiority was well accepted by 1854 and, as suggested in Chapter Four, there was a strong body of opinion both in this country and America that delinquent or neglected children should be removed from the ill-effects of their urban environment. Carpenter for example was sure that 'all reformatory schools should, if possible, be rural ones'.<sup>1</sup>

It would seem likely however that Carpenter's view was based not upon a theory of urban decay but upon the simple expedient of removing children as far away as possible from their parents and home experiences. The additional advantage of rurally located schools lay in their source of ready employment for boys in agricultural labouring. Fewer of the early girls' reformatory schools were rurally located, which again would seem to indicate that the dominating influence was the availability of industrial labour - domestic employment for girls being a predominantly urban industry.<sup>2</sup>

One of the aims of the Youthful Offenders Act was that reformatory schools should emerge only as a result of local initiatives and, linked to this, that schools should generally accomodate children in their immediate environment. Thus Saltley and Leicester Reformatories

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1. J.E. Carpenter, op.cit., p.136.

2. Some of the more prestigious girls' schools were located in urban areas. For example, Liverpool Reformatory for Girls, Toxteth Park, Birmingham Girls' School, Red Lodge, Hampstead School.



emerged as a result of local public meetings.<sup>1</sup> This "grass-roots" support and the identification of the schools with their geographical areas was again approved by Carpenter who favoured the development of locally based reformatory committees comprised of lady members whose task it was 'to find out their ways and means of their town'.<sup>2</sup>

Sydney Turner, the first inspector of reformatory and industrial schools similarly advised that

'each county or borough should deal with its own criminals. More efforts will be enlisted in the support of the schools, more responsibility felt as to its management, more interest awakened in its moral success, more facilities given for the disposal of the children when discharged, if the school be the centre of a certain circle, and has a direct connection with the magistrates and employers of a distinct locality'.<sup>3</sup>

The early attempts to keep admissions entirely local were thwarted in many cases by the excessive costs incurred in running small schools in underpopulated rural areas. Added to this was the desire to prevent an aggregation of juvenile criminals from any one district in any one school. A device adopted by some schools was for counties and boroughs to make arrangements with

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1. First Annual Report Birmingham Reformatory Institute at Saltley (1854), (Birmingham, R.O.); and 'Leicester Advertiser' April 6, 1861, (Leicester R.O.).
  2. J.E. Carpenter, op.cit., p.148.
  3. HMI Report (1858), p.8.

reformatories in neighbouring districts to receive their juvenile offenders in return for part payment of the rent and staff expenses of the school. Leicester reformatory adopted this device by entering into agreement with Tiffield School in 1865 for the reception of some of Northampton's juvenile offenders on condition that weekly payments of one shilling per capita should be paid half yearly and fifty shillings towards clothing. In other respects too, Leicester reformatory school was typical of the early development described thus far. It was established as a county-based project in 1855 as a result of a meeting called

'to consider the report of a committee appointed at Session for the purpose of investigating the subject of reformatory schools.'<sup>1</sup>

The committee resolved that

'the immediate object being to reduce as quickly as possible the number of boys already engaged in depredation and crime, and the most active in corrupting others and seducing them into their ranks, it would appear advisable at first rather to look to disposing of this class ... also any whom a parent may think fit to entrust to the managers in the hope of their being saved from a life of crime.'<sup>2</sup>

The school managers were appointed for the term of one year from the ranks of general committee members, and included a local justice of the peace, the chaplain of the borough gaol and an anglican clergyman who between them were responsible for appointing staff, handling subscriptions, presenting annual reports and co-operating

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1. " Minutes of the Leicester Juvenile Reformatory Committee 1854," (Leics.R.O.).

2. Idem.

with government requirements and HMI inspections. The attitude of local residents toward the establishment of a reformatory school at Peckleton is not known, but the opening of some other schools would indicate a mixed reception. Carpenter's experiences at Red Lodge Girls' School in Bristol, where she dared not take her girls out for fear of their being "rescued" by the local people,<sup>1</sup> seems to suggest that in urban areas the schools were treated with some mistrust by the populace. Local response in rural areas may have been somewhat different. Sir Stafford Northcote's biographer noted for example that when Brampford Wood Reformatory was opened 'the keepers dreaded poaching... the villagers feared the rise of a kind of Dotheboys Hall, and the farmers trembled for their ricks.'<sup>2</sup> Nor apparently were they encouraged by the names of the first three inmates, 'Messrs. Sparks, Gale and Burns, titles eminently incendiary.'<sup>3</sup>

### III

The basic principles which governed the administrative and financial arrangements of reformatory schools as established by the act of 1854 were as follows:-

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1. Journal of Red Lodge, vol.1 (Bristol archives).
  2. A. Lang, op.cit., p.128.
  3. Idem.

- a) all reformatory schools were to be assisted and regulated by the state and were to be run on an independent basis by voluntary management, aided by voluntary subscription.
- b) parents had a duty to contribute to the maintenance of their children at school wherever possible on the understanding that children could best be 'reclaimed from growing up in idleness and vice by acting upon the fears of those to whom they owed little besides their birth.'<sup>1</sup>

The requirements of voluntary management, state contribution, public subscription and parental payment will be examined in turn.

The principle of voluntary management was basic to reformatory ideology. The 1854 Act had provided, as the pioneers had wished, a system whereby voluntary controlled reformatory schools could individually and independently pursue and develop their own policies. Under this scheme, the spread of reformatory schools was to depend entirely on individual initiative and would continue only as long as local communities needed to solve the problems of juvenile crime in their areas.<sup>2</sup> The initial and sustaining impetus was therefore to be local and voluntary, the

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- 1. Rev. W.Glover's letter to the Mayor of Birmingham printed in Souvenir of the Centenary Celebrations of Tennel School, Birmingham (1949).
  - 2. HMI Turner for example did not see the necessity of long-term expansion in the reformatory movement. HMI Report (1875) pp.23-24, reflected his view that the reformatory schools had practically solved the problem of juvenile crime, thereby nearly completing the task they were established to do.

government's role being confined to the certification, inspection and financial support of the schools. This subsidiary supportive role of government was endorsed by much of the contemporary argument on the subject. There was firstly the classic view that government intervention was both undesirable and counter-productive as it stifled the initiative and individuality of philanthropy and voluntarism. J.S. Mill argued rather that the government's role in new social reform ventures should be confined to that of collator and disseminator.<sup>1</sup> A fear of the consequences of excessive government intervention found expression in Smiles' influential thesis on Self Help and added to the weight of conviction within the reformatory movement that 'where men are subjected to over-guidance or over-government, the inevitable tendency is to render them comparatively helpless'<sup>2</sup>. An argument of equal importance was that although the state could act in *loco parentis* in law, it was unable to do so in practice. Only voluntarism could supply the child with the sort of parental relationship which was seen as the natural condition of the family.

Opposition to voluntary management was strongly expressed but a minority view. It was a view based on the claim that an issue of such importance to national security as juvenile crime could not be safely left in the hands of incompetent and inexperienced amateurs. In his

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1. J.S. Mill, op.cit. (1848), p.

2. S. Smiles, Self-Help (1859). New impression (1904), p.1.

denouncement of both the English and Irish reformatory school system, Richard Smyth demanded that

'the amateur plan must come to an end ... The generous subscriptions of good men are all very well; but we say advisedly, there is scope enough for them in Ragged Schools and other charities. The mere erection of a building, for Reformatory purposes, is a paltry price to pay for the tremendous powers which the... Act confers on private and irresponsible Committees.'<sup>1</sup>

Few however were so adamant as to exclude the advantages of a compromise arrangement which would maximise the benefits of both state interest and voluntary control. Faith in the virtues of this combination resolutely remained as a central belief of the reformatory movement long after social changes had highlighted its essential weaknesses.

The toleration of government intervention in juvenile reformatory schools was sustained principally in the name of centralised co-ordination and efficiency. In practical terms however, the real virtues of intervention lay in the obvious benefits of government financial support, essential to all schools, even those whose premises had been secured by donation. It was an inevitable consequence, accelerated by the rapid decline in public contributions after 1860, that the financial involvement of the government should steadily increase. Thus, over the period from 1853-1873, treasury contributions were adjusted from just under £44,000 per annum to £84,000.<sup>2</sup> Even this increase in government commitment was not enough

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1. Rev. R. Smith, op.cit., p.89.

2. HMI Reports (various).

to prevent a number of the earlier schools from closing down through lack of funds. Four schools had already closed by 1859 due to the increasing burden of maintenance costs.<sup>1</sup> Leicester Reformatory School was to follow suit in 1862.

In practical terms, the government grant for each committed child was set at seven shillings per week in 1854. Further aid was received from a Committee of Council Grant which provided for the payment of half the rent of reformatory school premises, one third of the cost of tools and raw materials and a further grant payable towards the cost of books, maps and other apparatus. In addition, 'in order to encourage the preparation of suitable schoolmasters for employment in such institutions' a grant of £35 to each school was made in respect of every qualified teacher. The initial criteria for qualification were as follows:-

- 'a) all teachers of common elementary schools holding the certificate of merit or registered,
- b) all teachers of workhouse schools holding certificates of efficiency,
- c) all students in normal colleges under inspection who shall have resided therein no less than one year and shall have successfully passed the examination at the end of the year before Her Majesty's Inspector of Schools'<sup>2</sup>

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1. HMI Report 1859, p.9.

2. Minutes of the Committee of Council of Education Offering Grants for the Promotion of Schools wherein Children of the Criminal and Abandoned Classes may be Reformed by Industrial Training, P.P. June 2, 1856.

The conditions controlling the grant were that the school should be certified and that it should contain at least forty inmates. Application for the grant was to be made directly to the HMI's office and was to be paid by instalment, subject to his recommendation.

Public subscriptions to reformatory schools were initially high. £150,000 of voluntary funds were invested in 1856 according to Sydney Turner, 'a noble testimony to the sincerity and earnestness with which the promoters of reformatory agency have harboured in the cause.'<sup>1</sup> In the case of Saltley Reformatory, the Reformatory Society consisted of all subscribers of £1.1s. per annum and all donors of £10.10s. per annum. An additional benefit to donors was the privilege accorded them to nominate a child for admission to the school.

The total subscription in the Society's first year amounted to £450.8.0 (£100 of which was donated by one person). In the second year voluntary receipts fell to £366.13.0., and the following year to £263.7.6. (with an additional donation from two people amounting to £23.13.0).<sup>2</sup>

In addition to the problems incurred as a result of diminishing public financial contributions, management committees were permanently threatened by the possibility of reduction in treasury funding. The first of such

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1. HMI Report 1859, p.24.

2. First and Second Annual Reports, Birmingham Reformatory Institute at Saltley, 1854 and 1855. (Birmingham R.O.).



reductions came on 31st December 1860: it diminished the per capita allowance to six shillings per week, although it was retained at seven shillings for inmates who had been admitted before this date. Appeals for special allowances were a constant feature of the correspondence between management committees and the HMI's office.<sup>1</sup>

The financial burdens imposed on management resulted in many of the criticisms later levelled against the schools' regimes. Two of these criticisms, the tendency to keep inmates to the end of the term of their detention and the employment of inmates in hard but remunerative labour will be discussed elsewhere.

In no way were these burdens offset by parental contributions, partly because they were not intended to form a major part of the scheme of funding and partly because it proved very difficult to extract the correct payment from parents. It was intended that parental contributions should be paid directly through the Chief Inspector's office to the Paymaster General. Later, in the case of day industrial schools, contributions were paid directly to the local education authority. Throughout the numerous legislative amendments which followed the 1854 Act, this contributory principle remained official policy

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1. Numerous claims were made to the Home Office for special financing for certain categories of offenders, most of which were turned down cf. "Home Office Entry Book 1873, '74 and '75." (Public Record Office, H.O.137 1, 2 and 3).

although its worth in actual terms was minimal.<sup>1</sup> By 1882 the total state contribution stood at £134,000 whilst parental contributions were less than 5% of that sum. Very few parents actually seemed to have paid any of their contributions. Of the one hundred and eighty Liverpool Catholic children committed to reformatories in 1856 for example, only twenty seven received any parental contribution.<sup>2</sup> The difficult task of collecting the weekly sum from parents was handed over to specially appointed agents, employed by the Inspector's office. By 1870, agents were working in London, Liverpool and Glasgow and their duties extended to include visiting the homes of inmates to collect contributions and to make inquiries into the circumstances of children brought before the courts.

#### (IV)

Control over the reformatory school system was distributed throughout a hierarchy of independent committees, professional bodies and government representatives. For example, the opportunity to send a delinquent child to a reformatory school was provided by government and the procedure to send him to such a school

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1. Saltley, for example, received only £25 in the form of parental contributions in 1859 out of a total income of £1152.14.0d. Leicester Reformatory received £15 from parental contributions in 1861 out of a total income of £524.13.10d.
  2. Records of the Liverpool Catholic Reformatory Association, Reformatory Fund Committee Minutes. Vol.1. (Liverpool Record Office).

was controlled by the judiciary. The school's management bodies controlled the regimes of the schools and the categories of children admitted, whilst the final veto was undoubtedly in the hands of the Secretary of State through his representative, Her Majesty's Inspector for Reformatory and Industrial Schools. Working through, and on behalf of the Inspector's Office, was the body of agents mentioned previously, who represented the power of the State to parents. Parents, at the bottom of this hierarchal arrangement appear to have exercised little or no power at all.<sup>1</sup>

The interrelationship between these power groups was delicate. Much of it was formalised if not ritualised and trials of strength appeared only very infrequently in the early years of the reformatory movement. Head-on clashes between two or more such groups, usually managers and HMI, and occasionally magistrates became far commoner as the century progressed. Each of the groups mentioned above together with their relationship to other foci of power within the system will be examined in turn.

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1. Parental influence was, however, a major force behind much reformatory theory and practice. The underlying possibility that parents might continue their influence on children both during and after the reformatory sentence is reflected in the many attempts to restrict parental contact. Some parental rights were acknowledged at least in theory, eg. the right to choose the religious training given to the child, the right to agree to an operation performed on a child, the right to know if the child was brought before a magistrate.

The significant position of the sentencing magistrates within the reformatory scheme lay in the fact that the option to use reformatory schools lay entirely with them. Without their consent for and knowledge of the system therefore, the reformatory system would have been inoperative. With only their half-hearted and uneven support, the reformatory system as envisaged by Mary Carpenter could have worked only very imperfectly. Indeed, despite their considerable influence as a pressure group during the campaigning years of the movement, magistrates were subsequently always regarded as a stumbling block to the development of an effective reformatory system. In 1857 for example Carpenter complained to Sir Stafford Northcote that 'Our Bristol magistrates are the only ones..... who have tried to work the Act'.<sup>1</sup> It would seem that either magistrates were not using the option of reformatory training as had been hoped, or, as Adshead suggests, they paid insufficient attention to the details of placing children in appropriate schools. He estimated for example, that in 1869, 75% of the children who had been sentenced in the Liverpool area to a period of reformatory training, failed to be transferred from prison to a reformatory establishment.<sup>2</sup>

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1. J.E. Carpenter, op.cit., p.214.

2. J. Adshead, On Juvenile Criminals, Reformatories and the Means of Rendering the Perishing and Dangerous Classes Serviceable to the State, Manchester (1857), p.74.

The magistrates' power to commit was almost absolute and was very rarely reversed by the Secretary of State when appeals were made against detention orders. On the other hand, the school managers' right to refuse admission was similarly absolute and a divergence of opinion concerning what sort of offender should receive reformatory training developed almost from the beginning. However it would be erroneous to assume too wide a gulf between management committees and magistrates panels as very often they consisted of the same people, a factor which Ishmael Fish pointed out might well have interfered with the purpose and intention of the law.<sup>1</sup>

The central controversy between managers and magistrates concerned whether first or second-time offenders should be sent to reformatories. Turner in his second report noted that,

'very considerable diversity of view has prevailed among the managers of reformatories and the magistrates favourable to their establishment as to the stage in a young offender's career at which it is right and most expedient to interfere with him and sentence him to a long period of detention in a school'.<sup>2</sup>

Magistrates as a body seemed to support the view that children should be detained in a school on their first offence on the premise that it was at this stage in their

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1. T.N.A.P.S.S., Edinburgh meeting (1863), p.443.

2. HMI Report 1859, pp.18-19.

careers that they could best be rescued from bad influences. Managers as a whole were inclined to favour the view that reformatory training was best reserved until after a second or third offence, until in fact the child had demonstrated that he was a member of the criminal class. Turner favoured the latter course<sup>1</sup> as did the managers of Leicester Reformatory who informed their local magistrates by a letter dated October 13th 1857 of the desirability of taking second offenders only.<sup>2</sup> Saltley managers were similarly convinced, expressing in their 1860 Report

'their earnest desire that three simple rules should be followed by the magistrates ... 1) that detention in this reformatory ought very seldom to follow a first conviction; 2) that such detention should almost invariably follow a second or third conviction; 3) that the parents should in every case be adjudged to pay some contribution'.<sup>3</sup>

Apparently however magistrates continued in their custom of convicting first offenders despite the combined opposition of managers and HMI. In 1860, well over a quarter of children under twelve in reformatories and half of those over twelve were first offenders, and ten years later, Turner again took issue with magistrates over the numbers detained on first offences, on the grounds of increasing costs and contamination.<sup>4</sup>

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1. HMI Report 1859, pp.18-19.

2. "Leicester Reformatory Committee Minutes 1857", (Leicester R.O.).

3. Birmingham Reformatory Institute (1860). B'Ham. R.O.

4. HMI Report 1870, p.5.

The relationship between management boards and government was unique and interesting. The concept of voluntary management and state supervision discussed earlier in this chapter theoretically allowed for a balance of control which gave one considerable checks upon the other. Thus management was free to develop its institution in its own way providing it did not step outside the acceptable boundaries set by the Home Office. This sort of arrangement was deliberately left open-ended in the belief that good intention on both sides would enable the system to work.<sup>1</sup>

There were very clearly a number of problems which surfaced almost immediately. Firstly no guide-lines were available in 1854. The only previous arrangement which bore any similarity to the new reformatory scheme was that which had been in operation at Parkhurst where however, the committee of management were all paid government servants. Secondly, the majority of school managers were men of some local importance, many of them having decided views about the way to deal with young offenders. With this considerable amount of weight and experience behind them, it was inevitable that they should also exhibit a strong resistance to being controlled by central government on matters which were essentially community

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1. Mary Carpenter for example was certain that good intentions were more important than the ability or management experience. Cf. An address on Prison Discipline and Juvenile Reformatories, Calcutta (1876), p.16.

based.<sup>1</sup> The two areas over which managers had been given considerable control were admissions and curriculum content, and it was in these two that conflict between management and government arose. The 1854 Act did not specify the relationship between education and industrial training in reformatories but the educational content of reformatory programme was not at this stage envisaged as more than rudimentary.<sup>2</sup> Turner generally agreed with management decisions to relegate formal education in favour of industrial training. He stated in his tenth Report for example

'There is much force in the representation of the managers that the business of the reformatory is to correct rather than instruct, and that reforms of temper and habits, the development of industry and the exercise of self-control are what they have to aim at'.<sup>3</sup>

Turner however was increasingly critical of managements' appointments of education staff. Appointments of this nature were left entirely to the discretion of management. It seemed to have been common practice for the Chairman of the Board to make local enquiries to obtain teaching staff<sup>4</sup> and their quality was often criticised by

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1. According to T.B. Lloyd Baker, managers were men of insight and experience in their own communities, cf. T.B. Lloyd Baker, op.cit., p.212.
  2. Three hours daily were to be devoted to secular instruction, two hours to recreation; industrial labour was not specified.
  3. HMI Report 1867, p.8.
  4. The Chairman of Liverpool's Catholic Reformatory Board reported in 1863 for example that he had taken upon himself the task of procuring a school master by writing to "several persons". "Liverpool Catholic Reformatory Association Minutes 1863", (Liverpool R.O.).



Turner in his yearly reports.<sup>1</sup> He warned management in 1859 that although industrial exertion and labour were 'the great essentials, yet we have no right to neglect the other'. Yet his influence to intervene on behalf of good education facilities was very limited and there are no instances in the first twenty years of the reformatory system of any collisions on the issues of education. At the end of his career Turner was still complaining that school managers were neglecting the educational needs of their charges.<sup>2</sup>

Another criticism levelled at management by the Home Office was directed at those managers who excluded categories of offenders on 'moral' grounds. Female reformatories in particular, including Carpenter's School at Red Lodge, were reluctant to receive girls considered to be morally depraved, particularly if they had 'at all mingled in the prostitute class'.<sup>3</sup> Managers' rights to control admissions were jealously guarded and government criticism of these decisions was generally seen as interference. Similarly although in law discharges could only be made by order of the Secretary of State, any such orders made contrary to the wishes and advice of management were viewed as a violation of their authority

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1. Turner's report on staff at Leicester Reformatory, who were procured by the managers through personal contacts, was highly critical. HMI Report 1859, p.37.
  2. HMI Report 1872, p.15.
  3. Rules and Regulations of Red Lodge Reformatory, Bristol Archives, (see App. 2).

to control their own schools.<sup>1</sup>

An attempt to resolve some of the areas of dispute was made by the introduction of new legislation in 1866<sup>2</sup> which was designed to lay the foundations of a more regulated relationship between the state of school management. The authority of the state was reinforced in four statements:-

1. No substantial addition or alteration was to be made to the schools without written approval of the Secretary of State.
2. On receipt of a report of an unsatisfactory inspection, the Secretary of State could immediately withdraw the School's certificate or issue six months' notice of his intention to do so.
3. An appointment of an assistant was to be made where necessary to meet the increase in responsibilities of Her Majesty's Inspector of Reformatory and Industrial Schools.
4. The Secretary of State for the Home Office was to retain the power to remove a child from any school.

Managers, on the other hand, retained the right to resign their certificate or give six months' notice of their intention to do so. The Act also confirmed the power of

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1. When school managers resigned their certificate over 'a controversial decision on the discharge of an inmate', H.M.I. Turner reported 'the managers acted no doubt from a conviction that their authority was unduly interfered with'. HMI Report 1868, p.53.

2. See App.3.

school managers to decline to receive any offender for any specified reason. Finally the running and discipline of the schools was to be left to the discretion of the schools with the proviso that such rules were not contrary to the provisions of the Act and could be enforced only after written submission to the Secretary of State. Further, management was required to be more exact in its returns, including lists of monthly admissions, readmissions,<sup>1</sup> licences, deaths, discharges and desertions. Quarterly returns were to be made of all inmates chargeable for maintenance together with an account of the sum due for the maintenance of children under detention. In addition, a quarterly report was to be submitted on the sanitary state of the school and the health of the inmates together with a record of all offences and punishments. The appointment of a medical officer and the frequency of his visits to the school was left to the discretion of management.<sup>2</sup>

After 1866 the balance of power moved increasingly away from management in favour of central government.

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1. The rules of Saltley Reformatory explicitly refused readmission to any boy who had deserted or absconded. (See App. 2).
  2. Saltley Reformatory, in common with other schools, established its own system of medical inspection, testing 'vision, use of limbs and soundness of intellect' on admission. Thereafter the medical officer was required to call once a month."Birmingham Reformatory Institute Minute Book 1866", (Birmingham R.O.).

Instances where the Home Office returned plans for new schools, new rules and dietary changes appeared more frequently in Home Office entry books. Occasions when management was defeated on contentious issues also increased. For example, Liverpool Catholic Reformatory Committee was forced to climb down in its clash with Turner over transfers of boys from the 'Akbar' Ship School concluding finally that

'we cannot transfer the boys contrary to the instruction of the Home Office as represented by Mr. Turner and we have therefore no choice but to let the matter lie over till we hear further from him'.<sup>1</sup>

Later in Turner's term of office, the direct intervention of government to prevent or correct a move by management became more common, sometimes resulting in full scale investigations. The Committee of Managers of Leeds School and the managing body of St. Josephs School were both reprimanded for having seriously failed in their lack of supervision of inmates, 'measures being taken to remove at once what is faulty and to supply what is defective.'<sup>2</sup>

Management's attempts to introduce new elements into their schools' regimes could be thwarted, as in the case of the London School Board in 1878 which sought permission to establish a truant school on the silent principle. Their request was rejected by the Home Office on the grounds that 'the enforcement of silence and other unusual restrictions are at variance with the spirit of the act and ought not to be enforced'.<sup>3</sup> In cases of open conflict,

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1. "Liverpool Catholic Reformatory Association Minute Book 1863", (Liverpool R.O.).
  2. "H.O. Entry Book, December 31st 1875."
  3. "H.O. Entry Book, September 28th 1878."

the resignation of their certificate was the only course left open to management - a step which they took over the 'Clarence' incident discussed in a later chapter. For the most part however, the sometimes uneasy relationship between management and Home office was uninterrupted for the first twenty years of the schools' history. Indeed the management of "good" schools like Saltley were warm in their praise of Her Majesty's Inspector, as he was of them. Mr. Turner wrote to the chairman in 1860 for example

'I was much impressed by my visit of inspection last October and with the marked progress ... on each of three essential points of industrial training, good order and school instruction'.<sup>1</sup>

For its part, Saltley Management Committee claimed that 'the experience of the last fourteen years has led the committee of this Institution to attach the highest value to the wise and practical and disinterested suggestions they have received from Mr. Turner'.<sup>2</sup>

The praise for "good" schools was more than balanced out however by the criticism extended towards managers for their 'deplorable' lack of interest in aftercare and for their 'more mechanical and less moral tone of management'.<sup>3</sup>

The struggles for power between management and Home office became more overt after Turner had resigned his post. This may have been due in part to the respect and deference he earned as a leading pioneer in the reformatory school movement, but it was also caused by the

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1. Annual Report of Birmingham Reformatory Institute (1860) B'ham R.O.

2. Idem..

3. HMI Report 1872, p.19.

growing opposition of the corporate representation of management at their National Conferences to key issues, such as imprisonment, industrial employment, educational standards where they were in open opposition to government policy.

The Inspector's role continued principally as one of adviser and interpreter of the law. His inspections of schools happened at a minimum annually and later increased to two or three times a year. These inspections were defined by the 1884 Commission as

'the machinery by means of which the executive informs itself as to the condition of the Reformatory and Industrial School, and their fitness to hold the official certificate and to receive the treasury grant'.<sup>1</sup>

In addition to his inspection, the HMI was required to issue yearly reports on individual schools which were often couched in generalised terms and were criticised by the 1884 Commission for being too formal and non-specific.<sup>2</sup> Apparently the yearly report was not always in accord with the impressions management received from the Inspector directly after his visit. The managers of Kingswood Reformatory complained for example that their entry book record of the 1878 inspection was commendatory whilst the report issued some time later was not.<sup>3</sup>

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1. Report of the Royal Commission 1884, p.xviii.

2. Ibid... In his defence, Her Majesty's Inspector stated that "no system of inspection, even a daily one can insure any school... from an outburst of temper or occasional misconduct on the part of the superintendent". HMI Report 1882, pp.10-11.

3. "H.O. Entry Book November 18th, 1878."

The burden of work increased in the Inspector's Office to the extent that his staff was increased to include an assistant, Henry Rogers, (appointed under the provision of the 1866 Act) and later in the century, was expanded to include one additional subinspector together with increased clerical support. Amongst the Inspector's duties was included the collection of parental payments for which he was allowed to authorise the employment of Home Office agents, who were appointed to collect parental contributions in urban areas. Retired police officers were commissioned for this purpose in 1873<sup>1</sup> and in the following year the ex-chief inspector of the Metropolitan area was appointed as agent for that district on Turner's advice. The Inspector was anxious to retain agents under his control despite the occasional wrong choice. (Mr. John Graham, agent for Liverpool for example was proceeded against for embezzlement in 1874.<sup>2</sup>)

He was resistant to any notion that a semi-independent board of agents should be created to deal with parents, claiming that

'it scarcely seems reasonable that I should authorise agents practically independent of me - serving a wholly district authority, neither paid by or connected with my office, and I cannot but deprecate the collision on differences of judgement that might arise and would involve considerable embarrassment.'<sup>3</sup>

The contact with parents undertaken by Home Office

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1. "H.O. Entry Book January 1st 1874".
  2. "H.O. Entry Book May 5th 1874".
  3. HMI Report 1870, p.24.

agents was undoubtedly seen as a less significant part of reformatory work, and yet the existence of natural parents always presented the reformatory movement with problems. In the hierarchical arrangement of the reformatory system, parents had very little control over their children's careers at school. The model of 'the tainted parent' which survived throughout the nineteenth century made the removal of the child from his family to a new and "better" family atmosphere within the school axiomatic of reform. Having already failed in their primary duty of socialising their offspring and having once relinquished their responsibility in favour of the state, there was no mechanism by which control could be regained before the completion of the term of sentence other than in the matter of religious affiliation where, under the terms of the 1866 Act, a parent could apply to the court to remove the child to a school conducted in accordance with the offender's religious persuasion. The official attitude towards parents was therefore a punitive one, as the ideology of reformatory training placed culpability more squarely on the shoulders of parents than on their children. The regular requests made by parents for the children's early discharge or leave to visit were almost all turned down by the Inspector's office. A letter from a father requesting his son's temporary release to spend Christmas at home was turned down for example, as 'altogether inexpedient'<sup>1</sup> This response was so typical

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1. "H.O. Entry Book December 20th, 1875".



that Home Office records eventually referred to it as 'the usual reply.'<sup>1</sup>

The rules of each school specified the amount and frequency of the visits from parents. Saltley Reformatory for example ruled that 'no boy is allowed to see his family or friends on the premises except in the presence of the superintendent nor receive letters except through his hands.'<sup>2</sup>

Similarly, the girls' school allowed parental visits only once in the two months and then only in the presence of the Matron.

This attitude to parents, which attempted to exclude them from every aspect of their children's lives except for financial support, was in stark contrast to the importance placed on family life in society as a whole, and to the growing interest in anti-institutional care which affected public opinion of the treatment of children under the poor law and under the reformatory school system from the 1870s onwards. The reformatory movement's strong resistance to the claims of the natural family was retained, despite contrary pressure, throughout the century.

## V

This chapter has attempted to outline the structural development of reformatory schools during the first twenty

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1. "H.O. Entry Book August 30th, 1878".
  2. Birmingham Reformatory Institution Rules and Regulations (See App.2).

years of the movement, which coincided with the career of Sydney Turner as Her Majesty's Inspector of Reformatory and Industrial Schools at the Home Office. In doing so, it has pointed out some of the significant flaws in early reformatory practice, chiefly the steady and unexpected diminution of public funding and the overall lack of community identity with the schools which can be accounted for in part by their geographical isolation and uneven distribution. The grey areas in the relationship between voluntarism and state control have also been identified as bases for future dissent. Within the reformatory hierarchy the figure of the Inspector was clearly crucial, not only in the interpretation of Home Office policy but in shaping the evolving relationship between the state and the schools. Parental participation, beyond the financial, was never intended to be part of this dialogue although the power of their influence over inmates was a constant source of unease.

Into this highly structured and complex system of reformatory provision were placed the inmates. An analysis of their treatment and their responses follows in the next chapter.

## CHAPTER 6 : REFORMATORY SCHOOLS 1854-1876: PRINCIPLES AND PRACTICE

The twenty years which followed the Youthful Offenders Act of 1854 were ones of optimistic construction for the reformatory movement, both in its ideological development and its administrative consolidation. However, it was also during these years that the pioneering aspirations of early model schools were adapted and modified to the extent that the dynamic individualism of the pre 1854 period was transformed into the mechanistic and reactionary principles and practices of the reformatory movement post 1876. Although reformatory schools were able to boast a success rate of 70% during this twenty-one year period, enabling Mary Carpenter to claim that 'the progress of the work... has surpassed what would have been...our most sanguine anticipations'<sup>1</sup>, certain underlying tensions which were to reverse those successes were already apparent. Dissent and division within the school system over the practical application of reformatory philosophy, disillusion over the decreasing financial commitment of government and the manifest inability of reformatory schools to eradicate the problem of juvenile crime, were all contentious issues which confronted the reformatory movement in the last quarter of the nineteenth century, the origins of which can be traced to reformatory practice during the period 1854-75.

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1. T.N.A.P.S.S., Edinburgh meeting (1863), p.415.

This chapter examines the details of early reformatory school experience. In particular, it will study the regimes and disciplinary techniques adopted by the schools, together with the people who participated in those regimes. The chapter ends with an assessment of the schools' successes and failures.

A major methodological problem inherent in a study of reformatory school practices lies in the fact that schools varied considerably in the processes of reform they adopted, to the extent that it is difficult to identify any unified system which applied across the country. On the contrary, schools were established on the basis of such widely differing motives and were so dependent upon the enthusiasm of individuals that later Home Office attempts to rationalise policy largely failed to superimpose any uniformity on what was in reality no more than an aggregate of loosely connected institutions.<sup>1</sup> This diversity of practice was applauded as a virtue by some reformatory pioneers. Matthew Davenport Hill, for example, was hostile to the notion of national uniformity, declaring that

'diversity of action in different Reformatories,

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1. See, for example, the attempt to impose a system of recording punishments introduced in 1866. 'All faults and punishments whatever shall be carefully recorded and entered in a book kept for that purpose' (Rule 1 Sect.12). Many schools successfully resisted this attempt at standardisation, and were reluctant to quantify the extent and type of physical punishment practiced. See HMI Report 1882, p.11.

so far from being an evil, is pregnant with useful changes, and is essential, I think, to the advancement of our science. Nor indeed, do I ever contemplate a stereotyped plan, producing absolute uniformity throughout the country'.<sup>1</sup>

It is therefore difficult to identify reformatory practices which were universally applied, and generalised statements in this area may be misleading. Research is further complicated by the fact that contemporary comments such as those which appeared in the yearly reports of Her Majesty's Inspector of Reformatory and Industrial Schools, do not themselves give any clear indication of which schools followed "good" reformatory practice and which did not. The criteria for assessment were many and various, and schools which were commended for their successes in one sphere of activity were sometimes criticised in others. Judgements on a school's performance were made for example on the basis of its industrial training, its educational standards, its cost effectiveness, its discipline. Thus, the 'Akbar' Reformatory ship was consistently praised for its high educational performance yet criticised for its severity of regime.<sup>2</sup> Hampstead Girls' Reformatory had an excellent record of industrial training but was also seen as repressive and over-confining.<sup>3</sup> Market Weighton's impressive academic

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1. R. & F. Davenport-Hill, The Recorder of Birmingham : a Memoir of Matthew Davenport Hill (1878), p.169.

2. See for example HMI Reports 1860, p.37, and 1867 p.6.

3. HMI Reports 1867, p.55 and 1872 p.62.

record belied its considerable disciplinary problems.<sup>1</sup> Liverpool Girls' Reformatory consistently experienced disciplinary problems and yet produced the highest yearly financial returns.<sup>2</sup> Similarly, Northampton Reformatory allowed inmates to be 'disorderly, rough and careless',<sup>3</sup> but was able to contribute significantly to its own running costs.

The source material used in this chapter is thus, inevitably, selective. Comments which were directed at the schools in general are taken largely from HMI reports. Specific details of certain schools are gathered from the HMI's detailed comments appended to each general report, together with committee reports and log books from each of these selected schools.<sup>4</sup>

The chapter discusses in turn:

- I : Reformatory regimes
- II : Personnel
- III : Successes and failures 1854-1876

## I

The term "regime" in this context refers to the everyday process of schooling in its widest sense, including the physical state of the schools; the rules and regulations which governed their operations, patterns of industrial

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1. HMI Report 1872, p.80.
  2. HMI Report 1870 p.15. (See App.5a)
  3. HMI Report 1863 p.37.(See App.5a).
  4. Schools selected for closer investigation include Red Lodge, Leicester, Mt.St. Bernard, the 'Clarence' and Saltley Reformatories.

training and formal education; disciplinary practices which include the organisation of time and punishment.

In the majority of cases schools which practised the principle of minimised expenditure offered accommodation which was acknowledged to be inadequate. The earliest official description of a typical school stressed its functional starkness.

'A single room about thirty-five feet long and eighteen broad with walls of plain brick ... floored with tiles or concrete... serves for schoolroom. The dormitories are generally unplastered and ceiled roughly under the rafters...an outbuilding or shed is fitted with a bath or trough for washing.'<sup>1</sup>

Sydney Turner himself had very decided views about the importance of functional simplicity, his highest recommendations being kept for the 'well ventilated and thoroughly clean school.'<sup>2</sup> He shared the views of many other reformatory school pioneers that to surround the children with comfort would not only compromise the principle of less elibility but would also undermine attempts to train inmates in honest but hard labour, amd declared himself fully confident that the instances in which the boy or girl wishes to remain... for the physical comforts...are very rare'<sup>3</sup>

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1. HMI Report 1858, p.7.
  2. HMI Report 1858, p.7.
  3. HMI Report 1858, p.8.

It appears however that many schools fell short of even Sydney Turner's basic requirements. During the twenty one years he had occasion to complain consistently of inadequate accommodation. Leicester Reformatory, a farmhouse on the Peckleton estate, was reported as 'very limited and inadequate'<sup>1</sup> with no accommodation at all available for a schoolmaster. Cumberland Reformatory for boys was criticised for its sleeping arrangements, the dormitory being 'simply a barn with a tiled floor'.<sup>2</sup> Even the model Devon and Exeter Reformatory for girls met with Turner's disapproval because of its barred windows.<sup>3</sup> Similar remarks are to be found throughout his reports: for example, his sixteenth report contains the comment, 'the buildings ... are not satisfactorily arranged ... there is no bathroom or bathing place ... closets are open to the playground.'<sup>4</sup> The twentieth HMI's report complained that

'the accommodation for the superintendent is totally inadequate. There is no provision for the sick ... no attempt is made to place the school in an efficient footing'.<sup>5</sup>

The physical austerity of the schools was also dependent on their size, the largest schools providing very few of the comforts commonly associated with family

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1. HMI Report 1858, p.27.
  2. HMI Report 1871, p.42.
  3. HMI Report 1871, p.44.
  4. HMI Report 1873, p.46.
  5. HMI Report 1877, p.73.



life, despite the fact that the concept of the reformatory as the substitute family featured largely in earlier discussions of reformatory school practice. By 1861, six boys' schools and one girls' school had over three hundred inmates and nine schools had over one hundred (one hundred was considered a large number). At the other end of the scale nine boys' schools and five girls' schools had thirty or less inmates.<sup>1</sup> Three of the largest schools, (Market Weighton, the 'Akbar' and the Philanthropic) were highly valued for their academic work and industrial training although the first two were considered to offer inadequate accommodation. As in many other areas, Turner's views on the size of schools were ambivalent. His 1861 report for example suggested his support for large institutions, as he regretted that the Devon and Exeter Boys' school was not larger so that the particular benefits of the school could be given to a larger number of inmates.<sup>2</sup> On the other hand, he had written the year before

'it would be far more in the interests of the reformatory cause that the larger schools should be lessened than that the well managed local institutions should be given up.'<sup>3</sup>

There were significant factors in favour of larger schools. Their relative cost effectiveness was often quoted as one of these. Certainly, schools forced to close

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1. See App. 6.

2. HMI Report 1861, p.29.

3. HMI Report 1861, p.39.

in the 1860s did so because of low numbers.<sup>1</sup> Larger schools were also thought to be able to provide more opportunity and variety, including

'a more efficient course of elementary education by thoroughly trained masters, a greater variety of trades, the stronger influence of emulation and sympathy ... in promoting intellectual moral and industrial improvement, greater economy and greater benefit both to the offenders and to the community.'<sup>2</sup>

Institutions other than reformatories, were also expanding in size. The report of the Royal Commission on Education of 1861 had found in favour of the large district pauper schools.<sup>3</sup> Large asylums were seen to be similarly advantageous as they encouraged 'the completest system of organisation'<sup>4</sup> and enabled the classification of inmate/patients for the purposes of separation and treatment.

Despite the increasing number of arguments in favour of small schools, which are discussed in a subsequent chapter, the number of large reformatories remained high to the cost of smaller schools, many of which were forced to close.

The principles upon which the regimes of the schools were based were broadly similar in each of the schools studied. Reformation of character was to be achieved by

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1. HMI Report 1860, p.6-7.
  2. T.N.A.P.S.S., Liverpool meeting (1858), p.427.
  3. Report of the Commissioners on the State of Popular Education in England and Wales, P.P. 1861, XXI,A, p.402-3.
  4. Quarterly Review, vol.101, no. 202 Jan/April (1857), p.364.

the combination of four fundamental precepts, separation, confinement, discipline and example. Separation from family and friends and from the scene of past crimes was a primary principle of reform, as was the legal power to hold in secure conditions given to the schools by the Act of 1854. The period of confinement, lasting between two and five years, enabled the combination of discipline and good example to be put into effect in the belief that

'cut off from their old associates, and finding among their new ones a wholly different class of feelings and standards of judgement, and subjected gently and judiciously to a fresh and antagonistic set of influences, their hearts gradually softened by religious teaching, and their minds opened by mental discipline, it is only natural that they should change.'<sup>1</sup>

In practice the main instrument of reform was industrial training. It took priority over all other aspects of daily regime, partly because profitable employment was necessary in order to make ends meet, and partly because the rigours of industrial training were considered the best cure for crime. Davenport-Hill for example wrote,

'useful labour pursued with zeal and industry should be the main occupation of the pupil in the reformatory school, literary and scientific acquisitions being allowed to consume but a little of his time.'<sup>2</sup>

Exactly how much time was left to the discretion of management. Some schools, Leicester Reformatory and Hampstead Girls' School for example, employed their

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1. Edinburgh Review, vol.C., Oct. (1854), p.599.

2. Ibid., p.602.

inmates on industrial work all day at the expense of their formal schooling. Turner's comments were not at all hostile to this sort of interpretation of reformatory practice. He was, on the contrary, warm in his praise of schools which put the value of industrial labour before all else. In a report on Hampstead school, where the older girls employed in the laundry 'have not much regular schooling',<sup>1</sup> he applauded the superintendent's wish to provide the girls with a thorough industrial training. At a time when the value of such employment as rag cutting and firewood splitting, both forms of occupational exercise practiced at Wandsworth School, was already being questioned,<sup>2</sup> Turner continued to approve their use as means of instructing inmates

'so much in economic science as may make them understand the duties and relations of the labourer and mechanic to his employer and the true conditions of their own welfare and success in the industrial life.'<sup>3</sup>

Henry Rogers, Turner's assistant at the Home Office, having visited Kingswood in 1865 where a daily programme of brickmaking was strictly enforced, was openly critical of the amount of time boys were employed in this way.

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1. HMI Report 1867, p.49.
  2. There appears for example to have been a split in the Reformatory Office itself about the usefulness of work which did not require skills training. Certainly Turner and Rogers did not agree and Turner's successors were more openly hostile than Turner had ever been. See, for example, HMI Report 1882, p.60.
  3. HMI Report 1858, p.15.

Turner, on the other hand, gave Kingswood his wholehearted support, claiming he knew of no 'reformatory where so much work is done.'<sup>1</sup>

Turner was aware however that apart from the dangers of exploiting children's potential as labourers, (which sometimes occasioned a hostile response from local adult workers),<sup>2</sup> profitable industrial work such as laundering and farming needed strong, older children. He was aware too that some managers were disinclined to release children when they were eligible for discharge because they would thereby reduce the schools' profits. His reports contained exhortations and warnings against the improper use of industrial training, but he was unable or perhaps unwilling to effect any changes. The misuse of industrial training was a prominent issue by the time the Royal Commission on Reformatory and Industrial reported in 1884, when complaints were made about bodily fatigue, children being too tired for mental study, and children being withdrawn from schooling for industrial labour, contrary to requirements of the 1866 Act which had specified three hours daily formal education.<sup>3</sup>

Sydney Turner's approval of hard labour was not

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1. HMI Report 1869, p.41.
  2. See for example HO entry Book for 1876 where Clifton School was cited for being involved in a clash with the brushmakers of Bristol.
  3. Report of the Commissioners on Reformatory and Industrial Schools 1884, p.xv.

primarily for its profitability: the 'Akbar' frigate for example ran at a loss, but still retained Turner's firm support. His conviction in the need to train criminal children in the good habits of industrial labour came from his years as a superintendent of the Philanthropic School where the tradition of farm labour was well established. Farming, for boys, continued to be the most favoured occupation during the middle decades of the nineteenth century. It was considered 'a capital thing in every way.'<sup>1</sup> Not only was the strenuous work of digging seen as an appropriate punishment, but it also harnessed the restless energy which was seen as characteristic of the reformatory boy.

Inmates at Leicester Reformatory were principally employed on the land and attending to the farm animals. In the remaining time they made their own clothes and performed all the household work required, including cooking their own meals. In this way, each boy at Leicester was able to contribute 18/3d to his own keep in 1859 (parental contribution provided 10/- per capita) and overheads in terms of salaries for domestic staff were minimised.<sup>2</sup> For Turner however, it was the skills being learned and practiced that were of importance at Leicester. He was able to report that 'every part of the farm and garden (thirty two acres in all) bears marks of

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1. Reformatory & Refuge Journal No.63, July (1874), p.254.

2. "Leicester Reformatory Committee Minutes 1959", (Leic.R.O.).

care and attention skillfully applied.'<sup>1</sup>

The timetable of Saltley Reformatory illustrates something of the priority given to industrial training in that institution<sup>2</sup>. In the period 1852-4, twenty-one of the forty-one inmates worked on the farm, others were distributed throughout the institution as gardeners, house and yard servants. The remainder worked as shoemakers and tailors, providing clothes and shoes for the whole school.<sup>3</sup> Saltley's education record was second to none except perhaps the 'Akbar's', but schooling was nevertheless confined to three hours during the day. Unlike some other schools, Saltley together with Red Lodge, included formal school work in the middle of the day's timetable as well as at the start and end. In the case of Red Lodge, education during the daytime was provided only for the younger girls, the older children working in the schoolroom between 6.30 and 8 in the morning, and 6 and 8 in the evening.<sup>4</sup> These hours were well above the average spent on education in reformatory schools. Leicester devoted only two hours in the evening

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1. HMI Report 1860, p.40.

2. See App.8.

3. "Saltley Reformatory Management Committee Minutes 1860", (B'ham R.O.).

4. M. Carpenter, "Experiences on the Management of Reformatory and Certified Industrial Schools," Reformatory and Refuge Journal, no.19 (1864), p.81.

to reading, writing and arithmetic<sup>1</sup> as did the Devon and Exeter Girls' school.<sup>2</sup> The 'Akbar' frigate managed to maintain its high standards by providing evening classes on an alternating basis<sup>3</sup>, and according to the report of the 1884 Commission, some schools which kept no formal registers provided even less education.<sup>4</sup>

The standards of education in reformatory schools prior to the Education Acts of 1870 and 1876, were repressed both because no other yard-stick of success was generally available before the introduction of state elementary education and because of criticism that might arise from providing a standard of education in reformatories which would have placed the criminal child in a more advantageous position than the children of the honest labouring class. Turner concluded at the end of his period in office that educational standards were in a satisfactory state and that

'if the industrial occupation which is so valuable an element in the reformatory training is thoroughly attended to, any considerable progress in school learning had hardly be expected.'<sup>5</sup>

Generally it was agreed that the rudiments of education were all that were needed and thus nothing was attempted

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1. "Leicester Reformatory Log Book 1859" (Leic.R.O.).
  2. HMI Report 1872, p.43.
  3. "The 'Akbar Frigate', Liverpool", T.N.A.P.S.S., Liverpool meeting (1858), p.407.
  4. See complaint of the Commissioners, Report, 1884, p.xvi.
  5. HMI Report 1875, p.9.



'beyond the substance of a fair English Education: reading, writing, arithmetic and writing from dictation',<sup>1</sup> to which was sometimes added a modest amount of history and geography together with some scripture knowledge. In terms of allocated time this latter subject received surprisingly scant attention. Red Lodge, through its association with Mary Carpenter, offered more scripture study and religious devotions than most other protestant reformatories - always of a strict non-sectarian nature. Similarly the boys of Saltley showed a 'very good knowledge of scripture.'<sup>2</sup> Other schools, Leicester for example, adopted a daily timetable which allowed little time for group worship or scripture study.<sup>3</sup> The schools which performed best at scripture knowledge in the annual inspection also achieved the best results in terms of general education. Only at Red Lodge did this not apply, the reason given being the comparative youthfulness of the inmates.<sup>4</sup> However at Saltley the annual Inspector's report on educational progress was invariably good. The 1871 report is typical.

'The boys throughout the school are thoroughly well taught and appear to take an interest in their instruction. The reading, copy writing and writing from dictation were very good; the cyphering very fair..the boys in the first class showed...much intelligence.'<sup>5</sup>

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1. Annual Report of Birmingham Reformatory Institute 1859, (B'ham R.O.).
  2. HMI Report 1871, p.70.
  3. Annual Report Leicester Reformatory 1857, (Leic.R.O.).
  4. HMI Report 1873, p.50.
  5. HMI Report 1871, p.70.

Other schools with good academic records included Red Hill, the Cumberland, the Warwickshire and the 'Akbar'. Education at the 'Akbar' was under the direction of the Captain who supervised reading, writing, arithmetic and geography, all of which were taught on a shift basis.<sup>1</sup> Captain Fenwick appeared to have been very highly thought of by the Home Office Inspectorate, both for his personal supervision of education and religious instruction, and also his lively interest in group singing and instrumental bands. Turner saw this as an illustration of 'how to govern by influence rather than by mere laws and regulations.'<sup>2</sup>

Other schools had their school bands.<sup>3</sup> The activity was much recommended for its power to encourage group discipline. Solo instrumental playing, on the other hand, was never mentioned in the H.M.I.'s reports.

The daily routine into which education and industrial training was fitted was invariably highly regulated and strictly enforced. This was despite the fact that Turner was opposed to regimental management on the grounds that

'exactness and routine ... are usually inconsistent with the study of personal character and the adaptation of institution and discipline to individual peculiarities which are essential in the master of a reformatory.'<sup>4</sup>

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1. T.N.A.P.S.S., Liverpool meeting (1858), p.407.
  2. HMI Report 1860, p.31.
  3. See for example HMI Report 1871 which makes numerous references to military bands.
  4. HMI Report 1864, p.38.

Rigidity of time-tabling was further encouraged by the legal obligation to submit time tables for Home Office approval. Any changes had likewise to be approved. This also applied to the Principles, Rules and Regulations of each establishment and its dietary, which accounts for much of the monotony suffered at meal times.<sup>1</sup>

Schools most often approved of, like Saltley and the 'Akbar', pursued daily routines which ensured almost total supervision.<sup>2</sup> Recreational activities such as walks and yard play were always supervised, and private reading could be enjoyed only if it was from the schools' own supply. Younger children at Red Lodge were allowed dolls and toys for "innocent play."<sup>3</sup> The routine extended not only to the inmates but to those who supervised. An interesting example of this appears in Saltley Management Committee's Instructions to official school visitors.<sup>4</sup>

Inevitably, strict supervision made even the smallest deviations in behaviour highly visible, which in turn resulted in an elaborate system of punishments. In terms of reformatory principles and Home Office policy, external discipline should have ensured only a minimal level of formal punishment. The separation of punishment and reformatory treatment had been stressed in the early years of the movement and Turner was convinced that the best

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1. See App. 7.

2. See App. 8.

3. See Journal of Red Lodge, vol.1. (Bristol Archives.)

4. See App. 9.

schools should govern 'by the law of kindness.'<sup>1</sup> Nevertheless strict routines and formal punishment flourished side by side, and Turner's only response was to attempt to regulate it where ever possible. Thus the Reformatory Schools Act of 1866<sup>2</sup> directed that all punishments should be carefully recorded and entered in a book kept for that purpose and he urged the use of corporal punishment only for serious faults such as 'indecenty, lying and impudence.'<sup>3</sup>

The degree of independence enjoyed by school management ensured that most of Turner's advice on punishment could be safely ignored. The increasing number of adverse comments on discipline which appeared in the annual reports are a testament to his ineffectiveness to bring about any improvement. Red Hill was reported for ill-usage and improper punishment in 1861,<sup>4</sup> the 'Cornwall' reformatory ship was criticised for its use of flogging and solitary confinement in 1864<sup>5</sup> as was Hardwicke Hall in the same year.<sup>6</sup> Bedford Reformatory was repeatedly criticised for the incessant nature of the work and more

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1. HMI Report 1862, p.40.

2. See App.3.

3. HMI Report 1858, p.9.

4. HMI Report 1861, p.47.

5. HMI Report 1864, p.28.

6. HMI Report 1863, p.28.

recreation and better diet were recommended.<sup>1</sup> Manchester and Salford Reformatory children were severely disciplined<sup>2</sup> and the Catholic Schools - Mount St Bernard's Abbey, Arno's court and Market Weighton - were criticised for their harshness which, together with their practice of 'canonical enclosure',<sup>3</sup> caused them to be excessively repressive. The Reformatory and Refuge Journal of 1863 listed a number of standard punishments which were in use at the time of which the writer disapproved. These included 'any punishment tending to render a child an object of contempt or ridicule', solitary confinement in a dark room, and cutting off an inmate's hair.<sup>4</sup>

However, occasionally a less austere response to inmates and their behaviour was noted. Warwickshire Reformatory for example exhibited a 'kindly influence,'<sup>5</sup> due mainly to the disposition of the superintendent Mr Shaddock. Doncaster Reformatory for girls also seemed to offer exceptional freedom which resulted in the girls being 'perhaps a little too noisy and talkative.'<sup>6</sup> Nevertheless, the superintendent,

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1. HMI Report 1862, p.33.

2. HMI Report 1861, p.27.

3. M. Carpenter, op.cit., Reformatory and Refuge Journal, No.19 (1864), p.27.

4. G.H. Bengough, "Thoughts on Discipline", Reformatory and Refuge Journal, No.17 (1863), p.61.

5. HMI Report 1860, p.49.

6. HMI Report 1872, p.51.

Miss Winter was considered wise in her policy to allow 'a good deal of freedom for the development of the girls' natural character and disposition.'<sup>1</sup>

The severity of regime depended almost entirely upon how reformatory principles and rules were interpreted by those who were responsible for the day to day running of the schools. Their roles will be examined in some detail in the following section, which will deal firstly with staff and secondly, with inmates.

## II

Staffing arrangements were largely determined by school size. Very small schools such as Monmouth Reformatory managed with only a superintendent who performed all other staff roles.<sup>2</sup> Average-sized schools like Leicester Reformatory added a school master and sometimes a bailiff to that number. The more diverse occupational training provided in some of the bigger schools required specialist staff. A carpenter, tailor and shoemaker were employed at Saltley for example and the number of additional staff employed on the 'Akbar' gave Turner cause for concern.<sup>3</sup> Domestic arrangements were usually under the control of the matron (the superintendent's wife) in a boys' school or the matron of a girls' school. The occasional services of chaplains and medical officers were obtained although

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1. HMI Report 1872, pp.81-88.

2. HMI Report 1864, p.35.

3. HMI Report 1863, p.31. According to Turner the 'subordinates' on the 'Akbar' were a very bad influence on the boys.

Turner encouraged superintendents to take on the former role where possible.<sup>1</sup> Medical officers were employed to undertake initial examinations of inmates and thereafter were retained for occasional visits and paid on a per capita basis. Saltley's medical officer performed a very general examination on each child and visited the reformatory on a routine monthly basis.<sup>2</sup>

Superintendents came from various backgrounds. Many transferred to reformatory schools on their retirement from the armed forces. Reformatory ship captains came within this category as did the superintendent of Wiltshire Reformatory who had presumably gained only limited experience for his post during his time as paymaster in the Royal Fusiliers.<sup>3</sup> M.C. Humphries, Superintendent of Saltley on the other hand had been trained at Worcester College and had had the experience of twelve years teaching.<sup>4</sup> Their wide variety of background and experience was reflected in their varying degrees of success in their schools. Managers, who were responsible for their appointment, also had the authority to sack any incompetent or otherwise troublesome matron/superintendent which they did in 1864 at Limpley Stoke Reformatory.<sup>5</sup> Inadequate superintendents also ran the risk of rioting or

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1. HMI Report 1863, p.31.

2. The initial form was to be filled in by "properly qualified medical men" - see chapter 5.

3. HMI Report 1864, p.41.

4. Annual Report Birmingham Reformatory Institution 1875.(B'ham R.O.).

5. HMI Report, 1864, p.41.

subversive behaviour in their schools. The matron of Toxteth Girls' school was forced to leave in panic by the sudden upsurge of riotous behaviour amongst the girls.<sup>1</sup> Superintendents were also vulnerable to cases being brought against them by parents or staff or occasionally, inmates. Cases were brought against the superintendent of Bedford Reformatory and Leeds Reformatory.<sup>2</sup> The latter, a serious charge of fraud brought by some of the boys, resulted in a full Home Office inquiry. Home Office records would seem to indicate that only very rarely would action of this sort result in the dismissal of the superintendent as both the inspectorate and management tended to defend reformatory staff from outside accusations.<sup>3</sup>

The lack of training and experience of reformatory staff not only increased their vulnerability to attack from without, but also kept their status low within the reformatory school system - a fact reflected in their low level of pay and inferior position at Reformatory and Refuge Union conferences.<sup>4</sup>

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1. HMI Report 1867, p.46.
  2. HMI Report 1862, p.33, and "H.O. Entry Book, 8 Sept. 1874".
  3. For example, serious charges against the superintendent of Wilkshire Reformatory were dismissed, cf. HMI Report 1861, p.52.
  4. The Reformatory and Refuge Union conferences run by managers from 1856 refused to allow the participation of superintendents on an equal footing until 1899. cf. Fifty Years' Record of Child-Saving and Reformatory Works, 1856-1906 being the Jubilee Report of the Reformatory and Refuge Union, London (1906).



The expectations placed on superintendents were high. Similarly onerous responsibilities were given to teaching staff who again, in many cases, lacked experience and training. Although the 1852 Select Committee had spent some time pondering the question of reformatory school teachers, no clear idea of where they were going to come from was ever formulated. Mary Carpenter was very much responsible for this shortsightedness. Her ideas on recruitment were based on her evangelical belief in the power of vocation whereby she saw that 'in a very short time masters would be found.'<sup>1</sup> The 1852 Select Committee was reassured by her comment that

'numbers of most devoted teachers, missionaries and others, are being poured forth into the States through the need being felt, and in their training given by the government aid and the powerful spiritual influence being infused by the devoted and the earnest. I think that the same may be calculated upon in England.'<sup>2</sup>

In practice, recruitment of the right teaching staff proved much more difficult. The main sources of recruitment were poor law schools,<sup>3</sup> ragged schools and the Philanthropic. Some teachers with these backgrounds

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1. Report of the Select Committee 1852, Minutes of evidence, p.137.

2. Ibid., p.138.

3. Cf. Dr Temple's evidence in the Report of the Select Committee 1853, p.331. It had been originally intended to open a training college for teachers in penal establishments at Kneller Hall.

did move into reformatory school work. The teacher at Leicester Reformatory for example had taught at the Philanthropic,<sup>1</sup> and the schoolmaster employed by the managers of the Clarence had been sent with the highest recommendations of the Inspector of Poor Law Schools.<sup>2</sup>

Ragged schools also provided some basic experience for reformatory work although ragged school teachers were not always seen as ideal. Turner was not in favour of their employment on the grounds that such men and women 'have no notion of discipline, they are merely kind.'<sup>3</sup>

There were few financial inducements to train for reformatory work. Turner had unsuccessfully petitioned the Committee of Council on Education for a grant to train students at Red Hill in 1852.<sup>4</sup> Four years later a grant was forthcoming from the Committee of Council for the training of students in normal colleges. Specific training in reformatory school, combined with an examination at the end of a year, entitled the successful teacher to an extra allowance of £35 per year.<sup>5</sup> (Mary Carpenter was of the opinion that training alone was not enough - 'a trained

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1. 'Leicester Journal', Feb 23rd, 1855.

2. "Liverpool Reformatory Committee Minute Book, 1863" (Liverpool R.O.).

3. Sydney Turner's evidence in the Report of the Select Committee, 1853, p.244.

4. Idem.

5. Minute of the Committee of Council on Education offering Grants for the Promotion of Schools wherein Children of the Criminal and Abandoned classes may be reformed by Industrial Training, P.P. 1856 (259.) XLVI, 399.

teacher is very little good if he has not his heart in the work'.<sup>1</sup>

Inferior teaching staff, with little or no teaching background became a serious problem for reformatory schools during this period. Indeed, at the time of the Royal Commission on Reformatory Schools in 1896 it was found that reformatory and industrial schools were still largely relying upon untrained and inexperienced staff.<sup>2</sup> Inferior staff were responsible for the closure of Berkshire Reformatory in 1860.<sup>3</sup> They were also the cause of the series of disturbances and instances of subordination which characterised Red Lodge after 1866. Untrained staff more frequently resorted to punitive measures and as a consequence were on occasions the source of disturbances and desertions. Mount St. Bernard's inmates had deserted when an inexperienced governor had been put in charge,<sup>4</sup> and the boys of the Home in the East

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1. Report of the Select Committee, 1853, p.163.
  2. Report of the Departmental Committee on Reformatory and Industrial Schools P.P.1896, cd.8204, XLV, p.41.
  3. HMI Report 1860, p.6.
  4. The chequered history of Mount St. Bernards Abbey is documented in Leicester Journal April 17th 1863, Leicester Advertiser November 20th 1875; HMI Reports 1874, p.63, 1879, p.69. See also B.S. Elliott, "Mount St. Bernard's Abbey" in D. Williams (Ed.), The Adaptation of Change: Essays upon the History of 19th Century Leicester and Leicestershire (1980). pp.77-92, and the Report of the Inspector of Reformatories on the State of Mt. Saint Bernard's Abbey, 1864 (404.) XLIX, 829.

Reformatory at Bow deserted at the arrival of a new schoolmaster.<sup>1</sup>

Inexperience was not the only reason for ill-discipline and high staff turnover. There was very little inducement for good teaching staff to move to reformatory schools or to stay for any length of time. Salaries were kept low: the salaries being offered at Leicester and the Clarence, both set a £70 per annum, fell within the range offered by school managers in the early 1860s. In contrast, male certified teachers in Church of England Schools in Leicester were earning nearly £87 per annum and in non-conformist schools, as much as £95<sup>2</sup>

There was little improvement in salaries during the next twenty years. The assistant teacher at Brentwood School was earning only £50 in 1880 as was the Schoolmaster employed at Upton House School in London. By contrast the tailor at Brentwood commended a salary of £78 and the labour master at Upton House received £50 per annum.<sup>3</sup>

Even the meagre salaries of reformatory teachers proved burdensome to school management committees despite the fact that the Committee of Council grant awarded in 1856 assisted schools by paying half the salary of every master or assistant master employed on a ratio basis. One teacher could be financed for up to twenty-five pupils.

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1. HMI Report 1861, p.42.
  2. 7th Annual Report, Leicester Reformatory 1862, (Leic.R.O.).
  3. Divisional Sub-committee reports to the London School Board Industrial School Committee 1880 (Greater London Record Office, Ref.SBL,292.)

For any number between twenty five-fifty a grant was available for an assistant teacher, and thereafter for every twenty-five pupils over fifty an additional teacher would be part-funded.<sup>1</sup>

Inevitably, the larger institutions were little able to afford their share of this financial burden and classes, of necessity, were kept large.

The fact that no superannuation scheme existed for reformatory teachers until 1913, a cause of constant official regret but little ameliorative action, further alienated the mainstream of elementary school teachers from the idea of working in reformatory schools. Reformatory staff, being employed partly by the state and partly by voluntary bodies had claim to neither authority over the question of pension funds.

The nature of reformatory work also offered little inducement to the prospective teachers. The requirements laid down by witnesses at the 1852 Select Committee were unrealistically high and the duties involved almost limitless. Turner's view was that

'the master of a reformatory school...requires to have the powers of management, resources of judgement and discretion, and domestic experience, rather<sup>2</sup> than the capacity and skill for intellectual tuition.'

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1. Minutes of Committee of Council 1856.

2. Report of the Select Committee 1853, p.245.

Mary Carpenter's expectations of teaching staff added another dimension,

'A master must...have a strong desire to serve God in all he does, and a warm love of those poor children as heirs with him in immortality.'<sup>1</sup>

It appears that the only attribute which was not required of the teacher was any degree of intellectual attainment. Academic qualifications were never given priority in staff selection. Matthew Davenport Hill had required of a teacher only that he should be able to provide his pupils with the 'skills necessary to in solving the problems which arise in humble life.'<sup>2</sup> Mary Carpenter was in favour of a lower degree of qualification than was required in British schools,<sup>3</sup> and the managers at Leicester reformatory were explicitly against the employment of a schoolmaster with 'the highest possible certificate.'<sup>4</sup>

Those who held key positions in the interpretation of reformatory philosophy into everyday practice were underpaid, inadequately trained, overworked and denied professional status. However, their response and their relationships with the children in their charge moulded the processes of reformatory training in the years to 1875 and well beyond. Their impact upon the recipients of

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1. M. Carpenter, Reformatory Schools for the Children of the Perishing and Dangerous Classes and for Juvenile Offenders (1851). New impression (1968), p.174.
  2. R. & F. Davenport-Hill, op.cit., p.106.
  3. Report of the Select Committee 1852, Minutes of evidence, p.108.
  4. Leicester Journal , Feb 23rd 1855.

reformatory practice is examined in the following section.

Reformatory school children will be studied firstly from the point of view of their background and general characteristics and secondly in terms of their responses to the processes of reformatory schooling.

Little is known of the lives of inmates during their reformatory sentences. It might be thought that personal reminiscences of their experiences would be the most valuable source of evidence, but for the twenty-one years under study in this chapter, little material of this nature exists.<sup>1</sup> Information taken from annual statistics provides evidence of some of the basic characteristics of reformatory school children to which can be added comments made about them by others. In the eyes of some reformatory workers they were

'low, degraded, miserable, perishing, or daring, vicious, dangerous;... lost ... to moral sense; careless of the rights of society, because [they are] at enmity with it.'<sup>2</sup>

The age of the child when first admitted and the extent of his past criminality were two features which were sensitive barometers of social attitudes towards reformatory schools and the faith put in their powers to reform. It was an area, which, like many others, was a

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1. Except for the occasional letters sent by ex-inmates to their old schools. It is very likely that such letters were atypical of responses as a whole (see App.10).

2. M.Carpenter, Ibid., p.82.

source of dissent among reformatory pioneers. The terms of the 1854 Youthful Offenders Act provided limited reformatory training for those under sixteen years of age who had been convicted of an offence punishable by a term of penal servitude. Within this legislative framework however, management committees had the powers to admit or reject children at their discretion - as they did at Red Lodge for example, where Carpenter would accept no penitentiary case and no girl over fourteen was admitted. Much of the controversy in the 1850s and 60s centred on whether reformatories could best be used as a form of short-sharp shock for the relatively less hardened juvenile criminal, or whether such schools should be used only as a last resort, - a hospital for curative treatment rather than a preventive institution.<sup>1</sup> In official terms, it was thought that

'to mix up with the actually diseased those who are suffering from only trifling ailments tends rather to propagate than to prevent infection and lowers the general average of effective cure.'<sup>2</sup>

The children at Leicester Reformatory were all recidivists. The school managers had taken advice from Lloyd-Baker's letter to managers and magistrates in which he had concluded that first time offenders should be punished by a short period of imprisonment, and that as a rule, detention in a reformatory should be reserved for

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1. Annual Report Birmingham Reformatory Institute 1859, (B'ham R.O.).

2. HMI Report 1871, p.8.



second offenders.

'By this means, the magistrate will deal leniently and mercifully with those who, not really depraved, have been led away by sudden impulse or temptation, and who may not appear again on the list of offenders, and will confine the reformatory discipline for the real objects ... the wilful and habitually vicious.'<sup>1</sup>

Underlying the logic of this argument was the practical consideration that the expenses incurred by the majority of reformatories was making it impossible to deal with the ever increasing numbers of first offenders. As managers continued to be harassed by the day-to-day shortages of money, it was decided that reformatories should be reserved for those children 'who appear so far gone in crime as to afford little hope of being curable by any less expensive and less protracted system of treatment.'<sup>2</sup>

Despite early official disapproval of sentencing first offenders to reformatory training, a number of magistrates continued to use reformatories in this way. In the case of the 'Clarence' for example, twenty three out of seventy three boys admitted in 1865 were first offenders.<sup>3</sup> Figures for the whole country suggest that in the years immediately following the 1854 legislation, offenders on first convictions and those with two or more convictions were sent to reformatories in roughly equal

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1. A letter to the Managers of Leicester Reformatory from Barwick Lloyd-Baker, dated 1857, (Leic. R.O.).
  2. Idem.
  3. "Liverpool Reformatory Committee Minute Book 1867", (Liverpool R.O.).

amounts. In 1859 for example, 213 out of 422 commitments were of first offenders.<sup>1</sup> Over the whole twenty year period, official statistics suggested a trend towards the commitment of younger and less "hardened" offenders, who had been sentenced to the maximum of four to five years. Bartrip quotes the figures of 37.5% in 1865 as opposed to 66.6% in 1872, although he does not specify the age or conviction states of the group he quantifies.<sup>2</sup> Judicial statistics for 1872 confirm the trend with the evidence that 922 offenders out of a total of 1,575 were committed to reformatories with no previous convictions.<sup>3</sup>

Although 'viciousness and premature depravity' were common descriptions of young inmates, the records of crimes for which they were committed do not substantiate the image. The majority of those committed to reformatories in 1858-9 were guilty of crimes of larceny, as interpreted by the 1854 Act, or else were committed to reformatories for vagrancy in the absence of industrial school places.<sup>4</sup> Committals to reformatories in the Liverpool area in 1856 totalled one hundred and eighty juveniles, of whom sixty were committed for vagrancy or on suspicion - a category which included not accounting, sleeping in an empty house or found wandering. A further

1. Home Office Returns : Reformatory and Industrial Schools, Previous Convictions of Juvenile Offenders committed to Reformatory Schools in England and Wales, 1857, '58 and '59.
2. W. J. Bartrip. "The Career of Matthew Davenport Hill, with special Reference to his Place in Penal and Educational Reform Movements in mid Nineteenth Century England", unpublished Ph.D. thesis, University of Wales 1975, p.281.
3. See App.11.
4. See App.12.

fourteen were convicted of petty theft, and six had been convicted of felonies.<sup>1</sup> These figures are supported by the national trend for the period. Thus, in the year 1856-7, 76.8% of all offenders committed to reformatories had been found guilty of petty larceny. By 1872, this had risen to 81.8% while vagrancy and unlawful possession accounted for nearly all other commitments.<sup>2</sup>

Another typical feature of reformatory children was an absence of any previous educational experience, substantiating the view that the lack of education and subsequent moral guidance was a direct cause of criminality in the young. The first volume of the Red Lodge Journal noted that of the twenty seven girls admitted when the school opened, only seven had had any level of reading ability.<sup>3</sup> Only ten out of thirty two children admitted to Leicester Reformatory in 1860 were able to read or write,<sup>4</sup> and the juvenile offenders of Liverpool followed the same pattern: of the ninety five convicted and sent to the Clarence in 1865 only three were categorised as reading well and thirty one could read "only fairly."<sup>5</sup>

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1. See App.4 for 1856 figures and App.13 for comparative figures for 1882-3 illustrating again that the majority of convictions were for petty thefts.

2. Judicial Statistics, 1857, 1858, 1870, 1872.

3. Red Lodge Journal vol.1 (Bristol Archives).

4. Annual Report Leicester Reformatory 1860.  
(Leic.R.O.).

5. "Minutes of Liverpool Reformatory Committee Act 1865,  
(Liverpool R.O.)."

The children of the reformatories during the period 1854-1875 were those therefore who had been brought before the courts because their immature age, their inexperience and the lack of a sustaining adult influence had placed them in a vulnerable position - "at risk" in modern terminology. In fact the largest proportion of children in reformatory schools were not those for whom the schools had been originally intended by the campaigners of the late 1840s. They were younger and less "hardened" than the image Mary Carpenter and her contemporaries had portrayed.

The recorded responses of inmates to reformatory training seems to have been of two kinds. The subdued over-regimented response of children confined too closely to the routine of school life is mentioned on several occasions in the Inspector's reports. A number of schools were consistently criticised for the effect their overstrict regimes were having upon their inmates. Children at Bedford were described as 'quiet and inanimate'<sup>1</sup> on one visit, and, at a later inspection, as 'dull and depressed.'<sup>2</sup> Similarly the boys at the Wandsworth School were 'wanting in life and quickness.'<sup>3</sup> In the case of the ongoing criticisms levelled against

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1. HMI Report 1860, p.27.
  2. HMI Report 1863, p.23.
  3. HMI Report 1864, p.38.

Bedford, Turner supported the cause of the inmates against the severity of the school, noting that these children were 'so innocent and harmless.'<sup>1</sup>

Inmates were rarely described as innocent and harmless. The most frequently observed responses were restlessness and insubordination, and in the case of girls, 'offensive boldness and levity.'<sup>2</sup> Castle Howard boys displayed all the characteristics which seemed to typify the reformatory inmate, including 'the love of excitement, recklessness as to personal danger, inability for self control and facility for being influenced and led by others.'<sup>3</sup>

Lack of self-control was a major concern yet self-discipline appeared to be very little encouraged. Imposed hierarchies and monitorial systems were favoured rather than any form of self government although Mettray School, one of the models for the English reformatory school system, had employed the techniques of self-government whereby the inmates judged each other's behaviour and assigned punishments where appropriate. No English school adopted this system, nor was such a notion acceptable to the Home Office. Turner believed that

'as a general rule, to make the boys judges ... is dangerous to the discipline of the school ... boys in a reformatory come to have their false notions of

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1. HMI Report 1862, p.40.

2. HMI Report 1861, p.40.

3. HMI Report 1858, p.12.

right and wrong corrected and need to be taught and regulated, rather than to be appealed to or consulted.'<sup>1</sup>

In the place of self-government a system of earned privileges was employed by which good responses and "self-control" were rewarded by the privilege of staying up later or being made a monitor or being allowed out for supervised walks.<sup>2</sup>

Mechanisms employed to encourage self-control appear to have broken down very often. Absconding was an obvious manifestation of this, a response which brought immediate punishment if the culprits were caught, not only because it was seen as an act of moral indiscipline but because 'a single act of desertion may entail at once half the expense of the child's board for a year, in the charges for apprehension and recovery.'<sup>3</sup> Nevertheless many children did abscond as the annual reports indicate although presumably a number may have been the responsibility of inveterate absconders. 'Frequent endeavours' to desert were reported in 1857<sup>4</sup> and the following year 102 children absconded and were not recovered.<sup>5</sup>

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1. HMI Report 1860, p.53.

2. See for example Bengough's comments in T.N.A.P.S.S. 1858, p.411.

3. HMI Report 1858, p.12.

4. HMI Report 1858, p.8.

5. Yearly absconding rates appear to have varied considerably between about 50 to over 100. HMI Reports, (various).

Salford School had twenty three desertions in one year<sup>1</sup> and Mt.St. Bernard's School suffered regular attempts to escape. 'Bad feeling' at Castle Howard resulted not only in absconding but in setting fire to farm equipment in 1859.<sup>2</sup> In cases of desertion and insubordination older boys are often quoted as being ringleaders, and in the case of the Mount St. Bernard's absconders, younger children were coerced into joining their older peers 'under threat of being thrown out of the windows.'<sup>3</sup>

The response of girls to reformatory discipline appears to have been somewhat different although girls too absconded from schools.<sup>4</sup> Girls were seen to have 'peculiarly excitable dispositions' which led them to behave in ways which were described as wilful and mischievous rather than reckless.<sup>5</sup> Allesley Girls' School experienced 'many difficulties from the insubordination and mischievous disposition of several of the girls,'<sup>6</sup> as did the Toxteth School, where one inmate's violent response met with a prompt response in the form of a straitjacket.<sup>7</sup>

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1. HMI Report 1863, p.32.
  2. HMI Report 1860, p.53.
  3. Leicester Advertiser , 20 Nov. 1875.
  4. cf. R.J. Saywell's account of Red Lodge absconders in Saywell, op.cit., p.13.
  5. HMI Report 1860, p.37.
  6. HMI Report 1867, p.55.
  7. HMI Report 1860, p.40.

The Devon and Exeter, too, had its share of mischievous inmates,<sup>1</sup> as did Red Lodge.<sup>2</sup> The label 'mischievous' which was attached to non-conforming girls, arose in part from the expectations that girls should be 'quiet, orderly and modest.'<sup>3</sup> 'Pertness' and 'boldness'<sup>4</sup> were offences, although similar behaviour in boys schools might only receive mild criticism as 'a little roughness in manner.'<sup>5</sup>

Although girls formed only a small proportion of those committed to reformatories, they were seen as more difficult to reform than boys. Even girls who had appeared to respond well to one or two years reformatory training were suspected of not being truly reformed, and the percentage of reform in the case of girls was 'uniformly found lower.'<sup>6</sup> Girls were

'generally devoid of any good principles of conduct, particularly addicted to deceit, both in words and actions, of fine but misdirected powers, of violent passions, extremely sensitive to imagined injuries and equally sensitive to kindness.'<sup>7</sup>

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1. HMI Report 1882, p.53.
  2. Tenth Report of Red Lodge Reformatory, (Bristol Archives).
  3. HMI Report 1863, p.26.
  4. HMI Report 1861, p.40.
  5. HMI Report 1861, p.32.
  6. HMI Report 1861, p.14.
  7. M. Carpenter, "On the Importance of Statistics to the Reformatory Movement", Journal of the Royal Statistical Society, vol.XX (March 1857), p.38.



By virtue of the image assigned to them, female inmates were treated differently from their male counterparts. Their schools were smaller and the supervision they received more intense. The 'violent passions' of which they were capable was subdued by processes which were designed to promote submissiveness and orderliness. Mary Carpenter's description of part of the daily routine at Red Lodge typifies this by its use of quiet, orderly imagery.

'At eight, the gas is lighted, the schoolgirls come cheerfully in with the matron, gently take their places, sweetly sing their evening hymns, listen with reverence to some words of Holy Writ and join in supplication at the Throne of Grace. Then quietly and in order, the girls of each dormitory retire with their monitors to their own appointed places, where perfect silence is enjoyed and where after offering their own private prayers, they soon sink into healthful slumber after the duties of the day, to rise refreshed by sleep on the morrow.'<sup>1</sup>

Attitudes towards female inmates, reflected both in the treatment they received during the period 1854-75, and in the subsequent legislation which will be discussed in a later chapter, stemmed from a belief not only that female crime was increasing, but also from the fear that these girls would become the mothers of future generations, with potential to corrupt. Mary Carpenter believed a mother had more influence over the character of her children than a father and knew of

'numerous instances in which a family has

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1. Journal of Red Lodge, vol.1. (Bristol Archives).

been well brought up with a bad father and a good mother, ... but never ... of a family being otherwise than vicious with a bad mother.'<sup>1</sup>

### III

The practical application of reformatory philosophy varied considerably from school to school. Taken over all however, the practice was judged as sound and the statistical returns for the period seemed to substantiate the claim. The number of juvenile commitments in 1860 was 49% less than the number of similar commitments in 1856, and the diminution in the numbers of juvenile offenders was directly related, in the judgement of the Home Office, to the 'vigour with which the reformatory school has been employed for their repression.'<sup>2</sup>

Between 1856 and 1884, the overall rates of juvenile crime (measured in terms of rates of commitments to prison) increased,<sup>3</sup> but the fact that they increased at a slower rate than adult convictions was again interpreted as due to the effectiveness of reformatory school practice.

The second index of success, employed by the schools themselves, was the percentage of discharged inmates "doing-well", - a figure which produced a success rate of around 70% for the period.<sup>4</sup>

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1. M. Carpenter's evidence in the Report of the Select Committee 1852, p.136.
  2. HMI Report 1860, p.15.
  3. See App. 14.
  4. See App. 15.

Below the surface of these success figures however was a growing disquiet on the part of Sydney Turner at the inadequacy of the discharge figures and the half-hearted supervision of ex-inmates. Practically, there were three possibilities of legitimate employment open to discharged reformatory children. The first was that they should be recruited into the armed services, the second, that they should be assisted to emigrate, and the third, which was most frequently used, was that the child should be placed in service or returned to friends. Appendix 16 illustrates the numbers discharged into these forms of employment during the period 1854-75.<sup>1</sup> The second category, 'returned to friends' gives little indication of whether employment followed release, and forms part of the shadowy area of discharge figures which must call into question how successful the schools really were in training children for work.

Reformatory school returns also concealed the percentage of untraced children. The high number of "unknown" returns indicated the inadequate supervision of released children which Turner believed arose from 'supineness or negligence on the part of the offices of the school.'<sup>2</sup>

The extent to which the reformatory school practice outlined in this chapter was directly responsible for the

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1. See App. 16.

2. HMI Report 1871, p.25.

temporary decline in juvenile commitments and how much the decline depended on other variables is debatable. Because so many inmates during this period were young first offenders who were confined for periods up to five years, it is perhaps not surprising that many of them did not appear again in the figures for juvenile commitments.

In the larger social context, it may be argued that social and economic changes caused a temporary slowing down in crime rates between 1850-1870. These were not the primary issues under discussion in the mid nineteenth century however. Sufficient evidence existed for Mary Carpenter, Lord Norton, Sydney Turner and other influential figures in the reformatory system to conclude that reformatory schools were the complete answer to juvenile crime, to the extent that the problem identified in the early 1850s no longer existed. Turner was confident that only a very modest increase in the number of schools would be needed to solve the problem of juvenile crime. After his retirement in 1876 this optimism was soon to falter.

## CHAPTER 7 : INDUSTRIAL SCHOOLS : GROWTH AND DEVELOPMENT 1857-84

### I

The tendency of both nineteenth century commentators and twentieth century historians to view industrial schools as simply junior reformatories has undermined their significance as agents of social control in their own right. The growing concern to regulate the lives of working class children between the years 1857-1884 manifested itself most completely in the increased use of industrial schools as establishments for the education and training of new categories of young miscreants. In terms of numbers alone, industrial schools in their various forms, extended an influence over a far greater number of children and their families than the reformatory network did, even at the height of its popularity.<sup>1</sup> Moreover, the number of institutions for industrial training remained consistently high long after the number of reformatory schools declined, and the industrial school system had always boasted a higher 'success' rate, averaging 83% during the last quarter of the century. The conviction that prevention was more important and probably more feasible than reform, while growing in strength during this period, had its origins in the roots of the reformatory ideology of the 1840s which had maintained that 'by making a person industrious you have done much towards making him honest.'<sup>2</sup>

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1. See App. 17.

2. Report of the Proceedings of the First Birmingham Conference 1851, p.24. (B'ham R.O.).

There is perhaps no better example of the impact of social and ideological changes upon nineteenth century institutions than is to be found in the history of industrial schools. Their efficiency and hence their reputation as agents of social control suffered badly as a result of the rapid expansion of the perceived problem of wayward and neglected children in city areas. The schools had been designed originally to 'deal more radically with the problem of child welfare'<sup>1</sup> but on a short term basis,<sup>2</sup> and were ill-equipped structurally and materially to deal with the ever increasing numbers of children directed to their charge. In addition, the philosophy of sending children away from their home environments into large and very often repressive training institutions became outmoded almost at the very time when the expansion of such establishments was at its peak.<sup>3</sup>

A lack of research into the significance of the industrial school in the nineteenth century fight against crime and non-conformity may be accounted for by a number of factors, not the least of which was the tendency of contemporary nineteenth century sources to treat industrial and reformatory training as synonymous. That industrial schools 'should have become most disastrously used

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1. Report of the Departmental Committee on the Treatment of Young Offenders P.P. 1927, cmd.2831, XII.959, p.181.

2. HMI Report 1880, p.11.

3. See Chapter 8 for a discussion of the strength and direction of the anti-institutional lobby in English social work.

indiscriminately with reformatories<sup>1</sup> was the fault not only of an administrative decision to retain both types of school under Home Office inspection, but also of the indeterminate definitions of vagrancy and delinquency which appeared in early legislation. As the differentiation between what constituted criminal and potentially criminal behaviour became increasingly unclear, so too did the boundary between those institutions which were designed to reform and those whose function it was to prevent the neglected child from turning to crime. In the last decades of the century, so unclear had this categorisation become that the two types of schools had merged together, to the extent that only a slight difference in the average age of the inmates differentiated them. The report of the Departmental Committee on Reformatory and Industrial Schools of 1896 confirmed that no substantial difference in the discipline and regimes of the schools remained beyond what could be accounted for by difference of age.<sup>2</sup> Hence, there is little material, other than some individual school records, on which to base a reconstruction of industrial school policy and practice. Of most value are the accounts and reports of school board industrial schools sub-committees, which, like that of the London School Board after 1870, participated in an elaborate network of communication between central government, divisional committees and individual schools. This chapter draws heavily

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1. Juvenile Offenders: A report based on an inquiry by the Committee of the Howard Association (1898), p.7.
  2. Report of the Departmental Committee on Reformatory and Industrial Schools, 1896, p.15.

upon the work of the London sub-committee as it was probably the most influential as well as one of the most progressive in this field. As with all committee material however, it has the disadvantages of formalised presentation and the absence of detailed discussion. The chapter turns to records of selected individual schools, both in the London area and elsewhere, to compensate for this. It concentrates on the years between 1857 and 1884 as a time of independent growth and major innovation in the industrial school system and uses the 1884 Royal Commission on Reformatory and Industrial Schools as a demarcation point between these innovative years and the subsequent loss of prestige suffered under the divisive controversy surrounding child welfare in the latter part of the century. Section II contains a discussion of the early years of industrial schools from the legislation of 1857 to the introduction of school board industrial schools in 1870. It considers the original aims of industrial training and analyses the legislation which introduced new categories of children into the system. Section III concentrates upon the diversification of industrial school provision after 1870 and in particular the advent and expansion of day industrial and truant schools. It highlights the specific areas of criticism levelled against the schools and the reason for mounting public concern prior to the 1884 Commission.

## II

Originally, state supported industrial schools were created to combat what was seen as a distinctly separate social problem, that of pauperism and vagrancy which, as the Select



Committee of 1852 had pointed out, 'where it is accompanied by idleness will ... be indirectly productive of crime'.<sup>1</sup> Although juvenile vagrancy was viewed by many as 'the highroad to felony, pauperism and prostitution',<sup>2</sup> it was considered a problem which could be isolated and treated separately by a combination of moral and industrial training and the provision of food. Much of the early effort to rid the streets of vagrant and destitute children was made through the application of the poor law, and despite strenuous attempts to disassociate the original certified industrial schools from the poor law, the distinction remained so slight that the Newcastle Commission of 1861<sup>3</sup> recommended that all district and separate poor law schools should be declared industrial schools. Objections had already been made in Parliament to the use of the workhouse for cases of mendicancy and vagrancy. Similar objections were made by Mary Carpenter and by the 1851 Birmingham Reformatory Conference on the grounds that children who could be reclaimed by industrial discipline alone should not be subjected to the contaminating influences of pauper schools.<sup>4</sup>

The plan to establish a separate system of government-aided industrial schools for children who were neither

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1. Report of the Select Committee 1852, Minutes of Evidence, p.107.
  2. W.B. Neale, Juvenile Delinquency in Manchester: its Causes and Consequences 1840, p.13.
  3. Report of the Commissioners on the State of Popular Education in England and Wales, 1861, vol.1. Pt.II.p.403
  4. Report of the Proceedings of the First Birmingham Conference 1851, p.15. (B'ham R.O.).

demonstrably criminal nor subject to the ministrations of the poor law took much of its impetus from early nineteenth century prototypes in England and Scotland and some of its teaching staff and buildings from the ragged school movement. Quatt Farm School, Westham Abbey School opened by the Society for the Suppression of Juvenile Delinquency in 1830, the Durham Refuge and the School of Discipline at Chelsea had all been involved in similar rescue work for some time. The House of Refuge in Glasgow and the Aberdeen industrial schools were further models of successful preventative schemes. The Aberdeen schools, established in 1841 and 1843, provided employment and education together with three meals a day for children found

'in the lowest condition of filth, disease and misery, and manifested the most determined rebellion against everything like order and regularity'.<sup>1</sup>

The principle which guided the Aberdeen experiment was based upon Sheriff Watson's conviction that without attending first to bodily needs, little could be done to improve intellectual or industrial capacity. The three "substantial" meals provided daily formed the pivot of all other work at the schools, which amounted to four hours of lessons and five hours of light industrial work.

The concept of the industrial feeding school formed a cornerstone of Carpenter's attack upon juvenile crime. In her first and most influential book Reformatory Schools for the

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1. M. Carpenter, Reformatory Schools for the Children of the Perishing and Dangerous Classes and for Juvenile Offenders (1851), p.239, New impression (1968), p.229.

Children of the Perishing and Dangerous Classes, she advocated the establishment of schools which would extend their supervision of pupils to twenty four hours a day and would inculcate, through the use of qualified teachers, the philosophy and habits of industrial training. The object of such training was to develop the industrial powers of the child in such a way as 'to give him that general skill which might enable him to make himself a more useful member of society.'<sup>1</sup> In this training scheme, formal education in the elements of reading and writing were initially given low priority. That it should be secondary to industrial and moral training was readily acknowledged, and Matthew Davenport Hill's suggestion to the Conference that it should in fact be tertiary met with wholehearted applause.<sup>2</sup> It was further envisaged that attendance at industrial schools should be enforced by magistrates and that costs should be covered partly by rates and partly by parental contribution. Above all, it was deemed essential that the child should be removed as completely as was possible from the influence of vicious neglectful or pauperised parents, for otherwise, as was the case with ragged schools, the counteracting agencies of the home and street would prove too strong.

These plans, which were incorporated into the total scheme of preventive and reformatory training, were formulated with the same degree of long-term optimism as

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1. Report of the Select Committee 1852, Minutes of Evidence, p.121.

2. Report of the Proceedings of the First Birmingham Conference 1851, p.18. (B'ham. R.O.).

the reformatory school concept had been. Few doubted the conviction that, with the establishment of a network of industrial schools 'juvenile crime would be unknown, adult crime be cut off at its source, and a destitute child an impossibility'.<sup>1</sup>

It was a source of great disappointment to pioneers of the industrial school movement that this conviction did not become a reality. Despite declared anxiety concerning the residuum, what evidence remains of local support for industrial schools suggests that interest in them and willingness to give them real financial support was quite low.<sup>2</sup> Even after the value of the schools was well accepted, Birmingham Council for example was apparently unwilling to provide financial support for the maintenance of its children in London industrial schools on the grounds that it cost four shillings more per child per week than it cost to keep it in prison.<sup>3</sup> Even in areas where support for both reformatory and industrial schools was traditionally strong, the attendance of local councillors at committee meetings was poor.<sup>4</sup> Local apathy at Liverpool was admonished by the Catholic bishop who reminded his diocese that 'there were thousands of poor Catholic children going utterly to sin, ruin and destruction.'<sup>5</sup>

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1. T.N.A.P.S.S. Belfast meeting 1867, p.296.

2. HMI Reports suggest that support from local parochial boards, from voluntary funds and from parents was decreasing steadily. cf HMI Reports, 1958 p.15; 1861 p.10; 1871 p.17.

3. Final Report of the School Board for London 1870-1904 (1904), p.227.

4. "Liverpool Catholic Association Minute Book vol.1, 1865," (Liverpool R.O.).

5. Idem..

It has been argued that if the government had been seriously worried about the contaminating influences of children for whom industrial schools were intended, it would have shown its sense of purpose by financing the schools on a significant scale.<sup>1</sup> There is no doubt however that the demand for national education received far more of the government's attention at this time than the special educational provision for a minority class. In any case, many supporters of national education believed that with more schools and attendance at them better enforced, the problem of the potentially criminal child could be dealt with within the system.

The inoperability of industrial school legislation before 1870 may be explained partly by grass roots apathy and partly by the ineffectiveness of the legislation itself. Three major areas of legislative difficulty existed:-

1. the category of children to be sent to industrial schools was not clearly defined.
2. financial support in the form of parental contributions could not be enforced.
3. the need to provide the linking agency between the schools and their potential pupils was overlooked.

The first act which confined itself to the question of industrial schools certainly did not fulfil the claims of those who had been involved in the passage of the bill at its various stages. The bill in its original form had been prepared, at the request of Sir Stafford Northcote, by the Law Amendment Society in conjunction with the Birmingham

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1. Cf. B. Weinberger, op.cit., p.67.

Education Society in 1856. Brought before the House of Commons at the same time as Sir George Grey's Reformatory School Bill, it was pronounced by Mary Carpenter to be 'perfectly satisfactory'.<sup>1</sup> This satisfaction however was shortlived. By the time the Bill had been carried through by Charles Adderley in 1857 it was already clear to her that

'the obstacles imposed by the structure of the Bill and by the Committee of Council are such that no one seems disposed to work the principle out.'<sup>2</sup>

In brief, the 1857 Act empowered the Committee of Council on Education to certify any school not being a reformatory, in which industrial training was given and in which education and food was provided. Such schools were to cater for vagrant children under the age of fifteen, and those who, with the consent of the Poor Law Board, were contracted out from the workhouse to the industrial school for the purpose of education and physical maintenance. A governmental grant covered half the rent of the school premises, an ordinary rate of augmentation for any certificated teacher and a five shillings a week per capita allowance. In addition, those schools receiving children on magistrates' orders were granted an additional £5 per year per child. Thus, in 1857, vagrancy, long since seen as the principal cause of moral degeneration and crime, was the only reason for committal to an industrial school.

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1. J.E. Carpenter, op.cit., p.193.

2. Ibid., p.203.

In the Act of 1857 was embodied all the idealism and all the impracticability which characterized the industrial school movement in its early years. Without a clear indication of what category of vagrant child was to come under the auspices of the industrial school rather than the poor law or the reformatory, magistrates were reluctant, if not completely unable to commit and the growing disquiet concerning the increasingly visible ranks of mendicant children remained unabated. Indeed only two schools were certified under the 1857 Act during the first two years of its operation, and one of these, Park Row Industrial School in Bristol was compelled to rely on voluntary inmates and was funded almost entirely by private expenses. Of the total number of children in industrial schools by 1860, only 1/15 (twenty in London and seventy one in the provinces) had been committed under the 1857 Act. The Committee of Council concluded on the basis of this evidence, that industrial schools were a failure. It claimed not only that the class of children was insufficiently defined, but regulation to enforce parental financial responsibility were impossible to implement.<sup>1</sup>

An attempt to bring industrial schools into line with the more successful reformatory system was made in 1861 by the transference of control from the Committee of Council to the Home Office.<sup>2</sup> It was followed in the same year by a further attempt to redefine the industrial school inmate by an act which included in its scope, children found begging or

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1. Minutes of the Committee of Council on Education in Certified Industrial and Ragged Schools, 1857-8.
  2. 23 and 24 Vict. cap 105. See HMI Report 1862, p.5.

wandering or not having a settled place of abode, those unmanageable at home or in a poor law institution, and those children under twelve years of age who had committed an offence punishable by imprisonment.<sup>1</sup> The particular advantage of this act in the eyes of the legislators was that it allowed for the possibility of committing the child convicted of petty larceny who previously could not have been sent to an industrial school even if caught in the act of pilfering. There was still, however, a general reluctance to make use of this provision, so much so that on the third reading, a clause limiting its operation to two years was introduced.<sup>1</sup>

Industrial school legislation remained experimental until 1866 when an amendment brought, in Sydney Turner's words, 'an increased stability and a fresh impulse' to the movement.<sup>2</sup> The aspirations which had first found expression ten years earlier were reiterated in his 1867 report where he hoped

'that ere long such institutions will be in operation in all our large centres of population and gradually diminish the requirements both for the prison and the reformatory.'<sup>3</sup>

The act, which empowered any county or borough authority to establish, or assist in the establishment of an industrial school, put the industrial school on to a new permanent basis. It attempted to regularise the difficult issue of parental rights and responsibilities by the introduction of compulsory parental contributions of a sum not exceeding five

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1. See App.3.

2. See App.3.

3. HMI Report 1867, p.24.



shillings a week. A state of part-time schooling was made possible by licencing a child after eighteen months detention. In this way he could be apprenticed to any trade with his consent, or lodged at the house of a parent or respectable person, whilst still taught and maintained by the school.

To the categories of children already defined were added cases which had previously been more obviously under the jurisdiction of the poor law. These included children under fourteen years found wandering or destitute, orphans or those with one parent in prison and refractory children under fourteen who were out of parental control or disruptive influences in the workhouse. To the categories of children under fourteen found begging and those under twelve who had committed a crime punishable by imprisonment was added a new group of children who were known to frequent the company of thieves.

The multiplying categories of children suitable for training in institutions in the period up to 1870 may be seen as part of a growing awareness of dependent groups in society and a general move to control such groups in ways which minimised the family's role. Thus, new industrial school legislation admitted state responsibility for non-criminal children who were deemed to be inadequately cared for by their parents or beyond parental control.

There was general agreement that the 1866 Industrial Schools Act improved the hitherto unsatisfactory situation in so far as it reached a wider group of children thought to be at risk and it put the financial arrangements of such a system on to a more stable basis. But what the act had so

clearly failed to do was to legislate for an enabling agency to act as a link between the child and the school. As was pointed out by the London School Board

'the fact remains that a child who is not amenable to the Industrial Schools Act may remain all day and every day in the streets, but the Officer has no power to touch him, while the Visitor cannot get at his parents if no correct address is given.'<sup>1</sup>

Industrial school visitors<sup>2</sup> had been empowered under Section 14 of the 1866 Act to bring before the magistrates children found wandering. Apparently however, children would travel great distances to avoid visitors who knew them and the police generally did not interfere.<sup>3</sup> In an attempt to achieve the more systematic implementation of the act in the areas of Birmingham, Liverpool, Glasgow and London, the Home Office appointed a small number of agents in 1867. Two

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1. Report of the London School Board Industrial School Sub-committee (Nov.1875). (Greater London R.O.).
  2. Industrial school subcommittees of local schoolboards were authorised to appoint groups of such visitors whose role it was to liaise with subcommittees and to present reports of children's background circumstances where necessary. The London Industrial School Sub-committee appointed 47 in 1876 (25 were women).
  3. Report, London School Board Industrial School Sub-committee (Nov.1875). (Greater London R.O.).

further officers were appointed in the London area in 1871, one on the north side and one on the south side of the Thames.<sup>1</sup> The Reformatory and Refuge Union appointed its own agent in 1870 who was able 'to examine annually about 160 cases and permanently benefit 100 of them by placing them in schools, Homes, Refuges, Ships or by facilitating emigration and employment'.<sup>2</sup>

Despite the fact that additional Home Office agents were appointed - there were eight by 1895 - they were hardly numerous enough to make any significant impact upon the number of children deemed in need of industrial school training. The final report of the London School Board Industrial School Subcommittee described the situation thus:

'The streets swarmed with waifs and strays who had never attended school, a large number of whom habitually frequented the riverside, the London railway termini, the purlieus of Drury Lane and Seven Dials, streets and courts off Holborn and the Strand and the neighbourhood of the Borough of Whitechapel and many similar parts of the Metropolis. These children slept together in gangs in such places as the Adelphi Arches, on barges and on the steps of London Bridge, in empty boxes and boilers at Bankside, in empty packing cases, down the "Shades" covered with tarpaulins and old sacks.'<sup>3</sup>

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1. Final Report of the School Board for London... p.226.
  2. Ibid., p.298.
  3. Ibid., p.226-7.

The effectiveness of agents was further reduced by the vague definition of their duties. As well as acting as detective and policeman in bringing cases before the courts, the Home Office agent was required to carry a caseload of social inquiry reports as well as attend industrial school subcommittee and district meetings to comment on the placement of individual children. As a result, throughout the period to 1870, the numbers in industrial schools depended upon the unsystematic referrals of a combination of interested individuals, school visitors, Home Office agents, occasionally the police and very often private requests for voluntary admittance.

There was very little to unify the industrial school movement in the years up to 1870. In theory at least legislation had established three basic principles. Firstly, that inmates should undergo long terms of training and education if good lasting results were to be obtained; secondly, that schools should be conducted by voluntary management which would maintain the independent character of the school whilst assisted and regulated by the state; lastly, that it was the duty of each parent to contribute to the maintenance of his child whilst at school. In practice such schools as were established before the 1870 Education Act were unified only by their adherence to the principle of strict discipline and regimentation.

The geographical location of the schools was far from systematically determined as was the catchment area which each school served. The original schools were located in the large urban areas of Middlesex, Yorkshire, Lancashire and

Gloucestershire. They acquired and took over properties, often formerly used as ragged schools, where rents were usually low. The semi-institutional arrangements embodied in the day industrial schools in the post-1870 period retained this urban feature,<sup>1</sup> whilst a faith in the virtues of farm labour together with the expressed need to form new associations favoured the development of some large industrial institutions in the country. A practice generally favoured was to disperse children from one area to a number of schools. By the time London industrial schools were brought under the control of the London School Board, three-quarters of London's industrial school children were dispersed to schools as far away as Lancashire, Norfolk and Cornwall<sup>2</sup> in a system of dispersal which was operated by contractual arrangements drawn up with individual management committees.

Because of the necessity of maintaining numbers, it was a common policy to admit voluntary cases as well as destitute and refractory children committed by the courts. By 1862, only 200 inmates were detained in industrial schools by magistrates' order;<sup>3</sup> the rest, as in the case of Bristol industrial schools, where fifteen out of forty eight children were voluntary cases in 1860, were admitted in part to fill the schools and in part to lend 'a tone of freedom and consequent contentment and cheerfulness to the schools which

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1. See Appendix 19 for a list of day industrial schools and their location.
  2. Final Report of the School Board for London,...p.226.
  3. HMI Report 1862, p.19.

assists materially in the discipline and management of the committed children.'<sup>1</sup>

The fact that the majority of children in industrial schools before 1870 suffered the combined disadvantages of parental deprivation and immaturity of years<sup>2</sup> did nothing to shake the conviction of the schools' supporters that all inmates, whether committed by the courts or not, were likely 'to swear, lie, steal and to revel in premature sensualities which are but the normal and ordinary conditions of their lives.'<sup>3</sup>.

The industrial school system as it had developed by the late 1860s, had not satisfied the hopes of early enthusiasts or Her Majesty's Inspectorate. Practical, financial support for the schools had been difficult to generate prior to 1870, and voluntary admissions were essential to make up the shortfall in committal cases.

The ineffectiveness of the process whereby children could be placed in the schools was certainly part of the reason. But the generally felt dissatisfaction at the performance of the schools was also a function of the original industrial school concept which was so unspecific that the categories of children deemed suitable for training could be added to indefinitely. By its very nature, the "problem" of the potentially criminal child had become

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1. T.N.A.P.S.S. Glasgow meeting (1860), p.509.

2. See Appendix 20 for example of ages and backgrounds of industrial school children in 1870.

3. J. Hole, op.cit., p.99.

infinite and insolvable. Throughout the 1850s and 60s, new problems were given legal definition. To the category of vagrant children, which was the only one to be recognised by the 1857 Act, were added refractory, petty criminal and mendicent children within the first ten years of the acts' operation. These new categories were themselves soon to be considered inadequate as attention was turned to the seemingly infinite sources of "moral" dangers to which the city child was subjected. In short, industrial school legislation, designed to deal with the children of the lowest classes, was always in danger of lagging behind the rapidly changing attitudes towards such children, producing in consequence a system of schools which was constantly open to criticism for being inadequate and outmoded.

The extent of this problem as it was manifested after 1870 is outlined in the following section.

### III

The industrial school system was given a new purpose and a more clearly defined sense of direction by the Education Acts of 1870 and 1876.<sup>1</sup> Under Sections 27 and 28 of the Elementary Education Act of 1870, the newly established school boards were given the option of contributing to existing certified industrial schools for the destitute and potentially criminal children in their own area, or of establishing and maintaining a certified industrial school within the meaning of the 1866 Industrial Schools Act. As a

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1. See App.3.

result of Section 27, a number of school boards entered into contractual arrangements with already established schools, as in the case of the 'Humber' Training Ship to which the Sheffield School Board sent its neglected and unmanageable children at the rate of two shillings a week.<sup>1</sup>

A small number of school boards decided to build their own industrial schools (only twenty eight boards out of a total of 196 had taken this alternative by 1902).<sup>2</sup> As with so many aspects of industrial school work after 1870, the London School Board was the first to establish its own Industrial School Subcommittee and its own schools. Brentwood Industrial School in Essex opened in 1874 and in the same year Bristol School Board followed suit with Carlton House Industrial School. In the following year, the Middlesborough Industrial School at Linthorpe was established for the accommodation of sixty boys. The school boards of Brighton and Preston opened their industrial schools in the same year, and a second industrial school for London, the 'Shaftesbury' Industrial School Ship, which had been purchased from the P. and O. Company for £7,000, took its first pupils in 1874. These long-term residential schools were never a popular choice amongst school boards, particularly when cheaper alternatives became available. Amongst the last to be built were the Leicester School Board Industrial School in 1881, which took children from London, York and Leicester, and the Hull Industrial School, established in 1884. The last school to be

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1. J.H. Bingham, The Period of the Sheffield School Board, 1870-1903, Sheffield (1949), p.202.

2. HMI Report 1903, p.6.



opened under the 1870 Act was the Gordon House School at Isleworth which received its first pupils in 1897.

As well as the building of new long-term residential schools, the alternative concept of the day industrial school emerged in embryonic form in 1870, owing much to the persistent campaigning of Mary Carpenter. It was her efforts, through communication in letters and journals, which won the support of the Lords Sandon and Salisbury, two important allies during the hostile parliamentary reception of the section of the Elementary Education Act 1876 concerned with the establishment of day industrial schools.<sup>1</sup> The perceived need for a category of school which would cater for those beyond the reach of existing educational establishments, but not in need of detention, was given expression in the early years of the reformatory movement, Sydney Turner envisaging in 1870 that

'the school instruction given in them would necessarily be of a more simple kind; and some forms of employment, teaching habits of labour and developing the children's physical resources, would be indispensable.'<sup>2</sup>

Added to the educational advantages of such schools was the obvious benefit of reduced cost. Under the terms of the act, the local education authority was itself empowered to bring before the court any child over five and under fourteen years whose parent had, without reasonable excuse, neglected to provide sufficient elementary instruction, or any child who came within the areas of neglect designated by the 1866

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1. Cf. Carpenter correspondence and letters of condolence, (Bristol Archives).

2. HMI Report 1870, p.17.

Industrial Schools Act. In a second or any subsequent case of non-compliance with an attendance order, the court was empowered to send the child to a certified industrial school where he would receive instruction, industrial training and at least one meal for a period of not less than ten hours a day. Within three years, seven day industrial schools were established, three in Liverpool, one in Bristol and in each of the town of Great Yarmouth, Oxford and Glasgow.<sup>1</sup> The Inspector's report for 1880 was to claim that day industrial schools appear to be working so well wherever they have been established that

'it is a question if any more Industrial Schools should be certified at present, at any rate in towns of any size until the cheaper machinery of the Day Industrial School has had a trial.'<sup>2</sup>

There was however a contrary argument, adopted by the London School Board that day industrial schools added an extra burden to the school rate which could have been better met by the poor rate. Such an argument claimed that the category of child for whom the day industrial school was designed to cater was so small and specialised, and that so many of the children who were being sent to these schools were deemed unsuitable in view of the poverty of their parents or the lack of parental control, that the idea should be abandoned in favour of an expanded residential industrial school system. In fact the London School Board's only day industrial school, the Drury Lane School was not opened until 1894.

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1. See App.19.

2. HMI Report 1880, p.10.

Section 14 of the 1876 Act established a new type of industrial school which in many ways became the pivot of the system long after the traditional industrial schools had merged with the reformatories in terms of types of inmates, and at the same time was the cause of much of the public outcry against the industrial schools in the latter part of the decade and much of the controversy which continued between the Home Office and school managers. It was this section of the act which made possible the use of industrial schools as short term detention centres for truants.

In post-1870 terms, the truant was, perhaps more than any other category of deviant child, the potential criminal. The 1884 Commission on Reformatory and Industrial Schools considered that the policy of short term detention for truancy had done much to secure its reduction,<sup>1</sup> although in fact short terms of detention were contrary to the original idea of preventative training. It was argued by Carpenter in the 1850s that detention had to be of a protracted nature if character reform through example and training was to be effective.

By 1879, three schools which specialised in short term training for truants had opened. As usual, the London School Board took the initiative with Upton House, a school for sixty "incorrigible" truants established in 1878. The Liverpool School Board opened Hightown School in 1878 and in the following year, Sheffield's Hallow Meadow Industrial School received its first case of truancy. The philosophy behind the establishment of truant schools, according to a

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1. Report of the Royal Commission 1884, p.xxxv.

later school board history was that

'four, six or eight weeks of disciplinary treatment would suffice to convince refractory children of the necessity for subordination, and that they would afterwards fulfil the promise to attend regularly at an ordinary elementary school.'<sup>1</sup>

It was seen fit that such a regime would be of benefit to

'(a) incorrigible truants whose detention in ordinary schools was lengthy and costly.

(b) children of a still more hardened class, though as yet unconvicted of crime.

(c) neglected children whom it is desirable to isolate for a time from baneful home influences.'<sup>2</sup>

It was over the issue of punishment that the Sheffield School Board met with conflict from William Inglis, the newly appointed Chief Inspector of Reformatory and Industrial Schools. The Board had proposed 'perfect isolation of each child and enforced silence during a limited period, so as to make it thoroughly deterrent.'<sup>3</sup> the Home Secretary however withheld the School's certificate until the rule laid down by the Home Office on the question of punishment was complied with.<sup>4</sup>

Personal correction and physical punishment were the causes of repeated clashes between the Home Office and school managers throughout the history of truant schools. Strictness of regime, such as that of Upton House which

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1. J.H. Bingham, op.cit., p.202.

2. Idem.

3. Idem.

4. The Home Office was adamant that silence was not be part of the standard punishment at truant schools.'... the enforcement of silence or other unusual restrictions are at variance with the spirit of the act and ought not to be enforced.' "H.O. Entry Book 16th Oct.1878".

required periods of 'complete and vigorously enforced silence', became an established if not approved part of the schools' ethos,<sup>1</sup> but from time to time this strictness spilled over into a form of institutionalised violence which brought Home Office censure.<sup>2</sup> The minutes of the London Subcommittee suggest that complaints of over-severe correction were made by parents but were blocked from the Inspectorate by school managers. Other complaints reached the level of public outcry, as for example, at St. Paul's School in 1882, causing the London School Board to withdraw its certificate. The incident was followed by a Home Office circular to all schools impressing upon visiting committees the necessity of keeping a vigilant supervision over the schools.<sup>3</sup> Corporal punishment however remained an integral part of school life and school managers continued to support the principle that non-conformity could be beaten out. The managers of Farm Hill School, for example, continued in their belief that eighteen strokes of the birch rod was an appropriate or even mild punishment for "a great big strong healthy fellow of eighteen or nineteen years of age."<sup>4</sup>

Despite the popularity of day industrial and truant schools after 1870, the school boards' involvement in

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1. "London School Board, Industrial Schools Subcommittee minutes, 1880." (G.L.R.O.).
  2. Cf. HMI Reports 1882 p.10-11; 1883 p.15; 1895 p.10.
  3. The Home Office code of practice, devised by Inglis, outlined procedures for dealing with refractory children which included the maximum of 12 strokes of the birch (boys only). Punishment lists were to be returned monthly.
  4. Quoted in S. Humphries, Hooligans or Rebels? An Oral History of Working Class Childhood and Youth 1889-1939 (1981).

industrial school developments remained relatively small and affected only a comparatively small number of children.

Out of a total number of 129 industrial schools in existence in 1879, only sixteen had been established under the Education Acts of 1870 and 1876, catering for 2,070 children from a total industrial school population of 15,860. The significance of the local education authority's influence lay rather in the impetus which it gave the system through the further categorisation of children deemed in need of industrial training and the development of special schools. The effect of this was twofold. Firstly, it narrowed the gap between the traditional industrial school and the reformatory even further. As the industrial schools took on more of the 'vagabond and petty miscreant' class thereby rejecting all voluntary cases, and as magistrates became more inclined to commit the young offender to the industrial school rather than utilise the reformatory scheme with its controversial preliminary period of imprisonment, so the boundary between the two types of institutions became increasingly unclear.

Secondly, the preventive measures which had been the essential features of industrial school training were gradually to be confined to that small group of children whose misdemeanours arose through neglect, poverty or recalcitrance and who were considered to have a reasonable chance of recovery if subjected to day industrial school influence or short term detention. Whereas reformatory and industrial schools were considered to be serving a temporary need in the 1860s, much of that optimism was transferred in the late 1870s to the truant and day industrial schools.

With the exception of day industrial schools which maintained their favourable public image and hence their rates of subscription into the twentieth century,<sup>1</sup> the industrial school movement met with mounting disapproval after 1880. It was to meet the charges levelled against the schools that the Royal Commission was formed in 1884. A number of the more controversial features discussed in the commission's Report deserve closer attention.

One such area concerned the priority to be given to industrial training. It had long been an accepted aspect of institutional life that education should take second place to industrial training. Both Turner and Inglis had supported this view and indeed at the time when suggestions were made to the effect that the Education Department should take over from the Home Office in the supervision of industrial school, the 1884 Commission had disapproved on the grounds that as a consequence, too much time would be spent on elementary education.<sup>2</sup> The Home Office standard for school work was certainly lower than that adopted in elementary school - the Chief Inspector's report advised that a limit should be set at the 5th Grade - and despite the fact that under the 1870 Act, all industrial schools were required to provide reading, writing, spelling, cyphering, music and the elements of English history and Geography, few schools, with the possible exception of the industrial school at Leicester could claim to provide education comparable to that of the elementary schools.

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1. See Appendix 21.

2. Report of the Royal Commission 1884, p.xvii

The Inspector's reports on individual schools were generally satisfactory if the top grade could discharge its pupils with the skill to 'read well, write legibly from dictation and have a fair notion of the simpler rules of arithmetic.'<sup>1</sup>

Clifton Industrial School, which was constantly held up as a model school by the Inspectorate, could offer, at the fifth grade, reading, spelling, handwriting, dictation, sums and geography as well as the religious instruction which was compulsory in all schools.<sup>2</sup>

Schools were constantly understaffed as the lack of superannuation was only slightly offset by a government grant of £20 a year for male certified teachers and £15 for female. (This grant was not given to teachers in day industrial schools). In addition, an industrial school teacher was required to devote all the time not taken up in teaching to assisting in the general management of the school, in 'keeping order out of school and in constant supervision even at night.'<sup>3</sup>

Of school superintendents Turner was to write ...

'They have no regular vacations, many scarcely leaving their schools for more than a week or two in the year. They have no fixed hours of duty, after which they can consider themselves at liberty to rest or follow out

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1. HMI Report 1880, p.6.
  2. HMI Report 1880, p.136.
  3. HMI Report 1881, p.11. The long hours and the inability to gain certification in an industrial school caused many teachers to leave in favour of elementary schools, according to the Secretary of the Reformatory Refuge Union. cf. A.J.S. Maddison, "The State of Education in Reformatory and Industrial Schools", T.N.A.P.S.S. Aberdeen meeting 1877, p.332.



their own pursuits ... [they] have under the present arrangements no retiring allowance to look forward to.'<sup>1</sup>

The special disabilities of industrial school teachers caused by the non-recognition of the Education Department undoubtedly presented the managers with the problem of staff shortages - a problem which is frequently mentioned in the London Industrial School Subcommittee minutes. The low educational qualifications of many staff was a fault not entirely due to the lack of government recognition however. It had long been a policy within the reformatory and industrial school movement that staff need not be formally qualified provided they were of a high moral standing.<sup>2</sup>

Low educational standards were further depressed in agricultural schools by the seasonal pressures of farm labour. Desford Industrial School's log book for example revealed in an 1886 entry that school 'commenced again after what has been practically four weeks holiday, the boys being engaged in fruit picking.'<sup>3</sup> An 1891 entry recorded that 'owing to the pressure of work on the farm, it has been thought necessary to allow the best scholars in standard I

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1. HMI Report 1870, p.28.

2. The Royal Commission of 1884 claimed that many teachers were not certificated and were without proper training (Final Report p.237). This was at variance with the early claim of HMI Turner that 'a better and more practiced class of master' was employed in the reformatory school (HMI Report 1862, p.14).

3. "Desford Industrial School Log Book, August 1886."

and II to work on the land on alternative days'.<sup>1</sup> Where industrial work of this nature was fruitful and profitable, few took exception to its predominance in the school timetable. In the majority of industrial schools however, this was not the case, and apart from minority trades such as tailoring and shoemaking, most boys were under-employed.

According to the Chief Inspector's report of 1875,

'the majority of the boys have little else to do than cutting up and preparing firewood, making paper bags or match boxes, and sorting seeds or picking hemp or horsehair.'<sup>2</sup>

The Home Office's concern at the revelation of an increasing number of schools, particularly in urban areas, which were failing to provide instructive industrial training or adequate education was reflected in the typical understatement of the 1884 Commission which noted that there was 'need for considerable improvement.'<sup>3</sup>

An area in which the industrial school system met with mounting criticism concerned with severity of regime.<sup>4</sup> At a

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1. "Desford Industrial School Log Book, April 1891." The Superintendent's Journals covering the period of the late '80s repeatedly contains such comments as 'Practically no school this week, registers not marked at all'.

2. HMI Report 1875, p.10.

3. Report of the Royal Commission 1884, p.xvi.

4. See Appendix 22 for an example of aspects of regime in one industrial school.

time when the value of large institutions was beginning to be questioned,<sup>1</sup> industrial school managers displayed an increasing rigidity of administration which was reflected in the strict and often impersonal discipline of the schools. Administrative rigidity was manifested in the uniformity of behaviour and appearance which had caused Blanchard Jerrold to refer to industrial school children as 'so many pegs on a cribbage board'<sup>2</sup>. The strict timetable and dietary added further regimentation to the system which, in view of the youth of some of the inmates and the lengthy sentences they were likely to serve, was almost certainly counterproductive to the task of reclamation.<sup>3</sup> This was the view of the Home Office Inspectorate. Turner's penultimate report recorded his view that

"children of six and seven years old are not in fact capable of receiving industrial training and are not fitted to undergo the discipline and restraint on which these schools depend for the special characteristics of their action ... the commitment even at eight years old usually entails from six to eight years detention under

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1. The Report of the Conference of Managers of Reformatory and Industrial Institutions 1884 contained two papers on the dangers of large institutions; "The Care of Pauper Children", p.26, and Independent Inspection for the Uncertified Schools and Homes", p.30.
  2. 'Morning Post', Jan 29th 1863.
  3. The large number of little children (under 10) who experienced the rigours of industrial school life is illustrated in Appendix 23.

the same almost unvaried routine of diet, habits and occupations, and involves the risk of turning out the child a dull, spiritless machine, without natural energy or self-dependence'<sup>1</sup>

Lord Norton saw the severity of the truant school regime as particularly counterproductive.

'How Truant Schools can cure an inclination to truancy is past explanation or conception. One near Liverpool is a place of solitary confinement in what they call single dormitories ... '<sup>2</sup>

A consequence of large regimented schools was the slight degree of supervision which could be given each child during and after his sentence. Home Office reports had always complained of the high number of "unknown" returns in industrial school records. During the period 1877-1880, for example, enquiry into 425 cases met with 254 cases of non-reply.<sup>3</sup> The London School Board during the same period enquired into 649 cases, 224 of which were returned through the dead letter office and 254 did not reply. Of the 171 replies, the Subcommittee was alarmed to find that only 58% regarded themselves as "doing well".<sup>4</sup> There were, of course,

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1. HMI Report 1875, p.4-5.

2. T.N.A.P.S.S. 1884, Birmingham meeting p.259.

3. HO Returns (Reformatory and Industrial Schools) 1881. The large number of unknown returns submitted by the schools was criticised by the Inspector. As in the case of reformatory schools, the categories of "dead", "convicted" "doubtful" and "unknown" added up to a significant failure rate. See Appendix 24a and b.

4. "London School Board Industrial Schools Sub-committee minutes, Nov. 1882." (G.L.R.O.).

the occasional exceptions to the rule. Some schools, such as the Boys Home Regent Park Road always prided itself on its post-release supervision. The 1880 Inspector's report recorded that

'great pains are taken to make the discharged boys take a lasting interest in their schools and means are adopted, (such as an annual meeting to which all old boys are invited, and an annual paper printed and sent round to all those whose addresses are known in which the doings of the school for the year are described).'<sup>1</sup>

Whilst the lack of adequate supervision may have been the complaint levelled by the Home Office -

'children are placed out and practically forgotten,... till, when inquiry is made about them they are found to have changed their situations, or their parents have moved elsewhere, and they cannot be traced',<sup>2</sup>

the London Subcommittee was of the opinion that the counter influences of English town life were far greater than those which could be exerted by the most conscientious visitors, school agents or postal enquiries. It was for this reason that investment was made at the rate of £60 per capita in 1874 in overseas placements for children who had spent at least two years in an institution and for whom parental permission had been obtained. Canada was the country most often used, and the areas of Ontario, Manitoba and Quebec were generally favoured as providing 'conditions of life which are morally and physically more healthy than our English towns afford'.<sup>3</sup> The number who could be placed abroad

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1. HMI Report 1880, p.12.

2. HMI Report 1871, p.25.

3. "London School Board Industrial Schools Sub-committee Minutes, December 1874." (G.L.R.O.).

however was far too small to materially alter the inadequate state of aftercare provision. In the London area for example, only sixteen children emigrated from industrial schools in 1873-4, and similarly between 1894 and 1896, only thirty four were placed abroad.<sup>1</sup>

#### IV

By the early 1880s, the cost of the proliferating system of industrial schools was a complaint against Home Office Schools which was more often heard than any other. By that time there were over 130 schools and numbers were continuing to increase. The new category of "educational" cases was in the main responsible for rising costs, but the multiplication of institutions to meet every new category of offence or need suggested alarming prospects to those who, like Lord Norton, considered such haphazard growth to have 'much graver objections than the useless expense, in the abuses and the dangerous moral confusion it engenders.'<sup>2</sup>

However optimistic supporters of the schools remained. The same conference which had heard Norton's condemnation was also informed that due to the success of industrial schools 'the race of ingrained young thieves and thief-trainers, formerly so numerous is now almost extinct.'<sup>3</sup> Similarly the 1884 commission set up initially to answer the criticisms which had been made against the schools concluded that industrial schools should be accredited with having broken up the group of young criminals in the large towns, with putting

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1. Final Report of the School Board of London..., p.291.
  2. T.N.A.P.S.S. Birmingham meeting 1884, p.259
  3. Ibid., p.247.

an end to the training of boys as professional thieves, and with rescuing children fallen into crime from becoming habitual and hardened criminals.<sup>1</sup>

Indeed all the recommendations made by the 1884 Commission were designed to prop up a system of schools which many thought to be inadequate. The major areas of contention, which concerned the power struggle between the Home Office and school management, the priority given to education as opposed to industrial training and the disconcertingly low rates of returns were all issues which the Commission chose to treat in an often ambivalent way, - in marked contrast to the Select Committee of twelve years later.<sup>2</sup> So anxious were the members of the Commission that no major interest group should be alienated, an aspiration which it singularly failed to achieve, that it could offer no recommendations for change other than the suggestion that more women managers should be employed for girls' schools and for junior industrial schools, that education should be given a greater priority and that greater accuracy was necessary in the completion of returns.<sup>3</sup>

The extent to which the 1884 Commission worked to the detriment of the industrial school movement in this country must however remain an issue for debate. Whilst this chapter

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1. Report of the Royal Commission 1884, p.x.
  2. The tone and attitude of the 1896 Select Committee was markedly different from that of the Royal Commission. Further evidence for these differences appears in the following chapter, and is discussed in J. Carlebach, op.cit, pp.77-8.
  3. Report of the Royal Commission 1884, pp. xii-xv.

has used the publication of the Commission's report to mark the end of the industrial school system as a separate and independent agency of control, it would nevertheless be misleading to assume that the Commission itself could have done much to redress the downward trend in popularity which the schools were increasingly to suffer. The role of industrial schools in the scheme to educate and discipline working-class children had been intended to be a significant one. Their attempts to combine middle-class values and working-class industrial skills were wider-reaching and more pervasive than reformatory schools training was ever intended to be. Yet the demise of their early promise and their subsequent loss of identity was apparent by the end the 1880s. There are reasons which provide partial explanations. Inadequate legislation, arising from muddled thinking about children of the urban poor and their potential criminality, was responsible for much of the reluctance to use the legislative measures available. The speed with which the revolutionary concept embodied in industrial, particularly day industrial school legislation became outmoded by the provision of universal elementary education must be another contributory factor. Of greater significance however was the extent and type of control such schools were designed to exert. As their role was to extend control over an ill-defined but ever expanding group of potential miscreants, and as the financial resources of the schools could not allow them to expand at a rate corresponding to the perceived growth of juvenile depravity, failure to solve this "problem" was an inevitable consequence.



Although as an independent system, the industrial schools failed to realise what they set out to achieve as their identity merged with the reformatory movement as a whole, the principles embodied in industrial school training, notably physical discipline, the need for hard work and instant obedience to those in authority, remained central to beliefs about the schooling of criminal and potentially criminal urban youth in the late nineteenth and early twentieth century.

## CHAPTER 8 : HOME OFFICE SCHOOLS AND SOCIAL CHANGE FROM 1884

Until the last quarter of the nineteenth century, the principles upon which the reformatory and industrial school system had been established twenty years previously remained largely unchallenged. The assumption that separation, detention, discipline and training were the most effective method of reforming young offenders was virtually unassailable despite the tensions which continued to arise in the day-to-day practice of reformatory philosophy.

Although HMI Turner had been confronted by an increasing number of problems during his term of office, he retained the conviction until his retirement that the central assumptions of the reformatory movement were the right ones, for

'when nearly 200 institutions ... yield so solid and well-tested results in the reformation and right conduct of the criminal or disorderly and neglected children they receive, it can scarcely be doubted that the system on which they are conducted is trustworthy and practical, resting on sound policy as much as benevolence.'<sup>1</sup>

The second and third generation of inspectorate which succeeded Turner were not members of the pioneering reformatory group in the way he had been, but they nevertheless remained convinced that despite their manifest faults, the schools were still fulfilling an

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1. HMI Report 1875, p.3.

effective role.<sup>1</sup> The declining incidence of juvenile crime during Turner's term of office was seen as primary evidence. The number of juvenile convictions in 1879 was under half the corresponding total in 1859, while figures for adult convictions had increased.<sup>2</sup>

It was because juvenile crime rates had evened out and reformatory principles remained unchallenged that the debate about the causes and treatment of juvenile crime receded in importance, and issues such as school management and mechanisms of regulation within the schools became the focus of attention. By the 1880s however the debate about child criminality was reopened as mid-century optimism gave way to new fears of the emergent dangerous class. The revival of theories about hereditary causation, given added weight by social darwinistic theories of poor stock, Lombroso's thesis on atavistic types and evidence of physical degeneration among the young, once again brought into question the basic principle of reformability of character on which the schools had been founded. In addition, an increasing number of criticisms against specific practices, notably against education and industrial training, and discipline and punishment revitalised the internal conflicts which had existed within the schools since their inception.

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1. See for example HMI Inglis' conclusions that 'the schools for young thieves and their gangs of hardened young ruffians which used to be met with in any large town have ceased to exist,' HMI Report 1881, p.6.

2. See App. 25.

The extent to which criticisms of the schools and reappraisals of juvenile criminality changed the way the schools operated is the central theme of this chapter. The nature of the attack upon reformatory principles and practice has been well documented elsewhere, most studies concluding that such attacks brought about the steady erosion of the reformatory and industrial school system during the last quarter of the nineteenth century.<sup>1</sup> This chapter however attempts to look further at the dynamics of criticism and response in which the role of the Home Office inspectorate was of particular significance. It will suggest that the schools reacted to criticisms in a variety of ways. In some instances, for example, schools appear to have responded positively to the new demands made upon them. In others, they reacted with hostility. The evidence of this chapter will indicate, however, that the overwhelming response which characterised schools of detention in the late nineteenth century in much the same way as they characterise similar institutions today was one of stubborn resistance to change and a strong tendency to self-perpetuation.

This chapter is organised into four sections. The first presents a brief analysis of the state of the schools at the start of the period under discussion by means of a comparison with the state of schools some twenty years earlier. The second section examines some of

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1. See particularly the theses of P.J. Rooke and M.M. May, referred to in Chapter 1.

the criticisms which were levelled at specific practices or specific aspects of regime and the schools' responses. Section three attempts to broaden the base of this analysis by looking at some of the more general hostilities to the institutional treatment of children and some of the emergent social responses to criminal juveniles. The chapter ends with a re-assessment of the role and function of Home Office Schools<sup>1</sup> at the turn of the century.

## I

In terms of their numbers alone, Home Office Schools in the last quarter of the century extended a more pervasive influence than they had in the 1850s and 1860s.

Although the number of reformatory schools had declined from sixty five in 1862 to forty eight in 1900, industrial school numbers had shown a marked increase from forty five schools in 1862 to one hundred and seventy in 1890.<sup>2</sup>

The numbers of inmates in these schools had correspondingly increased, due mainly to the rise in the number of long-term committals to industrial schools. Children entering reformatories in 1859 numbered 1,216, the figure rising to 1,770 in 1870 with a slight decrease to 1,533 by the end of the century. (The decrease in the

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1. "Home Office Schools" (a term particularly favoured by HMI Legge) or "Schools of Detention" were generic terms applied generally to all types of reformatory and industrial schools in the latter part of the nineteenth century.

2. HMI Reports, (various).

number of reformatory schools did not result in a proportional decline in reformatory inmates who in 1909 numbered only 684 less than the 1870 total).<sup>1</sup> In contrast the number of admissions of industrial school children had dramatically increased from 358 in 1857 to 29,290 in 1889.<sup>2</sup> Thus, although the percentage of convicted children sent to Home Office Schools remained relatively small in terms of the total range of options under the law,<sup>3</sup> the number of schools had grown, unregulated by any factors other than financial constraints, until, by virtue of their continued existence and increasing numbers, they had become established as a primary force in the field of juvenile correction.

However, the growth in the number of schools and inmates between the 1850s and 1870s did not produce a corresponding growth in funding. The primary sources of funds in 1854 were treasury grant, private donation and parental contribution. To these had been added by 1876, local authority contributions and prison office funding

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1. See App. 26 for details of reformatory school admissions post 1886.
  2. HMI Reports, (various).
  3. V.A.C. Gatrell has estimated that about 4% of convicted juvenile larcenists were sent to reformatories between 1856 and 1914 cf. V.A.C. Gatrell "The Decline of Theft and Violence in Victorian and Edwardian England 1834 - 1914", in V.A.C. Gatrell, B. Lenman and G. Parker (eds.), Crime and the Law : The Social History of crime in Western Europe since 1500 (1980), p.306.

where appropriate.<sup>1</sup>

Industrial Schools could also claim maintenance for children sent by the poor law guardians.<sup>2</sup>

In real terms, allowing for the increased numbers of schools by nearly twofold, financial support from every source had decreased. Legacies and subscriptions had declined from their 1860 total for reformatories of £24,903 to £9,954 in 1877, declining still further to £2,388 in 1899.<sup>3</sup> Subscriptions to industrial schools reached a total of £50,556 in 1876 but thereafter declined to £34,714 in 1889.<sup>4</sup>

Not only did dwindling charitable sources present severe budgetary difficulties in the late 1870s, but government contributions too had declined through a series of reductions.<sup>5</sup> Parental contributions had always constituted only a very small proportion of total receipts (one fifth of all reformatory receipts and less

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1. The Industrial School Act 1857 had given local authorities power to contract for the reception of children in schools and to contribute to their maintenance. The 1866 Industrial Schools Act extended this to where the local authority was held to be a prison authority (see App. 3).
  2. (See App. 3.)
  3. HMI Reports, (various).
  4. HMI Reports, (various).
  5. Government contributions 1856 = 7/- per cap. Reduced in 1863 to 5/- per cap. and further in 1872 to 3/- for 6-10 year olds.

than one twelfth of all industrial school receipts in 1877). Despite both HMI Turner's and HMI Inglis' attempts to increase parental contributions,<sup>1</sup> it appears that a large number of parents continued to make no contribution at all.<sup>2</sup> HMI Legge appeared to be rather more sympathetic to the financial plight of parents, claiming that 'the majority of the parents are too poor to squeeze more than a mere pittance out of.'<sup>3</sup>

This decline in public and governmental support together with the increasingly more strained relationship between Home Office inspectorate and school management in the last years of Turner's term of office was responsible for some of the moves towards increased severity and mechanistic management discussed in chapters 6 and 7. However, comparing the schools of the 1880s with those of

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1. Turner for example was of the opinion that parents were too anxious to have their children taken off their hands. See HMI Report 1870, p.28. Inglis echoed this view in HMI reports 1880, p.11 and 1881, p.6. See also "H.O. entry 31 August 1875" for Turner's comment that 'there are many instances in which the alleged theft has been the result of collusion (with parents).'
  2. H.O. Returns (for Reformatory and Industrial Schools) for 1879 show that of 1081 cases of inquiry proceeded against, 336 parents were excused by magistrates from making any contributions and a further 745 were placed under a considerably reduced contribution.
  3. HMI Report 1896, p.56.



the late 1870s one of the more marked features must be the similarity of practice both in terms of the processes of schooling and the internal organisation of the schools.

School size for example remained fairly constant, the majority of boys' schools accommodating between fifty and one hundred children. (Six boys' schools contained over 200 inmates in 1879), and girls' schools generally accommodating less than fifty children (three girls' schools contained over one hundred inmates in 1879).<sup>1</sup> In terms of physical structure, a moderate amount of rebuilding had taken place but the major criticisms of structure remained. Sanitary arrangements were often deemed unsatisfactory and the "primitive" conditions of living quarters were still in evidence.<sup>2</sup>

Schools which had acquired good reputations in one or more aspects of reformatory training in the 1850s continued to maintain that status in the 1870s and 80s. Bradwell reformatory, for example, continued to provide a high standard of education, offering six standards for

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1. HMI Reports, (various).
  2. 2. See for example, the reports on structural conditions at the Devon and Exeter Reformatory, HMI Report 1890, p.63; Cumberland Reformatory, HMI Report 1891, p.53 and Wiltshire Reformatory HMI Report 1891, p.64. The 1896 Departmental Committee concluded that 'a lack of funds has been the cause of grievous defects in these schools', Report of the Departmental Committee 1896, Memorandum A, p.156.

examination in 1883 with twenty one boys in the highest.<sup>1</sup>  
For schools generally, part time education for all children was a basic feature of regime as it always had been. This continued to be the case despite the recommendations of the 1884 Commission that all children who had not passed standard three and who were under eleven years of age should receive full time education.<sup>2</sup>

The balance between formal education and industrial training was much as it had been in the late 1850s. The official view that industrial training should take precedence over education was still being presented in 1881, and for the same reasons. Firstly it was seen as desirable that no

'undue prominence should be given to intellectual or industrial attainments to the detriment of the higher objects of reformation of character.'<sup>3</sup>

Secondly, the Home Office continued to lay great stress on the capability of industrial training to improve general attitudes to work. This remained the rationale behind seemingly pointless labours such as wood chopping and rag

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1. HMI Report 1883, pp.52-53.
  2. Report of the Royal Commission 1884, p.xvi. Only fifteen reformatories had carried out this recommendation by 1896 (see Report of the Departmental Committee 1896, Memorandum A, p.936).
  3. HMI Report 1881, p.19.

cutting which continued to be practised in schools despite the disapproval of the 1884 Commission.<sup>1</sup> Girls' schools were still being judged on the basis of their training for domestic service. Thus Hampstead Girls' School continued its high reputation for its efficient laundry while Liverpool Girls' School, was still reported for 'disobedience... forgetfulness... untruthfulness'.<sup>2</sup>

Although the schools themselves remained in a largely static state, those sections of society for whom they were intended appear to have changed in character. The number of children sent to reformatory schools under the age of twelve years had declined between 1859 and 1879.<sup>3</sup> A much more youthful population however was being sent to industrial schools. In proportional terms, just under one half the total of Home Office School inmates was under eleven in 1859 whereas over three-quarters of Home Office school inmates were under eleven in 1877.<sup>4</sup>

Not only were Home Office schools containing a more youthful population, but also a less criminal one, whereas in 1857 under one half of those committed in that year had no previous convictions, well over one half were committed on first offences in 1877.<sup>5</sup> The nature of these offences had also changed. The majority of children in Home Office

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1. Report of Royal Commission 1884, p.xv.

2. HMI Report 1888, p.77.

3. HMI Report 1880, p.8.

4. HMI Report 1877, p.16.

5. Idem.

Schools in the London area were committed under Sections XIV and XV of the 1866 Industrial Schools Act (for begging, wandering, receiving alms or in the company of reputed thieves), or under Sections XI and XII of the Elementary Schools Act 1876 (non-attendance at school).<sup>1</sup>

The success rates presented by schools in their annual returns were higher than they had been in 1859.<sup>2</sup>

The comparative youthfulness of the 1877 school population would partly account for the higher success rates, as would the greater number of inmates with no previous convictions in 1877. The interpretation of "doing well" and "doubtful" however have tended to make these assessments unreliable as guides to the schools' successes throughout their history.

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1. See appendix 27.

2. Reformatory returns 1859 "Doing well" - 59.3% boys, 52.6% girls.  
"Doubtful" "reconvicted", "unknown" - 38.6% boys, 44.9% girls.

Reformatory returns 1877 "Doing well" - 74% boys, 76% girls.  
"Doubtful", "reconvicted", "unknown" - 26% boys, 24% girls.

Industrial School Returns 1860-2 "Doing well" - 44.4% boys, 68.5% girls.  
"Doubtful" etc. 53.5% boys, 31.4% girls.

Industrial School Returns 1877 "Doing well" - 82% boys, 81% girls.  
"Doubtful" etc. - 18% boys, 19% girls.

Source HMI Reports (various)

Of more value is a comparison of discharge details over the period. This suggests that, from reformatory schools in 1861, 45.8% of discharges were successfully placed in work or emigrated. In 1877 the number of successfully placed children from reformatories had increased to 60.3% and those children finding employment on discharge from industrial schools numbered 63% of the total discharges for that year.<sup>1</sup>

Again, these statistics, like most others, are open to interpretation. Nevertheless, the combination of discharge figures, favourable success rates and lower annual crime rates added a great deal of weight to the belief that despite financial difficulties, Home Office schools were basically on the right lines and that, consequently, there was little justification for change in either philosophy or practice.

## II

The vulnerability of the schools to criticisms and sometimes to more overt hostility lay in the fact that many of those criticisms were directed at aspects of administration philosophy and pedagogy which had traditionally been the cause of internal dissent since the early days of the reformatory movement. It was not solely therefore the inability or unwillingness of the movement to change with the times which resulted in a reconsideration of its hitherto unchallenged position, but

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1. HMI Reports 1861 and 1877 (These years illustrate a general trend in the figures as indicated above).

also the handicap of its own imprecise tenets which twenty years previously had been claimed as a virtue of individualism and voluntary enterprise. Criticisms of education policy, industrial training, punishment and imprisonment all served to undermine the stability of a system increasingly divided in its policy and practice. These criticisms, their sources and the responses they elicited will be examined in turn.

An area which received more hostile comment than most after 1870 was that of education. A plethora of criticisms began to surround such issues as staffing and conditions of service, the quality of education, the curriculum and the administration of educational provision. A primary reason for this exposure of Home Office education can be traced to the introduction of compulsory education in 1870. The principal effect of the Acts of 1870 and 1876<sup>1</sup> was not necessarily that they made much of Home Office School curriculum outmoded, but rather that the provision under the acts toppled the schools from their hitherto unchallenged position as sole providers of state-financed schooling for the lower classes and at the same time, initiated a reassessment of some of the principles upon which the reformatory and industrial school system was created, notably those concerned with voluntarism and the ever-contentious issue of less eligibility.

The amount and type of education available in Home Office Schools drew an increasingly critical response from

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1. For details, see App. 3.

a variety of sources. Among the chief critics were those School Boards which after 1870 took on some of the responsibilities for curriculum content which had previously been a matter left almost entirely to the discretion of voluntary management. Thus by 1875, the Industrial School Sub-Committee of the London School Board had received reports from each of its Schools' Subcommittees on educational standards, and had unanimously decided that it was 'desirous' that the educational arrangements ... should be somewhat improved.'<sup>1</sup> By 1886 the London School Board was sending out its own inspectors to report on all aspects of industrial school practice, noting that the schools were showing little or no improvement in educational provision. The Board's Inspector reported in 1893 for example that in the majority of schools 'there is little or no attempt to awaken and develop intelligence.'<sup>2</sup> The teaching of reading was criticised because of the rote methods used which inspired neither 'a love for reading nor for the interest it awakens, nor the delight it affords.'<sup>3</sup> The method of teaching arithmetic was similarly criticised for encouraging mechanical accuracy rather than the power of reasoning. Nottingham School Board was similarly unimpressed by the standards of education in the schools to which it sent inmates.

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1. "London School Board Industrial Subcommittee Minutes Nov.1875." (G.L.R.O.).
  2. "London School Board Industrial Subcommittee Annual Report 1883, p.238." (G.L.R.O.).
  3. Idem.

Members commented in 1878 for example on the Bradford Industrial School that

'the premises are all ill-adapted for an industrial school. [They are] inconvenient, airless and not particularly clean. The industrial training is most defective ... The education given cannot be considered satisfactory ... The managers of the school do not have enough personal interest in it.'<sup>1</sup>

Despite the recommendation of the 1884 Commission that industrial school children should receive

'an elementary education similar, and, as far as circumstances admit, not inferior to that which the law obliges other children to receive in the public elementary schools',<sup>2</sup>

the 1894 report of the London School Board concluded that the Home Office schools in its area were not providing education on a par with that prescribed by the Day School Code.<sup>3</sup>

A further criticism of educational provision concerned the training and working conditions of teaching staff. Inadequate staffing had been a feature of reformatory schools since their inception, and it was a deficiency which again the school boards were quick to identify. The London School Board had recommended for example

'that a letter be addressed to the Home Secretary and to the Education Department inviting their attention

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1. Cited in D. Wardle, Education and Society in Nineteenth century Nottingham (1977) p.111.
  2. Report of the Royal Commission 1884, p.xv.
  3. Report of the Departmental Committee 1896, pp.282-283.



to the special disabilities of teachers in industrial schools and requesting their aid in providing a remedy.'<sup>1</sup>

These disabilities, enumerated by the 1884 Commission, included the following anomalies. Pupil-teachers in Home Office Schools were not recognised for the purpose of annual inspection; a two-year training period in a Home Office School did not qualify a teacher for certification; Home Office teachers did not receive annual endorsements from the Education Department and Home Office teachers were excluded from the state pension scheme. At the same time the Commission acknowledged that 'a strong and highly skilled teaching staff is needed in consequence of the inferiority of the material.'<sup>2</sup>

Little improvement in the quality of staff was effected in the years between the Commission's Report and the Report of the Departmental Committee in 1896 when it was disclosed that there were still no qualified teaching staff in twenty boys' schools and eight girls' schools.<sup>3</sup> Some, but not all, the blame for this apparent stagnation can be laid on the lack of forcefulness in the 1884 Commission's directives. Neither the schools themselves nor the Home Office inspectorate placed a high priority on educational standards or upon qualified staff. Many staff continued to see their job primarily to correct rather

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1. "London School Board Industrial Sub-committee minutes, Nov.1875." (G.L.R.O.).

2. Report of Royal Commission 1884, p.xvi.

3. Report of Departmental Committee 1896, p.41.

than to instruct,<sup>1</sup> a view supported by the HMI who argued that industrial training should be given priority over education.

A suggestion that the inspection of education in Home Office Schools should be transferred to the Education Department, was rejected by the 1884 Commission<sup>2</sup> and brought a similarly negative response from school staff although the London School Board was more responsive to this idea, on the grounds that, while Home Office Inspectors was methodical, they had lower expectations of educational proficiency.<sup>3</sup> Undoubtedly the greatest barrier to any move which might have brought the schools more in line with the educational provision of elementary schools was the Home Office inspectorate itself. HMI Turner had previously indicated his unease at any situation which would have

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1. For example, the superintendent of May Place Industrial School reported in 1888 that for the purpose of combatting 'mental inertia', systematised industrial training was the most important aspect of school life. 'Liverpool Reformatory Committee Minute Book Sept. 1888.' (Liverpool R.O.).
  2. Report of Royal Commission 1884, p.xviii.
  3. The London School Board also saw divided inspection as a way of keeping industrial schools separate from the reformatory system. It considered the 'coupling together of Industrial and Reformatory Schools, to be an act of injustice to the children in the former schools who may for the most part be described as truants'. "Minutes of London School Board 1884." (G.L.R.O.).

diminished the authority of the inspectorate's office, and his successor, William Inglis, was not in favour of the suggestion that part of his responsibility should be handed over to the Education Department, although his rejection of the recommendation was couched in terms which suggested that his main concern was for uncertified teachers whose services would be lost.<sup>1</sup> Throughout his career at the Home Office, Inglis defended the educational standards of the schools against what he regarded to be unjust criticism, on the basis that the schools were different in nature and the children unlike those of the elementary school. Poor educational standards he believed were only to be expected bearing in mind the 'grossly ignorant' children entering Home Office schools.<sup>2</sup> Although he allowed himself to offer criticism, these were nearly always muted. His report of 1883 for example acknowledged the concerns about the quality of teaching staff but was mild in its rebuke that 'sufficient attention [was] not being paid to developing the intelligence of the children.'<sup>3</sup> Generally however, he continued to maintain that the standards in schools were as high as could be

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1. HMI Report 1885, p.14. See also Inglis' letter to Birmingham Reformatory Management, "Committee Minute Book 1880" (B'ham R.O.).
  2. HMI Report 1880, p.6.
  3. HMI Report 1883, p.14.

expected and that improvements were constantly being made.<sup>1</sup>

This defensive position was also adopted by Inglis' successor J. G. Legge, who in many respects was far more aggressively critical of many aspects of school life, and was considerably more authoritarian over issues such as punishment and education.<sup>2</sup> He demanded for example that education standards should be brought up to the standards laid down in the codes of the Education Department, including the teaching of geography, history, literature and elementary science. He was interested in new teaching methods, including word-building and object lessons, and threw down a challenge to schools that

'there would be no excuse for the want of the range of subjects selected for recitation, no excuse for want of style and dignity in the reading books,'<sup>3</sup>

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1. He stated for example that 'the educational state of the schools continues I think to improve. More is expected and more is done than was considered necessary in the early days ...' HMI Report 1890-1, p.15.
  2. By contrast HMI Legge, a vigorous recruit from the Prison Commission, was more openly hostile to management and, at times, even threatening. He was determined to make his mark on Home Office schools whilst Inglis' period of office went by almost unnoticed. (Assistant HMI Rogers who worked with Inglis from 1876 to 1884 made no reference to him at all in his Seven lectures to the Reformatory and Refuge Union entitled "Reformatory and Industrial School Work" 1893).
  3. HMI Report 1896, p.36.

and

'no excuse in the future for a reformatory which has not a good library.'<sup>1</sup>

Nevertheless, Legge defended the central philosophy of the reformatory movement by placing industrial training before formal education and by endorsing the views held by Turner and Inglis before him that 'the right line ... seems clear, namely to avoid pressing too hard the literacy side of elementary education.'<sup>2</sup> Thus, the inadequacies of half-time education, narrow curriculum, inadequate staffing and mechanical methods of teaching and learning, highlighted by two government reports produced little real response from the Home Office. Control of education stayed with the Home Office<sup>3</sup>, part time education remained and conditions of service for teachers became even 'more onerous and less financially rewarding.'<sup>4</sup>

However, not every school remained unaffected by the demands for curriculum development. There was a minority

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1. However threatening the tone, this last demand at least appears not to have been complied with. HMI Report 1912, p.12 records that schools 'where no library of any kind exists' were still in evidence.
  2. HMI Report 1900, p.37.
  3. The Departmental Committee 1896 was undecided on the issue at that time, three committee members were in favour of transfer. The Report of the Departmental Committee on Reformatory Schools P.P. 1913 Cmd. 6838, XXXIX, 1. was in favour of dual inspection, but the war intervened and inspection stayed with the Home Office.
  4. Final Report of the School Board of London... p.238.

of establishments which made some response to the pressures of educational change which had been given expression in the Royal Commission on Technical Education, the Technical Instruction Act of 1889 and the Manual Training Code of 1890. By 1896 over thirty industrial schools had entered candidates in manual instruction to the Science and Arts Department's examinations and a number of schools were combining practical with some theoretical instruction. Forty four schools taught technical drawing by 1895.<sup>1</sup> Macclesfield for example provided theoretical trade instruction and lessons in technical drawing and tailoring, including cutting. Macclesfield's good balance of practical and theoretical education was recommended by the Inspector during his visit to schools in the north of England in 1895. He claimed that 'no other school has exerted itself in the same degree to make industrial training effective and thorough'.<sup>2</sup> Curriculum innovation at Macclesfield also included evening classes in chemistry, geography and applied mechanics. At Red Hill and Stoke Farm, typewriting, shorthand and telegraphy were added to the curriculum: at Market Weighton<sup>3</sup> courses in printing and bookbinding had been introduced by 1880 and some schools, notably Bedford and Monmouth, with the impetus of the

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1. HMI Report 1895, (detailed reports).

2. HMI Report 1895, p.121.

3. HMI Report 1889, p.13-14.

Agricultural Education Commission of 1899, combined practice with theoretical courses in horticulture and agriculture.<sup>1</sup>

The attitude of the inspectorate was again a barrier to the extension of a more effective system of skills training although Inglis had complained in 1889 that there was 'still too much wood chopping, matchbox making, nail-strengthening and hair teasing.'<sup>2</sup> Little was done to remedy the deficiencies in industrial training pointed out by both the 1884 and 1896 reports. The purpose of industrial training had always been unclear. The 1884 Commission had concluded that the prime object of industrial training was the development of faculties and habits of industry,<sup>3</sup> thus endorsing the original ideology of the reformatory movement that habits were more important than skills. The reforming efficacy of compulsory labour was challenged by the 1896 Committee<sup>4</sup> and the profitability of unskilled labour was criticised in both reports. Some members of the 1896 Committee supported the traditional value of industrial training as the inculcation of habits of industry while others claimed its value to be in the training of a vaguely defined general handiness.<sup>5</sup> Turner and Inglis adopted a more

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1. HMI Report 1901, p.3.

2. HMI Report 1889, p.14.

3. Report of Royal Commission 1884 p.xv.

4. Report of Departmental Committee 1896, p.50.

5. Report of Departmental Committee 1896, Memorandum B, p.162.

pragmatic approach to industrial activities in the schools which was both critical of repetative unskilled tasks and unchallenging to the overall authority of voluntary management. Although Legge was ready to challenge management in a far more direct way, he too defined industrial training in terms which allowed the old mechanical repetative tasks to continue in the name of hand-eye co-ordination training.<sup>1</sup>

The majority of schools were resistant to changes in their education and industrial training policy. Their resistance was endorsed and reinforced by HMIs Turner, Inglis and Legge. A second major area of complaint levelled against the schools, namely their punitive orientation, caused considerable division within the system. The issue of harsh discipline and physical punishment had long been one over which managers and Inspectorate had differed and sometimes clashed. It was also an issue which brought the schools under public scrutiny and for which little defence could be found. The conditions under which physical punishment could be administered had been specified by Section 12 of the 1866 Reformatory Schools Act which also required that such punishment should be recorded for inspection. The amount of recorded punishment concerned Inglis more than his

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1. The ideal industrial training, according to Legge, encouraged the development of 'the workman's touch, the art of handling every tool of his trade to the best advantage, a full understanding of the tools he had to work upon and a capacity to plan out as well as execute his work.' HMI Report 1900, pp.37-8.



predecessor possibly because the corresponding violence of inmates also appeared to be on the increase.<sup>1</sup> Efforts to regulate punishments included his circular of 1882 which attempted to impress on all visiting committees the necessity of keeping a vigilant supervision over the schools, and suggested that the record of punishments should be publicly displayed, on the classroom wall for example.<sup>2</sup> In line with his views on physical punishment Inglis rejected appeals from both the Sheffield and London School Boards to run their truant schools on the basis of enforced silence.

The inspectorate's moderate line on physical punishment was endorsed by the recommendations of the 1884 Commission, although the latter upheld the principle of punishment in Home Office Schools. The tone of the 1896 Committee was far more critical, stressing the importance of a discipline of kindness rather than punishment as a means of ensuring good conduct. The committee also

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1. Outbreaks of violence were recorded at the Cumberland Reformatory 1880, Carlisle 1877, the 'Clarence' 1889, the 'Akbar' 1889; the 'Cumberland' was burned down 1889 and in the following year outbreaks of violence occurred at St Anne Street, the 'Wellesley' and Wellington Farm School. HMI Reports (various).
  2. HMI Report 1882, p.11.

recognised that

'a child's physical health, its liberty, amusements and happiness, are as inseparable from the formation of its mind, feelings, and character as they (are) from each other'<sup>1</sup>.

Four out of the nine members of the Committee recorded with regret that the schools had taken over penal concepts and practices and were particularly disturbed by the length of some sentences and the practice of preliminary isolation.<sup>2</sup> Cellular confinement for both boys and girls was generally condemned and the physical punishment of girls was seen as particularly objectionable.<sup>3</sup>

The controversy over punishment was closely linked to the equally contentious issue of preliminary imprisonment. Committing magistrates were already generally opposed to the practice by 1880, many refusing to impose reformatory sentences because of this accomp-

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1. Report of Departmental Committee 1896, p.14.
  2. Report of Departmental Committee 1896, (Memorandum A) 1896, pp.155-7.
  3. Report of the Departmental Committee 1896, p.19, makes the comment "we regard imprisonment in a cell as a prison punishment and one that ought no longer to be permitted in a reformatory or industrial school."

anying penalty.<sup>1</sup> (There were of course still those who supported preliminary imprisonment. The Chairman of the Quarter Sessions of the North Riding of Yorkshire commented for example, that 'these prisoners are generally thoroughly bad boys and girls. It is absurd to suppose the prison taint can hurt them').<sup>2</sup> W. Harcourt, Cross's successor as Home Secretary had supported moves for the abolition of imprisonment for children, taking the step of writing to Queen Victoria in September 1880

'that the imprisonment of young children had an injurious effect both upon the physical and moral natures of children of tender years.'<sup>3</sup>

This negative attitudes towards preliminary sentencing was reinforced by legislation in the 1890s. Lord Leigh's Act of 1893<sup>4</sup> made preliminary sentencing optional and it was finally abolished in 1899.<sup>5</sup>

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1. Cf. Report to the Secretary of State Home Department on the State of the Law relating to the Treatment and Punishment of Juvenile Offenders, 1881. (Liverpool R.O.).
  2. Cited in "Juvenile Offenders", Howard Association Report (1898), p.29.
  3. W.Gardiner, The Life of Sir William Harcourt Vol.1, (1923), p.389.
  4. App. 3.
  5. Reformatory Act, 1899, 62 and 63 Vict., Cap.XII.

The fourteen day prison sentence was forcefully defended by management. Although it had been originally designed as a means of separating the punishment aspect of a sentence from the reformatory element, it had been closely associated with the corrective and punitive element of reformatory life as it had been practiced by Barwick Lloyd-Baker and like-minded managers. The Council of the National Association of Certified Reformatory and Industrial Schools had reacted strong the Lord Leigh's Act in the basis that 'it was very undesirable and that some schools would still insist upon it.'<sup>1</sup>

English School managers were manoeuvred into a more defensive position by the fact that their Scottish counterparts had rejected the idea of preliminary imprisonment as an integral part of the reformatory process. Mr Morrison for the Board of Juvenile Delinquency in Glasgow informed the 1899 Conference that

'the system [of preliminary punishment] was wholly pernicious and that the child comes out of prison with a brand on him which he never gets rid of during his life.'<sup>2</sup>

Although the Home Office Inspectorate of 1892 was inclined to think the Scottish view an overstatement and 'more sentimental than real,'<sup>3</sup> Inglis lent his support to the Scottish position.

The split within the system over the issue of

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1. Report of the Council of the National Association of Certified Reformatory and Industrial Schools (1894), pp.16-17.
  2. Cited in HMI Report 1892, p.20.
  3. Idem.

preliminary imprisonment and the related emphasis placed on the punitive element of reformatory training continued to deepen. A view very strongly in favour was articulated in the annual reports of the National Association for Certified Reformatory and Industrial Schools. Ranged against this view stood a large section of the magistracy, the Home Office and from within the ranks of the schools themselves, the Association for Advocating the Non-Imprisonment of Children, founded by W. C. Osborne and supported by over fifty Home Office School Staff.

The rift within the ranks of the reformatory movement was not resolved when compulsory imprisonment was finally abolished. Nor was the anti-imprisonment lobby satisfied when much of the school system remained punitive and penal in orientation. The severity of discipline in many schools continued.<sup>1</sup> The severity of routine included silence at meal times, prison-style uniforms, a lack of playing facilities, poor diet and inadequate heating.<sup>2</sup>

These forms of privation made good journalistic material, and a series of "revelations" at the beginning of the twentieth century added to the growing unpopularity

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1. Several accounts of Home Office School life at the beginning of the twentieth century emphasise harsh discipline and brutal punishment. See S. Humphries, op.cit.; N. Middleton, When Family Failed (1971) and I Briggs, Reformatory Reform (1924).
  2. HMI Reports (various). See particularly the reports of 1894 and 1914.

of the schools. For example, the Daily Mail had carried a series of six articles entitled "Schools for Crime" between 4th and 11th September 1911 and in May 1916, the Daily Chronicle charged that

'no one with the faintest respect for childhood can regard the average reformatory as anything but an institution for blighting the lives of those who enter it.'<sup>1</sup>

Undoubtedly the reporting most harmful to the image of the schools was done by John Bull on October 22nd 1910 when it was claimed that the Reformatory ship, the 'Akbar', had been the scene of birchings, canings, torture and attempted suicide. The scandal which ensued led to a full scale Committee of Inquiry<sup>2</sup>, a Departmental Committee on Reformatory and Industrial Schools<sup>3</sup>, and a considerable decline in the public confidence in Home Office Schools.

### III

The controversy concerning punishment, probably more responsible than any other issue for the declining fortunes of the schools, took place in the wider context of debate about the most effective methods of dealing with juveniles for whom the state was *in loco parentis*.

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1. Daily Chronicle 17th May 1916.
  2. See the Report of an Inquiry into charges made concerning the Management of the Heswell Nautical School, P.P. 1911, Cmnd. 5541, lxxii. 461.
  3. Departmental Committee on Reformatory and Industrial Schools, 1913.

### III

This last section will attempt to relate the nature of these debates specifically to Home Office Schools and will endeavour to draw some conclusions about the schools' responses.

The problems associated with school regime were heightened because they were raised in a context of anti-institutional pressures which affected Home Office and poor law schools in the last quarter of the century. The anti-institutional response was a reaction to the deep-rooted conviction of mid-century reformers that social problems such as delinquency, criminality, pauperism and insanity could be contained and even solved through the appropriate use of institutional treatment.<sup>1</sup> Half a century of practice had shown up the inevitable flaws in the philosophy and practice of institutionalisation, a large proportion of which had been laid at the door of the Home Office schools. The criticisms levelled against large institutions were that they inhibited individual initiative,<sup>2</sup> encouraged high death rates and ill health,<sup>3</sup> promoted contamination through the lack of

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1. This argument is expanded in A.T.Scully op.cit., especially chapters 7 and 8.
  2. Report of the Departmental Committee 1896, p.28.
  3. A large number of deaths were regularly listed in HMI Reports. See particularly HMI Report 1893 which mentions an epidemic of influenza in the schools and HMI Report 1894 when a large number of illnesses and death were put down to unheated sleeping accommodation.

classification<sup>1</sup> and prevented a readjustment to normal life outside the institution.<sup>2</sup>

The advantages of boarding children out together with the disadvantages of aggregation had been acknowledged for some time in connection with poor law children. Mrs Nassau Senior's attack on the large metropolitan poor law schools in 1874 had opened the way for alternative solutions which would incorporate something of the best family atmosphere at a time when the significance of family life was reasserting itself as a major force in the moralisation of both the pauper and criminal classes.<sup>3</sup> Illustrations of the effectiveness of boarding or licencing out came from America where the Children's Aid Society, established in 1853 with the purpose of fostering children with families

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1. See Mrs Surr's comments in Nineteenth Century, vol. 9, no. L. (1881) p.654, 'we would not soil our pages by doing more than hint at the abominations that creep into schools through this mingling.'
  2. It was claimed, for example, that 80% of the girls sent from poor law schools into domestic service were failures. Cf. F. Davenport-Hill, Children of the State (1889), p.37.
  3. Cf. W. Chance, Children under the Poor Law (1897) for a contemporary analysis of changes in the poor law affecting the treatment of children from 1874. He pays particular attention to the disadvantages of district schools including the high incidence of disease, the financial costs and the retardation of physical mental and moral development, pp.106-134.



in the west, and the Massachusetts probationary system were held as examples of the more effective treatment of juvenile delinquency which avoided both the expense and the adverse effects of large institutions.<sup>2</sup>

The system had been established as an antidote to the prolonged institutional life at Westborough and Lancaster reformatory schools, whereby voluntary visiting agents could request the court that a child be placed under the charge of the Board of Health, Lunacy and Charity until the age of twenty one. The system, claimed Hill, caused a diminution in reformatory cases of 50% after ten years.<sup>3</sup>

Further examples of American probationary experiments heightened dissatisfaction with the English court system. A Howard League report claimed that special juvenile courts in the State of Colorado regularly placed up to 95% of its cases on probation with 100% success rate in terms

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1. The gradual re-emergence of the family as an important element in social policy can be seen from a comparison of early efforts to prevent parents from seeing their children with HMI Russell's belief that 'no matter how wretched or evil it may be,' the family offered an essential humanising quality to a child's life. HMI Report 1915, p.14.
2. The Massachusetts experiment was widely quoted in Britain. See for example the description in F. Davenport-Hill, op.cit. pp.224-232, and an account in Juvenile Offenders: A Report of the Howard Association (1881) p.35.
3. F. Davenport-Hill, op.cit., p.228.

of re-offending.<sup>1</sup> Separate juvenile courts, as had already been established in Austria, Canada and America, also claimed the advantage of systematic selection and classification of cases which placed a new emphasis on efficiency of diagnosis.

The English response to the American child rescue movement was mixed. The advantages of both probation which extended the state's supervision over children until they were twenty one, and more systematic selection for treatment carried out by a special court were appreciated by a wide spectrum of groups, including abolitionists, criminologists and legal reformers.<sup>2</sup>

Both probation and licencing out had been options open to the courts and the schools for some time. The schools and the Home Office however had raised a number of objections to any extension of their use. Licencing out from Home Office schools, a practice whereby an inmate of a reformatory or industrial school could live with 'a trusty and respectable' person after eighteen months of the sentence had been completed, on licence renewable

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1. Howard Association Annual Report 1804-5, p.5.
  2. See for example: Report of the British Association for the Advancement of Science, 1895; Report of the International Society for Criminal Anthropology, 1885; Report of the International Congress for the Welfare and Protection of Children, 1902; Report of the International Penitentiary Congress, 1906.

after three months had been in use since the 1860s.<sup>1</sup> In actual numbers the scheme was more popular in the 1890s than it had been thirty years earlier (In 1867, 453 boys and 130 girls had been licenced out whereas by 1894, 1082 boys and 196 girls had been placed on licence).<sup>2</sup> However much of the increase can be accounted for by the greater number of committals to Home Office Schools. The scheme met with the approval of the 1896 Departmental Committee members who were in favour of its extension<sup>3</sup>, but school managers were reluctant to follow this recommendation in part because of the financial advantages of detaining children for as long as possible.<sup>4</sup> This reluctance was endorsed by HMI Inglis on the grounds of the inoperability of the scheme in Home Office schools. In his comment

'I doubt if it could be worked in conjunction with our industrial schools or under the present industrial school department ... it would probably be easier to work the system under the local boards of guardians ...',<sup>5</sup>

Inglis disassociated himself and his schools from any similar schemes which would reduce the length of sentences.

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1. See App. 3, particularly Reformatory Schools Act 1866 para.18 and Industrial Schools Act 1866, para.26.
  2. Report of Departmental Committee 1896, p.58.
  3. Idem.
  4. The importance of older children in industrial enterprises is discussed in chapter 6.
  5. HMI Report 1892, p.18.

Nor was the Home Office enthusiastic for a scheme which would reduce the number of children being sent to the schools. Again, the option of probation had been available for some time for cases of a trivial nature or where the offenders was particularly youthful,<sup>1</sup> and was brought under stricter regulation by the Probation of Offenders Act 1907.<sup>2</sup> The popularity of probation increased to the extent that by 1913-19 only 3.11% of convicted children were being sent to reformatories whereas 12.04% were being placed on probation.<sup>3</sup>

Despite the obvious attraction of probation, Chief Inspector Russell was reluctant to detract from the significance of Home Office Schools, pointing out that children from deprived home backgrounds needed to be removed from home and subjected to systematic training. In these circumstances, he argued, 'the probation officers could never be as effective as the school would be in training a child to become a good worker and citizen.'<sup>4</sup>

In some ways the fact that the schools were able to offer "asylum" by taking children away from their homes for prolonged periods of training acted in favour of the

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1. Probation of First Offenders Act 1887, 52 & 53 vict. cap. 25, allowed for probation for cases of larceny, false pretenses and other offences punishable with no more than two years' imprisonment.
  2. Probation of Offenders Act 1907, 7 Edw VII, cap. 17.
  3. 1st Report of Home Office Children's Branch, HMSO 1923, p.17.
  4. C.E.B. Russell, The Making of the Criminal (1906), p.160.

schools during a period of disquiet about the extent and causes of criminality and increasing fears of moral and physical degeneration of the nation's youth.

The apparent increase in juvenile criminality after a period of relative stability in crime rates was a primary cause of this disquiet. The neglected, vagrant child who had always been a feature of city life had been dramatically refocussed in accounts of street gangs, street traders and hooligans. The London Echo commented for example, that

'no one can have read the London, Liverpool, Birmingham, Manchester and Leeds paper and not know that the young street ruffian and prowler with his heavy belt, treacherous knife and dangerous pistol is amongst us.'<sup>1</sup>

The Howard Association claimed that a marked feature during 1898 had been

'the outburst of juvenile ruffianism in certain localities in the Metropolis ... occasionally even fatal outrages upon unoffending citizens, committed by gangs of young fogues armed with belts, bludgeons and at times with pistols.'<sup>2</sup>

The impression that 'the proportion of juvenile offenders to the whole population had enormously increased'<sup>3</sup> was represented in a large number of popular

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1. 'London Echo', March 10, 1896.
2. Howard Association Annual Report, 1898, pp.4-5.
3. J.W. Slaughter, The Adolescent (1911), p.70.

and some official writings over the period.<sup>1</sup> It was given added weight by the current interpretations of judicial statistics which were used by Kirkman-Gray, for example, to illustrate a rise in the crime rate among children under sixteen years of age which was higher than for any other group except sixteen to twenty one year olds.<sup>2</sup>

The extent to which crime rates really justified this disquiet is debatable. Certainly there were some who disclaimed fears of a re-emergence of a dangerous class. The Home Office agent's returns for the city of Bristol for 1896 for example maintained that there was rather

'a general aspect of helplessness in that city ... there is a lack of energy and enterprise in the people, but though often drunk and shifty, they are rarely criminal, and although the lowest slums have been visited considerably after nightfall, I have never experienced any sense of danger from personal violence.'<sup>3</sup>

Similarly, the author of an article in the Transactions of the National Association for the Promotion of Social Science some fifteen years earlier had

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1. See for example A. W. Drew, "Industrial Schools and Juvenile Crime", Contemporary Review no.63 (1893); W. D. Morrison, op.cit (1896); Thomas Burke, "The Street Trading Children of Liverpool", Contemporary Review no. 60, 1900; R. M. Barrett, "Hooligans at Home and Abroad", Goodwords June 1901.
  2. B. Kirkman-Gray, Philanthropy and the State (1908), p.153.
  3. Cited in HMI Report 1896, p.64.

concluded that as far as juvenile crime rates were concerned 'matters are ... very much as they were twenty years ago.'<sup>1</sup>

Criminal registers for the period tend to support a view somewhere between these to extremes. They would suggest that during the 1890s there was an increase in burglaries and housebreaking among the sixteen to twenty one year old range, but that crimes of violence among this group had not increased.<sup>2</sup>

The perception of violent youth in the city streets, although not verified by statistical analysis, nevertheless was responsible for a major reassessment of the best form of treatment for juvenile offenders in which the value of strict discipline run on repressive or even penal principles was re-stated.<sup>3</sup> There can be little doubt that the continued existence of Home Office schools was safeguarded by this reactionary swing in British social philosophy and policy in the late nineteenth and early

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1. T.N.A.P.S.S. Edinburgh meeting (1880), p.368.
  2. Criminal Register 1893, p.88 quotes 1/3 of all convicted burglars and housebreakers in 1890-2 were between 16 & 21 and 5% were under 16 only 15% of violent crime convictions came from the 16-21 age group, only 2% were under 16.
  3. D. Reeder in "Predicaments of City Children", Urban Education in the 19th Century (1977), p.75-94, discusses the implication of this reassessment of the urban child for social policy in the late 19th and early 20th century. See also G. Stedman Jones, Outcast London : A Study in the Relationship between Classes in Victorian Society (1971).

twentieth century. The threat of premature independence led to the sharp increases in the prosecution of such offences as gambling, trespassing, loitering, dangerous play on public property, malicious mischief and wilful damage, and for the extended supervision of those children who had broken the law.<sup>1</sup> Thus, the Gladstone Committee of 1894 recommended that the age for admission to schools of detention should be increased from sixteen to eighteen, - a recommendation which was put into effect the following year.<sup>2</sup> There was also considerable pressure for an extension of the schools' power of detention to cover the eighteen to twenty one years age range, a recommendation which was again made by the Gladstone Committee and reiterated in Inspector's Report of 1897. Both reports recommended that reformatory sentences for this age group should be made more severe and 'penal' in character. Much of the motivation for such a recommendation came from international comparisons. C.E.B. Russell pointed out for example that other countries, including America, had extended the admission age limits to reformatories to thirty years whilst Hungary's reformatory system allowed for admission at any age.<sup>3</sup>

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1. J.R. Gillis quotes the increase in non-indictable offences prosecuted by Oxford Police Courts in J.R. Gillis, "The Evolution of Juvenile Delinquency in England 1890-1914", Past & Present, no.67 (1975), p.69.
  2. Report of the Departmental Commission on Prisons 1895, Cmnd. 7702, LVI.i.
  3. C.E.B. Russell, op.cit., p.86.



Not only were schools of detention ideally suited as agencies of extended supervision but they also had the advantage of extending total control over their inmates. In much the same way as public schools had become the accepted mechanism of control for upper class youth, schools of detention were looked to as the system of boarding schools which would provide discipline and leadership for the lower classes. It was with this public school model in mind that Russell was to write

'Let the boy have an ideal to work up to in his school days. Let him feel that he disgraces his school if he engages in evil or vicious habits; let the school motto be so taken into his mind that it at once occurs to him in the hour of temptation. Let him note the names of those who have gone before and who have made their lives worthy of his copying.'<sup>1</sup>

The debate about juvenile criminality was governed by contextual factors which revived theories about hereditary criminals. The concept of the born-criminal was not new. T. Plint, for example, had identified 'a criminal class, distinct in blood, in sympathies, in domestic arrangements and social organisation.'<sup>2</sup> Before this, H. Barclay had argued that crime had an hereditary basis, using as evidence the fact that generation after generation of the same family names appeared in criminal records.<sup>3</sup> (This predated Dugdale's<sup>4</sup> similar analysis by thirty years).

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1. C.E.B. Russell, op.cit., p.86.
  2. T. Plint, Crime in England (1851), p.153.
  3. H. Barclay, Juvenile Delinquency, its Causes and Cure (1848), pp.6-7.
  4. R.L. Dugdale, The Jukes: a study in Crime, Pauperism, Disease and Heredity, New York (1877).

Social Darwinist views about the intractability of human nature added to the insecurity of those who saw juvenile delinquency as a manifestation of the degeneration of public morals and at the same time encouraged the selectionist approach refined by the eugenics movement at the beginning of the twentieth century.<sup>1</sup>

In this essentially pessimistic climate of opinion, the classical school of criminology which had dominated Europe until the later part of the nineteenth century lost ground to new hereditary theories of criminality of which Lambroso's "L'uomo Delinquente"<sup>2</sup> was the most celebrated. Both Lombroso's thesis of the born-criminal and Havelock Ellis's study of 'the germinal tendency to moral insanity and criminality' in children<sup>3</sup> maintained that criminality was an atavistic phenomenon which would not respond to the ameliorative influences of punishment, training or separation from family influences.<sup>4</sup>

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1. Cf. R. Hofstadter, Social Darwinism in American Thought Boston (1955), pp.3-12.
  2. C. Lombroso, L'uomo Delinquente, Milan (1876), trans., 1968.
  3. Havelock Ellis, The Criminal (1890), Fourth edition (1910), p.383.
  4. The evolutionary positivist movement is discussed in J.W. Burrow, Evolution and Society (1966); R. Hofstadter, op.cit. (1955); C.J. Karier, P.Violas & J. Springs (Eds.) Roots of Crises; American Education in the 20th century, reprinted in R.Dale et.al. (Eds.) Schooling and Capitalism (1976), pp.128-141; G. Himmelfarb, "Variations in Social Darwinism" in Victorian Minds: Essays on Nineteenth Century Intellectuals (1968), Ch. 7; L. Radzinowicz, Ideology and Crime (1966); A.Platt, op.cit..

Although at one level Darwinists, eugenicists and criminologists were denying the fundamental principles on which the reformatory movement had been established, there were elements within the new ideology which acknowledged the need for the institutional treatment of certain categories of offenders, namely those morally delinquent offenders, or "hardened" children for whom separation and incarceration was deemed an essential first step to the purification of society.<sup>1</sup>

The use of Home Office schools as repositories for the non-reformable had some support, but evolutionary positivism made very little real difference to either the mode of operation of the schools or the general philosophy of those who controlled the schools. Criminological opinion in this country was both discriminatory and eclectic, so that environmental influences retained their status alongside hereditary factors as explanations of juvenile crime. Lombroso himself modified his views on causation in his Crime, its Causes and Remedies<sup>2</sup> to allow

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1. This theme was taken up and developed in the Eugenics Review. Of particular relevance to the case for special schools was R.J. Bodey, "Heredity and Education, Eugenics Review, vol. II (July 1912); W.C.D. Whetham, "Heredity and Destitution, Eugenics Review, vol.III, no.2 (July 1911); A. St.John, "Crime and Eugenics in America", Eugenics Review, vol.III, no.2 (July 1911).
  2. C. Lombroso, Crime, its Causes and Remedies New Jersey (1911), reprinted (1968), p.302. Lombroso believed that the power of reformatory training could be affective only in the cases of the "criminaloid", i.e. "those whose evil propensities were not so deep seated". op.cit., xxxiv.

for the influences\_\_of reformatory measures such as instruction and manual training in special schools.

W.D. Morrison, an influential participant in the debate, believed that ultimately, although the influence of heredity was considerable, the shape that hereditary characteristics would assume was largely dependant on environmental conditions and that 'the unalienable elements in our mental life are always profoundly modified by the mental surroundings in which they are exercised.'<sup>1</sup> This conclusion was similar to that reached by the criminologist in the forefront of positivism of England, Henry Maudsley, who eventually reconciled his beliefs about 'criminals branded by the hand of nature' with the modifying influences of 'cultural factors'.<sup>2</sup>

The debate about criminal causation at the end of the nineteenth century had taken on dramatic dimensions, but the resolution of the debate remained elusive. It was a time when everybody became an expert on crime.<sup>3</sup> The multicausal approach favoured the reformatory and industrial school system which had always acknowledged a

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1. W.D. Morrison, Juvenile Offenders (1896), reprinted (1984) p.113. Morrison, Chaplain of Wandsworth prison and respected criminologist, submitted evidence to the Departmental Committee on the Best Means Available for Identifying Habitual Criminals, 1894, Cmnd. 7263, LXXII, 538.
  2. Quoted in H. Mannheim, Pioneers in Criminology (1960), pp.149-151.
  3. See A.M. Platt, op.cit., p.18.

wide variety of social influences and yet was equally willing to take on the "hardened" offender. It maintained this basically optimistic approach despite the influence of criminological positivism, returning to the early, more democratic views of Carpenter and Hill, which recognised the potential for criminality in everyone. Thus for example, HMI Legge's report of 1898 quoted the comments of the Warden of Red Lodge

'that when society in general had learned that lesson "let him that is without sin cast the first stone", our boys will have no need to shrink from owing that they have been rescued and reformed from ways of sin and misery.'<sup>1</sup>

The Inspectorate further maintained that remedies for delinquency were always possible. HMI Russell for example was sure that

'with plenty of good food, healthy exercise, better housing and less tea drinking, there is no reason why a district like Ancoats should not produce a type of youth well worthy to be called an Englishman.'<sup>2</sup>

Home Office Schools were able to maintain their footing, sometimes precariously, throughout the debate on criminal causation. A fear related to increasing criminality, that of national degeneration, also challenged the role of Home Office schools as institutions for the training of working class youth. Again the school system under the guidance of the Home Office exhibited a degree of adaptability to new demands.

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1. HMI Report 1898, p.45.

2. C.E.B. Russell, Manchester Boys: Sketches of Manchester Lads at Work and Play, Manchester (1905), p.18.

The fears concerning national, and particularly urban, degeneration and the related National Efficiency Campaign have been thoroughly investigated in the last ten years.<sup>1</sup> Reeder has pointed out that a wide variety of overlapping social and educational movements emerged in response to the late Victorian and early Edwardian perceptions of urban problems, including campaigns for compulsory physical training, the formation of youth groups, the provision of colonies for the unemployed, and a re-emphasis on moral education.<sup>2</sup>

Home Office schools were able to claim a role in each of these movements. A resurgence of interest the youth movements in particular, rekindled the spirit of reformatory training which claimed to provide the rigours of public school life for working class youth.

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1. See particularly B.I. Coleman (Ed.), The Idea of the City in Nineteenth Century Britain (1973); H.J. Dyos and M. Wolff (eds.), The Victorian City, Images and Reality 1(1973); G.R. Searle, The Quest for National Efficiency 1899-1914 : a Study of British Politics and Political Thought 1899-1914 (1971).
  2. D. Reeder, op.cit. The Earl of Meath suggested a variety of antidotes for the 'painful impression of the rottenness of our social fabric' among which was a national scheme of physical training. See The Earl of Meath (ed.), Prosperity or Pauperism? (1888), p.63. See also J.O. Springhall, "Lord Meath, Youth and Empire", Journal of Contemporary History vol 5, no.4 (1970), pp.97-111, and J.O. Springhall, Youth, Empire and Society : British Youth Movements 1883-1940 (1977).

The call for physical fitness, which emphasised the benefits of drill was met by a restatement of military style discipline in many Home Office Schools.<sup>1</sup> An emphasis on the moral value of physical exercise, either in the form of organized sports or more specifically in military drill had existed in reformatory schools for some considerable time. Military discipline, including the use of bands and drill, had been a feature of school life since the 1870s. (Kingswood, for example, was accused of being too military in outlook by the Inspector in 1872)<sup>2</sup> Training ships had similarly developed a military-style routine well in advance of its adaptation to general use in elementary schools by the code of 1871. A number of Home Office schools had built up a tradition of team sports which were seen to enhance a spirit which was both disciplined and adventurous.<sup>3</sup> The reputation of Home Office schools was such that, according to the HMI's reports, elementary schools refused to compete against Home Office schools, and an independent inter-school

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1. See for example, HMI Reports 1895, p.62; 1900, p.54 and 1915, p.8.
  2. HMI Report 1872, p.50.
  3. The Royal Commission on Physical Training in Scotland 1903 Cmd. 1507, XXII, i. had endorsed Home Office policy on physical training in its schools. It "warmly recommended the division of the day into workshop, classroom, playground, the dining hall and the dormitory, so as to make the school an epitome of working class society at large". HMI Report 1903, p.6

sports competition was introduced.<sup>1</sup> Here was an aspect of adolescent training and control in which the schools were able to play a leading role. Not only were they functioning as agents of reform for criminal youth but were also endowing them with the moral fibre upon which national efficiency depended.

'The point is one of great importance, for it is a certainty that the smart well set-up fellow who has learned to play football as it is played at St. Joseph's, Manchester, or has perfected himself on the horizontal bar at Redhill, or can swim like a boy from Ardwick Green, Shadwell... or has trained himself at Kingswood to run a measured mile on a hot July afternoon and scarcely turn a hair, will be very unlikely to turn out a mere corner boy whose hands are never out of his pockets except for the purpose of putting them in somebody else's.'<sup>2</sup>

Not only were the advantages of military drill and physical exercise seen in terms of sound morality and good citizenship but they also had a direct bearing upon the

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1. The healthy state of Home Office School children referred in HMI Report (1899) p.39-43 is somewhat at odds with HMI Report 1900 p.18 which quotes a 'leading provincial newspaper' as saying that 'with few exceptions boys sent to industrial schools deteriorate both physically and mentally.'
  2. HMI Report 1897, pp.44-45.



physical state of recruits to the British Army. There was widespread concern at the poor physical conditions of children which arose from the early setbacks of the Boer War,<sup>1</sup> and as a large number of ex-Home Office boys were recruited into the ranks, improvements in physical training were much encouraged.<sup>2</sup>

Home Office Schools had traditionally been viewed as potential training grounds for non-commissioned ranks. As early as 1877, the National Association for the Promotion of Social Science had recommended the establishment of separate military industrial schools to which boys could be sent for the last two years of their sentence<sup>3</sup> in the belief that such boys were better endowed than most with the vitality and fighting spirit. The Home Office recommended the products of its schools as 'the stuff out of which good sailors and soldiers are made; they are quick-witted, full of courage, reckless even to a fault, and the open air life and steady discipline are just what suits them.'<sup>4</sup> Stories of courage and heroic deeds at the

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1. According to a report to the House of Commons, 29% of all recruits to the army were rejected on physical grounds in 1901 and 30% in 1902. Hansard, vol.148 (1905), p.532.
  2. Of a total of 15210 reformatory discharges between 1896-8, 1884 entered the army, 432 went into the navy and 980 to the merchant navy (HMI Reports various).
  3. T.N.A.P.S.S. Aberdeen Meeting 1877, p.252.
  4. HMI Report 1900, p.54.

front were widely publicised by the schools and the Home Office during the South African campaign and the 1914-18 war, enabling schools to highlight not only the advantages of their particular style of training, but also to praise in a manner unknown in the 1870s, those innate characteristics of their inmates which manifested themselves in "splendid restlessness".<sup>1</sup>

#### IV

Reformatory schools from the 1870s onwards suffered under the disadvantages of being unfashionable (and consequently financially undersupported) and subject to a wide range of criticisms, both of their practice and their general philosophy. The inherent areas of controversy within the ranks of the movement did much to weaken its position in the public gaze, and in common with penal institutions today, the schools received much of the blame for the perceived increases in violence amongst the young by pursuing practices which at worst brutalised, and at best ill-equipped inmates for an independent, honest life.

The interpretation of the state of Home Office schools at the end of the century has traditionally been one of stagnation and decay. This chapter however, has attempted to present evidence to suggest the schools' resilience to criticisms and sometimes fierce defence of the reformatory principles. There would appear to be considerable evidence to suggest that not only were some schools ready to adapt in terms of the curriculum to the

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1. HMI Report 1914, p.8.

technical needs of the late nineteenth century, but also that Home Office schools were able to play a socially significant role in the quest for national efficiency and international imperialism.

At the same time, the chapter has attempted to trace elements within the reformatory system which were resistant to change. As total institutions they exhibited an insular and perpetuating characteristic which protected them from much of the influence of external changes.

Home Office schools embodied the investment of over half a century in terms of ideological commitment and financial input which was to prove hard to dismantle.

## CHAPTER NINE : CONCLUSION

### I

This study has investigated the reformatory and industrial school movement as an aspect of nineteenth century social policy. It has traced the development of both the ideology and the practice of these schools through the various stages of their history, from the identification of juvenile criminality as a social problem in the early decades of the century, through the political processes which resulted in the reformatory and industrial school legislation of the 1850s, to the continuation of these schools through the social changes of the last quarter of the nineteenth century.

In doing so, the thesis has attempted to explore two interwoven themes. The first of these concerned the contextual framework in which the schools were first established and in which they continued to operate. In particular, it focussed upon the source and influence of the ideological movements which were responsible for the creation of the reformatory institution as an agent of control and social reconstruction, and the ideational shifts which were basic to a reassessment of the schools in the latter part of the century.

A study of institutional practice constituted the second major theme of the thesis. An attempt was made to provide a broad reconstruction of the realities of reformatory and industrial school life. This was done partly because this emphasis seemed to be missing in some

previous studies and partly because the researcher believed that recent studies had assumed too much about the consistency and impact of the ideological underpinning of the movement. An assessment was therefore made of the extent to which the everyday life of the schools was directed by factors other than a commitment to original reformatory ideology. In particular, reference was made to the impact of the rising numbers on school rolls, increasing economic constraints and the results of internal dissent between managers and the Home Office. At the same time, account was taken of the extent of individual variations between schools. From the sample of schools studied, considerable individual differences in practice were discovered, again bringing into question the extent of the influence of the ideology which was explicit in the rhetoric of early 'reformers'.

The exploration of the two themes outlined above was guided by those major sociological and historical perspectives which were outlined in chapter one. Despite displaying a tendency towards reductionism, both 'progressive' and 'repressive' overviews of reformatory theory and practice, together with the social control perspective and the more recent revision of revisionism which appeared in Scull and Cohen's work, have been fundamental in shaping this study in so far as they were responsible for formulating the questions which these chapters have attempted to answer.

## II

A number of major conclusions may be drawn from the foregoing chapters.

In the first place, the identification of youthful criminality as a social problem and the subsequent politicisation of reformatory philosophy was motivated by two distinct yet closely interconnected ideological developments. The first of these was embodied in the philosophy and politics of early nineteenth century liberalism which encouraged the growth of a positivist approach to the investigation of social problems and a rationalist attitude to problem solving. Thus the identification of the social causes of crime and the statistical analysis of the incidence of criminality among the young focussed attention upon changing the social conditions in which children of the residuum should be brought up. Similarly, the examination of rational methods of eliminating social deviance, particularly the use of the institution, paved the way for a government financed and inspected system of reformatory and industrial schools.

The second ideological shift which gave motivational force to the reformatory movement was identified in the growth of religious dissent and its practical application to charitable work among the urban poor, manifested for example in the city missions, schools of industry, Sunday schools and the ragged school movement. Evangelicalism, Methodism and Unitarianism were dissenting faiths which were well represented among reformatory pioneers, laying

the foundation of a reformatory philosophy which stressed the possibility of individual reformation and personal salvation.

Both political liberalism and religious dissent were powerful influences in the campaign to provide additional correctional treatment for criminal and wayward children. Both were conservative forces which attempted to shore up the perceived disintegration of social structures and to impose an acceptable morality on the working classes.

A second conclusion to emerge from this thesis suggested, however, that neither the force of ideological change nor the pressures of demographic factors such as rising juvenile crime rates or increasing prison populations was as significant in the formation and early development of the reformatory and industrial school system as has sometimes been claimed. Little evidence of support for the reformatory cause was found in the form of public or constituency interest, or from judicial or parliamentary quarters. On the contrary, there was considerable resistance to changes in the laws concerning juvenile offenders within parliament, and the eventual concessions which were won by 'reformers' were envisaged only as experimental and small scale alternatives to the practice of imprisoning convicted children. This reluctance highlighted not only the general level of satisfaction with existing measures for dealing with young offenders, but also the forcefulness of a relatively small reformatory pressure group, and their skilled use of a political

armoury which included parliamentary lobbying, select committee representation, national conferences and well-timed publications. The group of pioneers who took the reformatory cause through this intensive political campaign was also the group which constituted the core of school managers and superintendants in the schools' early years. Their skill in pushing through legislation in the 1850s concealed the widely differing motives, assumptions and aims which they were to experience later as areas of unresolvable dissent. In many ways, early reformatory legislation was an exercise in 'papering over the cracks', particularly on issues such as preliminary imprisonment and day-to-day institutional practice. The analysis of the structure and function of the schools during the first twenty years of their existence illustrated a spectrum of styles and regimen within the school system which made overall conclusions about reformatory and industrial school practice difficult to make. Undoubtedly many of the schools were over-regimented and harsh by modern standards. The control they exerted over inmates was reinforced by regimes based on discipline and supported by a range of punitive measures including physical punishment. The authority of the schools was legitimised by the full weight of the courts and the legal powers of detention which were given to the schools by Act of Parliament increased their potential to regulate and control every aspect of an inmate's life. Investigation for this study has suggested, however, that such regulation was not total, and that there



were areas where both the administration and the practices of the schools were challenged from time to time with varying degrees of success. The almost complete failure of the schools to exact the correct parental contribution is an example of this, and occasionally other instances of parental intervention were recorded. It was obvious too that the possibility that parents would reclaim their children wherever possible was seen as a constant threat to the success of reformatory policy. Inmates themselves were also ready to challenge the absolute authority of the schools on occasions. References to both small scale outburst and large scale mutinies would suggest that inmate sub-cultures did exist, if not constantly, then at certain times and under certain conditions.

The final area of investigation which concerned the role of reformatory and industrial schools in the last quarter of the century indicated that shifts in perspectives on criminality and on children - particularly the city child - inevitably crystallised into direct criticisms of existing modes of dealing with young offenders. Despite the fact that the schools had continued to boast a high success rate during the twenty years of their operation, and that there was no demonstrable increase in serious crimes among the young, the schools were in the front line of this attack. Clearly, the creation of the institutional apparatus to deal with juvenile crime had not eliminated the problem. The degree of scrutiny with which the schools were assessed in the

period after 1870 was considerably increased not only by closer Home Office inspection but also by the added surveillance of school boards. Such scrutiny was partially motivated by a reassessment of institutions as agencies of social control and an emergent reaffirmation of family life or substitute family care. The ascendancy of hereditary factors in criminology and an increasing unease about the perceived physical and moral state of the nation's children also added force to the critical reappraisal of the theory and practice of reformatory and industrial schools.

The areas of criticism levelled against the schools have been well researched in recent years as the wider context of late nineteenth century ideological perspectives has received the increasingly close attention of social historians. Conclusions based on the research for this thesis have suggested that the impact of this ideological reassessment upon the day-to-day existence of the majority of the schools was less than may have been assumed. Indeed, the call for additional restraints and training for urban youth offered a new validity to reformatory and industrial schools as agencies for the extended supervision of young people. The schools during this period proved to be excellent training grounds for the armed forces, giving young inmates the opportunity to repay their debts to society in the service of their country. Schools were also able to reinforce their positions as providers of substitute family care, despite, and possibly because of,

the extended use of probation orders which were applicable to only certain categories of children. Institutional care was still regarded as the most appropriate response to the more 'hardened' cases.

It would seem likely therefore that the schools in general needed to modify their philosophy and practice very little despite the pressures of changing social attitudes. Much of the practice of early twentieth century Home Office schools differed hardly at all from that of the 1850s. It would also seem probable that their continued resistance to outside pressures for change owed much to the fact that reformatory and industrial schools were total institutions, enclosed and separated from the society which created them and, as such capable of exercising a self generating momentum.

### III

#### Postscript

It is interesting to reflect that the real dilemma for Home Office schools at the end of the nineteenth century, as for other closed institutions which evolved at the same time, lay in the fact that the nineteenth century institution was designed to function both as an agent of control and punishment and, at the same time, as an agency of social reconstruction and individual reformation. The tension produced by the incompatibility of these two aims survived

well into the twentieth century, resolved (slowly and partially) in every case except in the case of the institutional treatment of young offenders.

The workhouse, for example, was largely discredited by the Minority Report of the Poor Law Commission of 1905 and Poor Law institutions were finally dismantled by the early 1930s.<sup>1</sup> The twentieth century has also witnessed the slow move away from the closed asylum for the mentally ill towards the concept of the therapeutic community. Over the last thirty years it has been increasingly recognised that very few patients need to be segregated in remote institutions. The Mental Health Act of 1959 continued a trend towards day care, half-way houses and sheltered workshops for the mentally ill, a trend which was also reflected in the introduction of psychiatric units in general hospitals first outlined in the Hospital Plan of 1962.

Although, unlike the workhouse and the asylum, the prison has not entered a period of decline in terms of building programmes, the dilemma of punishment or reform has been partially resolved here too. Rule One of the Prison Rules 1964 (S.I. no.388), which stated the aim of

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1. The buildings themselves, as capital investments, proved harder to dismantle. Even by 1960, over 50% of local authority accommodation was situated in workhouse buildings. See P. Townsend, The Last Refuge (1962), p.415.

prisons to be the 'treatment and training' of inmates, has recently been changed to accommodate a humane containment model in which the ideas of treatment and rehabilitation have been rejected as unfeasible. It is now generally recognised that prisons cannot reform, only contain.

The dilemma, however, has remained constant in the institutional treatment of young offenders where welfare and rehabilitation through a regulated programme of training, instruction and work is still an overtly expressed aim.<sup>1</sup> The new generic custodial sentence established under the 1982 Criminal Justice Act has reasserted the humane paternalism which was a feature of some early reformatory philosophy in the same way as the short sharp shock treatment first outlined in the Conservative Party Manifesto of 1979 was a reaffirmation of a faith in the rehabilitative powers of discipline and military style regimen.

The legacy of nineteenth century reformatory philosophy and practice is proving difficult to abandon.

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1. See, for example, the Report of the Committee of Inquiry into the United Kingdom Prison Service 1978, cmd. 7673, p.67, para. 4.26, and the Criminal Justice Act c.48, 1982.

## APPENDIX I

### Some aspects of Juvenile Crime Rates in the first half of the Nineteenth Century

A number of questions relating to the origins of reformatory and industrial schools, and their subsequent effectiveness as agencies of control and reconstruction can be answered only by reference to available statistical information for the period. The fundamental issue of whether juvenile crime rates increased or not is the first of these, but of equal importance must be an assessment of the extent to which the perceptions of juvenile crime reflected the 'reality' of statistical evidence.

An abundance of unwieldy and often misleading statistics assembled by the moral statisticians of the period presents considerable problems of interpretation, as do the possible discrepancies between actual and recorded crime rates, changing public attitudes, the impact of extended police effectiveness and the effects of various legal and administrative changes. Further, the reliability of early nineteenth century criminal statistics is limited by their unevenness of quality and coverage. The fact that such material was used indiscriminately in the select committee inquiries of the period puts further limitations on the statistical reliability of such inquiries. Unfortunately, although some national details of indictable offences were collected from as early as 1805, no accurate record of national juvenile crime rates appeared until 1894. The historian of crime is forced to rely upon the set of

miscellaneous figures which formed a continuous series for England and Wales from 1835, including prison returns published from 1836 which gives information on committals pending trial and sentences of imprisonment. The statistical abstracts from that date until 1857 provide information on a limited range of legal and judicial procedures from which patterns of change in criminal activity can be inferred. From 1857, a new set of returns, the police returns, provide a more reliable, but still far from systematic guide to summary committals.

Committals and conviction rates for indictable offences give no details of ages for example, and were subject to the changes in legislative procedure which attempted to rid the gaols of some of those awaiting trial and of some petty offenders. Thus, the Criminal Justice Act of 1855,<sup>1</sup> which authorised justices at petty sessions to deal summarily with persons charged with simple larceny considerably undermines the value of such abstracts to the modern historian, as does the introduction of the Juvenile Offenders Act of 1847<sup>2</sup> which reduced the number of young offenders tried at Quarter Sessions and Assize. It was as fully realised by contemporary analysts as it is today that rates of indictable offences were far outweighed by unrecorded and non-indictable crimes. F.G.P.Nelson commented for example that

'the number of summary convictions for petty offences in England and Wales, which do not find a place in the

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1. Criminal Justice Act, 1855, 17 and 18 Vict., cap. LXXXVI.
  2. Juvenile Offenders Act, 1847, 10 and 11 Vict., cap.LXXXII.

returns of commitments and convictions (from which these calculations have been made), amount to more than three times the number of convictions at the Assizes of sessions.<sup>1</sup>

To supplement court records with available individual police returns which were of a very uneven quality, whilst enlarging the number of offences, does little to create a more accurate national picture.

The situation is helped somewhat by the introduction of a more elaborate and trustworthy series of judicial statistics in 1856/7. It is on the basis of these returns, or rather upon those sections of the returns which deal with convicted offenders in prisons, that most of the pronouncements on juvenile crime rates were made. The yearly prison returns give a detailed breakdown of age, sex and social background of offenders, types of crimes for which offenders were committed to prison, and rates of committals to reformatories. The main disadvantage of such statistics, allowing for the fact that they do not reflect the rate of undetected crimes, is that they enumerate committals rather than offenders, thereby discounting the high recidivism rate caused by the cycle of petty crimes, short sentences and high reconviction rates characteristic of juvenile crime.

Although these pitfalls were known at the time there can be little doubt that the official interpretation of prison returns supported the notion that juvenile crime was of significantly large proportions. The Judicial Statistics for

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1. F.G.P. Neison, The Statistics of Crime in England and Wales for the years 1842, 1843, 1844 etc (1847), p.22.



1856 concluded that:

'It scarcely needed these figures, to prove that youth is the great season of crime, but it would not have been readily admitted that the commitments number nearly as many persons under 21 years as in the whole period of life 30 years of age and upwards.'<sup>1</sup>

Non-official conclusions were less certain and far from unanimous. This was the era of the great individual statisticians, Patrick Colquhoun, F.G.P. Neison, Reverend John Clay, Henry Mayhew were all prolific statisticians with popular appeal. Whilst it is more than likely that, in the absence of sound principles of methodology, individual analysis of delinquency rates tended to mislead and added fuel to the growing emotionalism which surrounded the issue, it is equally probable that the growth of interest in social statistics among the educated classes in the first half of the century produced figures of sufficient accuracy to give a very general guide to the fluctuations and trends in delinquency rates.

The contemporary debate concerning the extent of juvenile crime in the earlier decades of the century tended to be polarised into two opposing points of view, both of which used much the same evidence to support different conclusions. On the one hand, the 'alarmist' school of thought gained the most immediate publicity and subsequently tended to monopolise the analysis of those historians who overlooked the fact that contrary opinions, which took into account the many qualifying factors known to statistical analysts today, were as well known in the nineteenth century

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1. Judicial Statistics, (England and Wales), Return for the year 1856.

as they are now. If this is so, then the extent of the influence of alarmist opinions as motivators of social change needs qualification. Such opinions are far more likely to have fuelled the fire of enthusiasm amongst already committed reformers than to have caused a significant movement in either parliamentary attitudes or those of society as a whole.

The extent of the increase in juvenile crime was one such area of controversy. A number of influential figures, including Mary Carpenter, claimed that in the period up to 1847, the increase in criminality had exceeded the rate that the growth in population might have been expected to produce. Similarly, the 1847 Select Committee accepted evidence that

'in a period of 40 years, the population 10 years old and upwards has increased 65%, while the proportionate commitments for crime have been augmented 494% and the convictions 625% ... The number of criminals under 20 years of age, committed to prison in the year 1835 was 6803, while in 1844 they amounted to 11,348.'<sup>1</sup>

Again, Henry Worsley in his prize essay on juvenile depravity maintained that the numbers of juvenile offenders had gradually and progressively increased

'Juveniles aged 15 and under 20, form not quite one tenth of the population, but they are guilty of nearly a quarter of its crime.'<sup>2</sup>

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1. First Report of the Select Committee, 1847, p.107.

2. H. Worsley, Juvenile Depravity (1849), p.221.

A very different set of conclusions was established by contemporary statisticians who claimed that increases in crime were due to the increased use of summary convictions for petty crimes or 'vices' such as drunkenness, or vagrancy, while in fact jury convictions, mostly for more serious offences, had declined. F.G.P. Neison supported the view that increases in crime could be explained to a great extent by the mounting social and legal interest in juvenile delinquents. He maintained that

'while three quarters of all the crime in the country is confined to offences against property without violence, that among the population of 16 years and younger, more than nine-tenths of all the crimes are due to this class of offences.'<sup>1</sup>

Taking up the issue of decline in serious commitments, the Reverend John Clay found it

'a highly gratifying circumstance that more than half of the whole decrease in committals to the sessions of male offenders must be placed to the credit of the juvenile population.'<sup>2</sup>

A similar controversy centred around the issue of juvenile crime as an urban phenomenon. The pessimism with which the growth of cities was viewed is reflected in the Fifteenth Report of the Inspector of Prisons for the Home District which claimed that of the 14-15000 boys who were nationally imprisoned each year under the age of seventeen years, as

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1. F.G.P. Neison, op. cit., p.23.

2. T. Beggs, op. cit. p.23.

many as two-fifths came from London.<sup>1</sup> These figures are supported by tables which appeared in the 1847 Select Committee<sup>2</sup> ranking counties according to their criminality and which clearly showed that the counties of Middlesex, Gloucester and Lancashire were producing the highest numbers of juveniles convicted at Assize, Sessions or summarily. In the 1840s, the corollary to this argument presented by Thomas Plint<sup>3</sup> in criticism of some of Worsley's more extreme claims, pointed to the fact that during that decade juvenile crime had decreased in all the counties of England except Middlesex.

The guidelines established by the more systematic analysis of criminal statistics in the twentieth century suggest that the comments which tended to moderate rather than exaggerate the extent of crime may be more reliable. Of these, the opinion of Her Majesty's Inspector of Prisons that

'the criminal population is much smaller than is generally imagined,'<sup>4</sup>

and the concluding statement of the Criminal Statistics for

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1. Edinburgh Review, vol. XCIV no.CXCII.(1851), p.400.
  2. Report of the Select Committee on Juvenile Offenders and Transportation 1847, p.229.
  3. T. Plint, op.cit.
  4. Edinburgh Review, vol. XCIV no.CXCII, p.404.

1856 that

'the rate of commitments bears a very gratifying comparison with that at the close of the war of 1815, when the total of the commitment was immediately doubled and the offences of the gravest description bore their full proportion of this sudden increase'<sup>5</sup>

are two of the foremost examples. Even Thomas Begg, while claiming a general increase in crime, admitted 'a sensible diminution' in its intensity.<sup>1</sup> It is perhaps a significant indication of changes in popular perceptions of crime that Beggs in 1849, was more alarmed by signs of moral degeneration and the proliferation of the dangerous classes in general which revealed itself not in crimes of violence or against property, but in crimes of vice, those arising from drunkenness and temper, pauperism, prostituion, and vagrancy

'whence came the continual accession to the great fund of juvenile depravity.'<sup>2</sup>

Whatever conclusions may be drawn from such fragmentary and seemingly conflicting evidence have already been used and interpreted by a number of modern studies of the early nineteenth century crime. Unfortunately, the results of these studies are equally inconclusive and confusing, although each study has, in its turn, made a valuable contribution to our understanding of the overall picture of crime rates in this period. The more traditional explanations such as those of J.J. Tobias which are based on the assumption that

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1. T. Beggs, op. cit., p.20.

2. Idem.

'in the earlier part of the nineteenth century crime was at a higher level by later standards... with a large number of juvenile members in the criminal class,'<sup>1</sup>

are generally criticised by modern theorists for relying too heavily on unsubstantiated statistical material. Tobias has accounted for the increase in crime in the traditional way - combining various social theories such as cycle of population increase, urbanisation and poverty, with the failure of the nineteenth century social system to adjust sufficiently to the changing needs of a rapidly developing population. K.K. MacNab in his study of crime rates in the nineteenth century is equally sure that rates of juvenile crime increased in the 1840s, but unlike Tobias' anomic explanation, sees this rise in terms of the combined influences of high food prices and business recession causing a sharp increase in economic distress in this period.<sup>2</sup> MacNab has also claimed that the implementation of legal changes or the increased professionalisation of the police force had no influence upon criminal records, except perhaps in minor cases. H. Zehr likewise relegates these two most often quoted influences, the increased levels of crime, according to his social conflict, explanation arising entirely from the rising expectations and economic values of society.<sup>3</sup>

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1. J.J. Tobias, op.cit., pp.233-5.

2. K.K. MacNab, "Aspects of the History of Crime in England and Wales between 1805 and 1860," unpublished Ph.D. thesis, University of Sussex (1963).

3. H. Zehr, Crime and the Development of Modern Society: Patterns of Criminality in Nineteenth Century Germany and France (1976).

Somewhere between the traditional explanations and some sociological reinterpretations lies a body of historical opinion which, by steering a more cautious course through the available statistical material and the social commentaries surrounding it, has made the link between the facts of crime and the contemporary interpretation of those facts, which alone can account for the impact of crime upon nineteenth century society. Of these studies, D. Philips' account of Crime in the Black Country between 1835-1860 is particularly notable for its careful use of statistical material. He is unable to present any conclusive evidence that crime increased during the period under study, and is even less convinced that juvenile crime was responsible for any small increase that may have occurred. He concludes rather that

'the evidence never suggests a society in danger of disintegrating under the strain, nor does it suggest that the maintenance of law and order were on the verge of breaking down at any point in the period under consideration.'<sup>1</sup>

P.J.R. King has more recently argued that the heightened sensitivity to crime which emerged from the turn of the century was caused by the fear of large scale demobilisation during 1793/4, the incidence of rural unrest during the 1780s (during which time there was a measurable increase in property crime indictments) and the additional anxiety resulting from ticket-of-leave cases.<sup>2</sup>

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1. D. Philips, Crime and Authority in Victorian England; The Black Country 1835-1860 (1977), p.284.

2. P.J.R. King op.cit., (1984), p.109.

Ignatieff has also suggested that fears concerning the rise in serious crime were largely unfounded, pointing out that by the 1840s, vagrants, poachers, petty thieves, disorderlies and public drunkards made up more than half of the prison population.<sup>1</sup>

From the wealth of conflicting material and interpretations, it would seem possible to draw attention to five significant points upon which there has been little or no dispute. The first of these and probably the most important, is that there was certainly an increase in population and an increase in population density in urban areas during the period under review. This trend can be illustrated by reference to the twenty years from 1851 to 1871 which saw an increase in population from nine millions to thirteen millions. The rate of population increase for the years 1851-61 was 19% for urban areas compared with an increase of 4% for the rest of the country. Rates of convictions were also higher in urban areas, for example, the figures for 1845 are headed by Middlesex, Kent, Surrey and Sussex, followed by Gloucester and Lancashire. (Table 1). It may be tentatively concluded on the basis of this evidence that rates of recorded crime were greater in larger towns and cities, that the processes of detection were more sophisticated and that the perception of the problem of crime was greater and more immediate.

A second fact which cannot easily be discounted is that whilst commitals to trial at Quarter Sessions and Assize

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1. M. Ignatieff, op.cit., p.179.



increased, conviction rates remained reasonably stable (Table 2). On this basis it is unlikely that an increase in more serious crimes was the source of popular concern.

Thirdly, summary convictions were subject to a steady increase, the majority of convicted juveniles having committed offences of petty theft, vagrancy, reputed theft or simple larceny under the Juvenile Offenders Act of 1847 (Table 3). Of those who were committed to prisons in the 1840s, a significantly large number were juvenile offenders between 15-20 years, convicted on the above offences. (Table 4). Thus the numbers of juvenile prisoners, the source of most alarm, were made up in the main from those who were perceived or reputed to be criminally inclined or those who had been convicted under a new category of juvenile offence.

Finally, according to returned certificates of conviction, high rates of recidivism artificially expanded the juvenile criminal population through a cycle of petty crimes and recurring short sentences of between one and three months.

TABLE 1  
Number of convicted juveniles in 1845, distributed according  
to counties.

<u>Counties</u>	<u>Totals</u> (Assize, session and summary convictions)	
	<u>Male</u>	<u>Female</u>
Middlesex	1656	398
Kent		
Surrey	1251	147
Sussex		
Hampshire		
Oxfordshire	695	91
Gloucestershire		
Wiltshire		
Somerset)		
Dorset)		
Devon)	866	124
Cornwall)		
Buckinghamshire)		
Hertfordshire)		
Bedfordshire)	396	43
Essex)		
Suffolk)		
Norfolk)		
Cambridgeshire)	377	52
Huntingdon)		
Herefordshire)		
Worcestershire		
Warwickshire)	524	78
Northamptonshire)		
Leicestershire)		
Rutland)	410	39
Derbyshire)		
Staffordshire)	519	63
Shropshire)		
Cheshire)		
Lancashire	973	275
Yorkshire	448	25
Westmorland)		
Durham)		
Cumberland)	380	45
Northumberland)		
Monmouth)		
Wales)	132	25

Source : Report of the Select Committee of the House of Lords  
appointed to inquire into the execution of the  
Criminal Law, especially respecting Juvenile  
Offenders and Transportation, 1847.

TABLE 2

Number of criminal offenders committed for trial, and those convicted.

	<u>Total committed</u>	<u>Total convicted</u>
1846	25,017	18,144
1847	28,833	21,543
1848	26,349	22,900
1849	27,816	21,001
1850	26,813	20,537
1851	27,960	21,579
1852	27,510	21,304
1853	27,057	20,756
1854	29,339	23,647
1855*	22,972	19,971
1856	19,437	14,379
1857	20,269	14,707
1858	17,855	13,246
1859	16,674	12,470
1860	13,999	12,408
1861	13,326	13,379
1862	20,000	13,313
1863	20,818	12,799
1864	19,508	14,726
1865	19,614	14,740
1866	18,319	14,334
1867	18,971	14,207
1868	26,001	13,033

\* Criminal Justice Act allowed judges to pass short sentences without committing for Trial to Sessions.  
 Source: Miscellaneous Statistics of the United Kingdom 1868 (4158.), LXII, 127.

TABLE 3

Type of offence for which juvenile prisoners committed for trial or tried at Assize and Sessions or bailed in England and Wales in the course of the year 1849.

<u>Convicted under</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>
Game Laws	182	1	183
Revenue	18	3	21
Vagrant Act	2259	590	2849
Malicious Trespass	540	108	648
Larceny	465	79	544
Poor Law Act	332	98	430
Juvenile Offenders Act	1544	96	1640
Metropolitan or Local Police Act	415	71	486
For Assault	500	70	570
For want of sureties	73	21	94
As known or reputed thieves	1161	155	1316
On summary conviction not included in preceding classes	1296	174	1470
	2	-	2

Source: P.P. 1852 (6.), XLI, 519.

TABLE 4

Numbers of offenders committed to prison according to age.

	<u>1842</u>	<u>1843</u>	<u>1844</u>	<u>1846</u>	<u>1847</u>
under 15	1675	1670	1596	1640	1767
15 - 20	6884	6725	6190	6136	6967
20 - 25	7731	7200	6399	5856	6625
25 - 30	4781	4419	3924	3655	4209
30 - 40	2592	2399	2202	2120	2464
40 - 50	572	547	524	456	528
50 - 60	619	748	579	413	417
60 +					

Source: Report of HMI Prisons for England and Wales 1849 (1034.), XXVI, 263.

TABLE 5

Number of Juvenile offenders committed to prison 1857, 1858,  
1859 and reconviction rate.

	<u>1857</u>		<u>1858</u>		<u>1859</u>	
	M	F	M	F	M	F
Once	241	19	190	22	181	32
twice	170	7	129	12	104	11
three times	92	8	74	4	65	2
four times	52	-	25	1	29	2

Source: Judicial Statistics of England and Wales 1859.

## APPENDIX 2

Extracts from the Rules and Regulations of various reformatory schools 1854-60

Rules and Regulations of Birmingham Girls' Reformatory, 45, Camden Street, Birmingham.

Experience shows that it is desirable that children placed under reformatory training should be removed to institutions at a distance from their old haunts and associates.

It shall be the duty of visitors to inspect the Establishment, examine the children, consider applications and report to the general committee.

Parents are allowed to visit their children once in two months, the Matron being always present at the interview.

Rules of the Birmingham Reformatory Institute at Saltley.

No boy is to be admitted without an order from the committee or sub-committee.

No boy is to be re-admitted if he absconds for the night except provisionally at the discretion of the Superintendent until an order can be obtained from one of the Secretaries.

No boy may go beyond the premises without the Superintendent's distinct permission. No boy is allowed to see friends on the premises except in the presence of the Superintendent, nor to receive or send letters except through his hands.

## Principles, Rules and Regulations of Red Lodge Reformatory for Girls, Bristol.

All girls must be sent under legal detention, the consent of the managers having first been obtained. The following conditions must be complied with:

- The girl should be over 14
- The girl should not be a penitentiary case
- The girl should be free from infectious disease or scrofula
- It is desirable that her sentence should extend to five years (this would not involve her remaining the whole time if fit for freedom earlier).
- Each girl must come with two suits of underclothing with shoes and stockings of payment of £1.

## General principles of Management

- They must yield to a control which will be kindly but firmly exercised
- Their passions must be as little excited as possible and when they are so, "overcome evil with good" must be their teachers' watchword
- Misdirected energies must be called into healthy exercise and wisely guided
- Intellectual faculties must be judiciously cultivated
- Above all, the religious and moral principles must be directly enforced or indirectly, but still more powerfully taught by the daily life of the teachers and their evident obedience to truth and duty.

The Means by which to carry out these principles

Daily reading and inculcation of scriptures

Intellectual training to excite a taste for useful information

Regular instructive occupation

Innocent amusements

The society of persons of virtuous character and loving spirit.

N.B. All sectarian teaching is to be strictly forbidden.

Regulations respecting the girls

As an encouragement and stimulus to exertion, one quarter of the profits arising from each girl's sewing or knitting and a small weekly allowance for other industrial work, will be credited to her.

New girls will sleep apart from the others under the special care of a teacher until they are able to mix freely without injury.

Rules read to all girls on admission

1. She shall begin with a new character, forgetting the evils of her past. On no account is she to converse with former companions.
2. She is to be confined to the premises without a pass, unless with a teacher.
3. She is to observe strict obedience to the staff.
4. Swearing is forbidden.



**APPENDIX 3**  
Details of Major Reformatory and  
Industrial School Legislation 1854-1893

Youthful Offenders Act 1854, 17 and 18 Vict., cap.86

- i. It shall and may be lawful for Her Majesty's Secretary of State for the Home Department, upon Application made to him by the Directors of Managers of any such (Reformatory) Institution, to direct one of Her Majesty's Inspectors of Prisons to Examine and Report to him upon the Condition and Regulations, and any such Institution as shall be certified under his Hand and Seal to be useful and efficient for its Purpose, shall be held to be a Reformatory School under the Provisions of this Act.
- ii Whenever after the passing of this Act any Persons under the age of 16 years shall be convicted of any offence punishable by law, either upon an Indictment or any summary Conviction before a Police Magistrate of the Metropolis or other Stipendiary Magistrate, or before two or more Justices of the Peace, or before a sheriff or Magistrate in Scotland, then and in every case it shall be lawful for any Court before or by whom such offence shall be so convicted in addition to the sentence then and here passed as a Punishment for his Offence to direct such Offender to be sent, at the Expiration of his Sentence, to some of the aforesaid Reformatory Schools for a period or not less than two years and not exceeding five years. Providing always that no Offender shall be directed to be so sent and detained as aforesaid unless the Sentence passed as a Punishment of which he is directed to be so sent and detained, shall be one of Imprisonment for fourteen days at the least.
- iii It shall be lawful for the Commissioners of Her Majesty's Treasury upon the Representation of one of Her Majesty's Principal Secretaries of State, to defray out of any funds which shall be provided by Parliament for that Purpose either the whole cost of the Care and Maintenance of any Juvenile Offender so detained in any Reformatory School as aforesaid, at such Rate per head as shall be determined by them, or such Portion of such cost as shall not have been recovered from the Parents or Step-Parents of such child as herein-after provided, or such other Portion as shall be recommended by the said Secretary of State.
- v. The court by which any Juvenile offender is ordered to be detained as aforesaid under this act shall charge the Parent or Step-Parent with a sum not exceeding five shillings per week towards the maintenance and support of such Juvenile Offenders remaining in such Reformatory Schools.

Industrial Schools Act 1857, 20° and 21° Vict., Cap. XLVIII

- iii. The Committee of Her Majesty's Privy Council on Education may, upon application of the Managers of any School in which Industrial Training is Provided, and in which children are fed as well as taught, direct such Person as they may appoint to examine and report to them upon its Condition and Regulations and if satisfied therewith, may grant a Certificate under the Hand of the President of Her Majesty's Privy Council or of the Vice-President of the said committee thereof, and thence forth the school shall be certified Industrial School within the Meaning of the Act.
- v. When any child is taken into custody on a Charge of Vagrancy under any Local or General Act, the Justices on receiving satisfactory Proof in support of such charge, may if the Parent, or in the case of an Orphan, if the Guardian or nearest adult Relative of the Child cannot at once be found order the child to be sent to such Industrial School for any period not exceeding one week.
- vi. At the Time and Place mentioned in the Notice, any Justice may if they shall think fit order the child to be discharged altogether or deliver him up to his Parent on giving an Assurance in writing that he will be responsible for the good Behaviour of the child for any Period not exceeding twelve months and if in default of such Assurance order the child to be sent for such Period as they may think necessary for his Education and Training in any Certified Industrial school, the Managers of which are willing to receive him.
- xii. Any Justice of the County in which that school is situated, if satisfied that a suitable employment in Life has been provided for the child may discharge the child from the Certified Industrial School before the full Expiration of the period for which he has been sent there.

Industrial Schools Act, 1866. 29 & 30 Vict., Cap.118.

5. A School in which industrial training is provided, and in which children are lodged, clothed and fed, as well as taught, shall exclusively be deemed an Industrial School within the meaning of this Act.  
The persons for the time being having the management or control of such a School shall be deemed the Managers thereof for the purposes of this Act.
10. Every Certified Industrial School shall from time to time, and at least once in each year, be inspected by the Inspector of Industrial Schools, or by a person appointed to assist him as aforesaid.
11. No substantial addition or alteration shall be made to or in the buildings of any Certified Industrial School without the approval in writing of the Secretary of State.
12. In England a Prison authority may from time to time contribute such sums of money, and on such conditions as they think fit, towards the alteration, enlargement or rebuilding of a Certified Industrial School, - or towards the support of the inmates of such a School, - or towards the management of such a School, - or towards the establishment or building of a School intended to be a Certified Industrial School, - or towards the purchase of land required either for the use of an existing Certified Industrial School, or for the site of a School intended to be a Certified Industrial School.
14. Any person may bring before two Justices or a Magistrate any child apparently under the age of fourteen years that comes within any of the following descriptions, namely, -

That is found begging or receiving alms (whether actually or under the pretext of selling or offering for sale anything), or being in any street or public place for the purpose of so begging or receiving alms:

That is found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence:

That is found destitute, either being an orphan or having a surviving parent who is undergoing penal servitude or imprisonment:

That frequents the company of reputed thieves.

The Justices or Magistrate before whom a child is brought as coming within one of those descriptions, if satisfied on enquiry of that fact, and that it is expedient to deal with him under this Act, may order him to be sent to a Certified Industrial School.

15. Where a child apparently under the age of twelve is charged before two Justices or a Magistrate with an offence punishable by imprisonment or a less punishment, but has not been in England convicted of felony, or in Scotland of theft, and the child ought, in the opinion of the Justices or Magistrate (regard being had to his age and to the circumstances of the case), to be dealt with under this Act, the Justices or Magistrate may order him to be sent to a Certified Industrial School.
16. Where the parent or step-parent or guardian of a child apparently under the age of fourteen years represents to two Justices or a Magistrate that he is unable to control the child, and that he desires that the child be sent to an Industrial School under this Act, the Justices or Magistrate, if satisfied on enquiry that it is expedient to deal with the child under this Act, may order him to be sent to a Certified Industrial School.
17. Where the Guardians of the Poor of a union or of a parish wherein relief is administered by a Board of Guardians, or the Board of Management of a District Pauper School or the Parochial Board of a parish or combination, represent to two Justices or a Magistrate that any child apparently under the age of fourteen years maintained in a Workhouse or Pauper School of a union or parish, or in a District Pauper School, or in the Poorhouse of a parish or combination is refractory, or is the child of parents either of whom has been convicted of a crime or offence punishable with penal servitude or imprisonment, and that it is desirable that he be sent to an Industrial School under this Act, the Justices or Magistrate may, if satisfied that it is expedient to deal with the child under this Act, order him to be sent to a Certified Industrial School.

Reformatory Schools Act, 1866. 29 & 30 Vict., Cap.117.

4. One of Her Majesty's principal Secretaries of State, hereinafter referred to as the Secretary of State, may, upon the application of the Managers of any Reformatory School for the better training of youthful offenders, direct one of Her Majesty's Inspectors of Prisons, who shall be styled the Inspector of Reformatory Schools, to examine into the conditions and regulations of the School, and to report to him thereon; and, if satisfied with such report, the Secretary of State may, by writing under his hand, certify that such School is fitted for the reception of such youthful offenders as may be sent there in pursuance of this Act, and the same shall be deemed a Certified Reformatory School.  
No substantial addition or alteration shall be made to or in the buildings of any Certified Reformatory School without the approval in writing of the Secretary of State.

5. Every Certified Reformatory School shall from time to time, and at least once in every year, be visited by the Inspector of Reformatory Schools; and the Secretary of State, if dissatisfied with the condition of such School as reported to him, may withdraw the certificate, and may by notice under his hand, addressed and sent to the Managers of such School, declare that the certificate is withdrawn as from a time specified in the notice, being not less than six months after the date of the notice.
12. The Managers of any Certified Reformatory School may from time to time make all necessary rules for the management and discipline of the School under their charge, but such rules shall not be contrary to the provisions of this Act, and shall not be enforced until they have been submitted to and approved in writing by the Secretary of State and no alteration shall be made without the approval in writing of the Secretary of State.

The Elementary Education Act, 1870. 33 & 34 Vict., CAP.75.

Section 27. "A School Board shall have the same powers of contributing money in the case of an Industrial School as is given to a Prison authority by Section 12 of 'The Industrial Schools Act, 1866;' and upon the election of a School Board in a borough the Council of that borough shall cease to have power to contribute under that section".

Section 28. "A School Board may, with the consent of the Education Department, establish, build, and maintain a Certified Industrial School within the meaning of 'The Industrial Schools Act, 1866,' and shall, for that purpose, have the same powers as they have for the purpose of providing sufficient School accommodation for their district: provided that the School Board, so far as regards any such Industrial School, shall be subject to the jurisdiction of one of Her Majesty's principal Secretaries of State in the same manner as the Managers of any other Industrial School are subject, and such School shall be subject to the provisions of the said Act, and not of this Act."

The New Elementary Education Act, 1876. 39 & 40 Vict., Cap.79.

Section II. "If either,

(1) "The parent of any child above the age of five years who is under this Act prohibited from being taken into full time employment, habitually and without reasonable excuse neglects to provide efficient elementary instruction for his child; or

(2) "Any child is found habitually wandering or not under proper control, or in the company of rogues, vagabonds, disorderly persons, or reputed criminals, it shall be the duty of the local authority, after due warning to the parent of such

child, to complain to a Court of summary jurisdiction, and such Court may, if satisfied of the truth of such complaint, order that the child do attend some certified efficient School willing to receive him and named in the order, being either such as the parent may select, or if he do not select any, then such Public Elementary School as the Court think expedient, and the child shall attend that School every time that the School is open, or in such other regular manner as is specified in the order. An order under this section is in this Act referred to as an attendance order. Any of the following reasons shall be a reasonable excuse: That there is not within two miles, measured according to the nearest road, from the residence of such child any Public Elementary School open which the child can attend; or that the absence of the child from school has been caused by sickness or any unavoidable cause."

Section 16. "If a Secretary of State is satisfied that, owing to the circumstances of any class of population in any School district, a School in which industrial training, elementary education, and one or more meals a day, but not lodging, are provided for the children, is necessary or expedient for the proper training and control of the children of such class, he may, in like manner as under the Industrial Schools Act, 1866, certify any such School (in this Act referred to as a Day Industrial School) in the neighbourhood of the said population to be a Certified Day Industrial School.

"Any child authorised by the Industrial Schools Act, 1866, to be sent to a Certified Industrial School, may, if the Court before whom the child is brought think it expedient, be sent to a Certified Day Industrial School; any child sent to a Certified Day Industrial School by an order of a Court (other than an attendance order under this Act) may, during the period specified in the order, be there detained during such hours as may be authorised by the rules of the School approved by the said Secretary of State.

The Prevention of Crimes Act, 1871. 34 & 35 Vict., Cap. 112.

Section 14 enacts that, "Where any woman is convicted of a crime, and a previous conviction of a crime is proved against her, any children of such woman under the age of fourteen years who may be under her care and control at the time of her conviction for the last of such crimes, and who have no visible means of subsistence, or are without proper guardianship, shall be deemed to be children to whom in Great Britain the provisions of the 'Industrial Schools Act, 1866,' and in Ireland the provisions of the 'Industrial Schools (Ireland) Act, 1868,' apply, and the court by whom such woman is convicted, or two Justices or a Magistrate, shall have the same power of ordering such children to be sent to a Certified Industrial School as is vested in two Justices or a Magistrate by the fourteenth section of the 'Industrial Schools Act, 1866,' and by the eleventh section of the 'Industrial Schools (Ireland) Act, 1868,' in respect of the children in the said sections described."

Industrial Schools Acts Amendment Act, 1880. 43 & 44 Vict.,  
Cap. 15.

Whereas it is expedient that children who are growing up in the society of depraved and disorderly persons should be withdrawn from contaminating influences, and that the benefits of Industrial School training should be extended to them: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consents of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:-

1. Section 14 of the Industrial Schools Act, 1866, and Section II of the Industrial Schools Act (Ireland), 1868, shall be respectively read and construed as if, after the four several descriptions therein respectively contained, there were added the following descriptions, namely, -

That is lodging, living, or residing with common or reputed prostitutes, or in a house, resided in or frequented by prostitutes for the purpose of prostitution:

That frequents the company of prostitutes.

Reformatory and Industrial Schools Act, 1891. 54 & 55 Vict.,  
Cap.23.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:-

Power to apprentice or dispose of child.

1. If any youthful offender or child detained in or placed out on licence from a Certified Reformatory or Industrial School conducts himself well, the Managers of the School may, with his own consent, apprentice him to, or dispose of him in, any trade, calling, or service, or by emigration, notwithstanding that his period of detention has not expired, and such apprenticing or disposition shall be as valid as if the Managers were his parents.

Provided that where he is to be disposed of by emigration, and in any case unless he has been detained for twelve months, the consent of the Secretary of State shall also be required for the exercise of any power under this section.

Reformatory Schools Act, 1893. 56 & 57 Vict., Cap.48.

1. Where a youthful offender, who in the opinion of the Court before whom he is charged is less than sixteen years of age, is convicted, whether on indictment or by a Court of Summary Jurisdiction, of an offence punishable with penal servitude or imprisonment, and either -

- (a) appears to the Court to be not less than twelve years of age; or
- (b) is proved to have been previously convicted of an offence punishable with penal servitude or imprisonment,

the Court may, in addition to or in lieu of sentencing him according to law to any punishment, order that he be sent to a Certified Reformatory School, and be there detained for a period of not less three and not more than five years, so, however, that the period is such as will, in the opinion of the court, expire at or before the time at which the offender will attain the age of nineteen years.

2. without prejudice to any other powers of the court the Court may direct that the offender will be taken to a Prison, or to any other place, not being a Prison, which the Court thinks fit, and the occupier of which is willing to receive him, and be detained therein for any time not exceeding seven days, or in case of necessity for a period not exceeding fourteen days, or until an order is sooner made for his discharge or for his being sent to a Reformatory School, or otherwise dealt with under this or any other Act; and the person to whom the order is addressed is hereby empowered and required to detain him accordingly, and if the offender escapes, he may be apprehended without warrant and brought back to the place of detention.



# APPENDIX 4

## Juvenile Offenders committed to Reformatories by Magistrates in Liverpool 1854, 1855, 1860

### LIVERPOOL R.O.

<u>Name</u>	<u>Offence</u>	<u>Age</u>	<u>Prison Sentence</u>	<u>Reformatory Sentence</u>
John O'Brien	Frequenting	11	1 month	5 years
Jos. Jackson	Frequenting	11	1 month	5 "
Pat Kennedy	Not accounting	10	2 months	5 "
Ann Philbin	Frequenting	13	17 months	2 "
Michael Roan	Not accounting	12	2 months	5 "
Anne Burke	Frequenting	11	44 days	5 "
John Jones	Found dwelling with vagrant	11	42 days	5 "
John Boardman	Frequenting	15	3 months	5 "
William Duffy	Found dwelling with vagrant	14	39 days	5 "
Mary Hogan	Not accounting	13	1 month	2 "
James Hughes	Frequenting	13	1 months	5 "
J. Wright	Not accounting	11	1 month	5 "
Thomas William	Stealing	11	1 month (whipping)	3 "
Anne Lewis	Not accounting	14	19 days	3 "
Thomas Burrows	Not accounting	14	14 days	3 "
Michael Goulding	Begging	14	14 days	3 "
Ann Hogan	Not accounting	12	14 days	3 years
Ed. Gallagher	Stealing	11	3 months (whipping)	5 "
John Palkett	Felony	13	3 months	3 "

<u>Name</u>	<u>Offence</u>	<u>Age</u>	<u>Prison Sentence</u>	<u>Reformatory Sentence</u>
Michael O'Brien	Begging	10	1 month	5 years
Thomas Horrocks	Felony	15	1 month	2 "
Thomas Long	Felony	14	1 month	3 "
John Tasker	Felony	14	34 days	3 "
Matthew Oxley	Stealing	12	21 days	2 "
John Burns	Stealing	13	3 months	5 "
Derrick Levison	Stealing	12	39 days	5 "
Alfred Johnson	Lodging in the open air.	14	24 days	5 "
Michael Verson	" " " "	15	7 weeks	5 "
John Heywood	Stealing	13	83 days	5 "
Thomas Joyce	Stealing	13	37 days	5 "
John Bulmer	Found in house of vagrant	12	21 days	5 years
William Jones	Stealing	12	1 month	5 "
Patrick Ford	Stealing	12	32 days	5 "
Henry Davis	Found in stable	12	36 days	5 "
James Kennedy	Found in stable	14	39 days	5 "
John Rushton	Stealing	13	40 days	5 "
Joseph Kelly	Stealing	13	1 month	5 "
George Hunter	Stealing	10	29 days	5 "
J. Rufnell	Stealing a purse and 8 $\frac{1}{2}$ d	15	2 months	5 "
John O'Brien	Stealing 3 prs. trousers	15	53 days	5 "
John Formby	Stealing 10 oranges	15	41 days	5 "

<u>Name</u>	<u>Offence</u>	<u>Age</u>	<u>Prison Sentence</u>	<u>Reformatory Sentence</u>
Will Davies	Frequenting as thief	17	39 days	5 years
James Murray	Stealing 20 cigars	11	44 days	5 "
Willm. Wilkinson	Stealing 1lb. nails	9	32 days	5 "
James Hamilton	Stealing 1 coat	11	29 days	5 "
Mary Langley	Stealing 1 purse	14	14 days	5 "

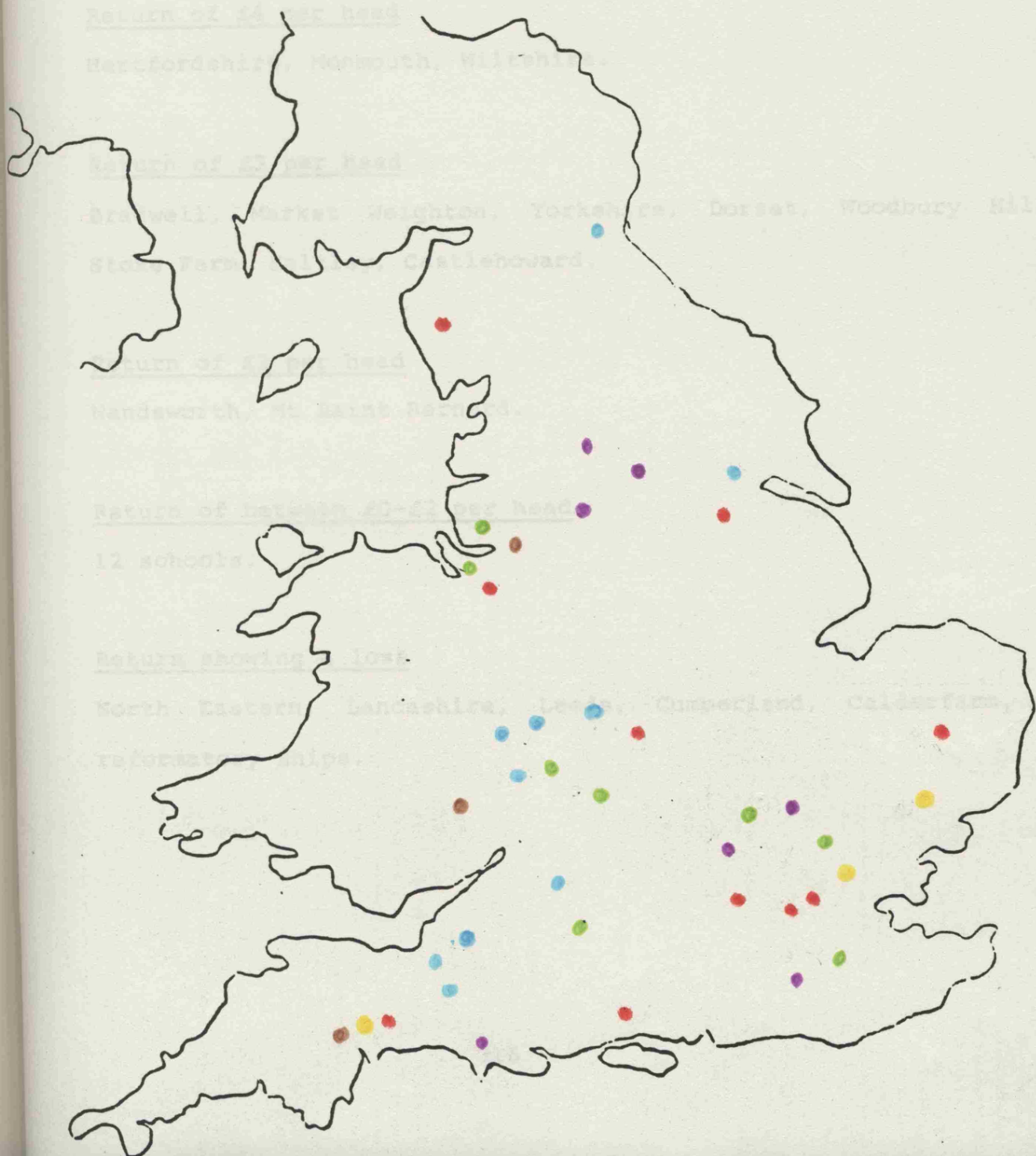
Source: "Liverpool Catholic Association Minute Book 1857."

REFORMATORY SCHOOL DISTRIBUTION.

Source: HMI Reports (various)

CLASSIFIED IN:

- 1854
- 1855
- 1856
- 1857
- 1858
- 1859



## **APPENDIX 5A**

### Reformatory Schools Financial Returns 1867

#### Boys' Schools

##### Return of £5 per head

Kingswood, Bedford, Essex, Northampton, Hardwicke, Warwickshire,  
Red Hill.

##### Return of £4 per head

Hertfordshire, Monmouth, Wiltshire.

##### Return of £3 per head

Bradwell, Market Weighton, Yorkshire, Dorset, Woodbury Hill,  
Stoke Farm, Saltley, Castlehoward.

##### Return of £2 per head

Wandsworth, Mt Saint Bernard.

##### Return of between £0-£2 per head

12 schools.

##### Return showing a loss

North Eastern, Lancashire, Leeds, Cumberland, Calderfarm, all  
reformatory ships.

Girls' Schools

Return of £6 per head

Ipswich, Liverpool.

Return of £5 per head

Hampstead, Toxteth Park, Surrey, Birmingham

Return of £3 per capita

Allesley, Devon and Exeter, Yorkshire.

Return of £2 per capita

Arno's Court.

Return of £1 per capita

Red Lodge.

Source: HMI Returns 1868.

# APPENDIX 6

## Number of children in each reformatory school in 1861

<u>Boys</u>			<u>Girls</u>		
	Philanthropic	250		W. Riding	250
	Saltley	100		Arno's Court	200
	Market Weighton	200		Liverpool	70
	Cornwall	200		Ipswich	70
	Kingswood	200			
	Akbar	200			
	Mt.St. Bernard	300			
	Leicester	36			

<u>Boys</u>	<u>Other Schools</u>	<u>Girls</u>	<u>Other Schools</u>
	3 x 100 pupils		2 x 50 pupils
	1 x 80		1 x 45
	1 x 70		1 x 30
	1 x 65		1 x 25
	3 x 60		1 x 20
	3 x 50		(2 unknown)
	5 x 45		
	8 x 40		
	5 x 30		
	1 x 20		

Source: HMI Reports (various).

## APPENDIX 7

### Examples of Weekly Dietaries at Reformatory Schools

Dietry (a) Saltley Reformatory School, 1860.

Breakfast: 1 pt. of milk and 8 oz of bread.

Supper :  $\frac{1}{4}$  pint of tea or cocoa and 8 oz bread and  
butter or dripping

Dinner : Monday: 1 pt. of soup and 8 oz of bread  
Tuesday: 12-16 oz of suet pudding with  
treacle sauce  
Wednesday: 2 oz of cheese and 8 oz of  
bread  
Thursday: 4 oz hot meat and 16 oz of  
vegetable  
Friday: As Monday  
Saturday: As Tuesday  
Sunday: Irish Stew (winter) same as  
Thursday

Source: Birmingham Reformatory Institute annual report 1860.

Dietry (b) The Clarence Reformatory Ship, 1867

Sunday: 4 oz of meat, 3 oz of biscuits  
and 12 oz of potatoes.

Monday: Pea soup with 4 oz of beef, 12  
oz of potatoes, 3 oz biscuits.

Tuesday: Vegetable soup

Wednesday: Scouse, salt beef

Thursday: as on Sunday

Friday:  $\frac{3}{4}$  lb. of dumpling with pea soup

Saturday: as on Wednesday

Source: " Liverpool Catholic Association Minute Book 1867 "



## APPENDIX 8

### Examples of Daily Routine at Birmingham Reformatory

#### Institute

#### Birmingham Reformatory Institute, 1855.

	Weekdays	Sundays
Rise and wash	6.00	7.00
School	6.30	
Prayers	7.30	8.00
Breakfast	8.00	9.00
School	9.00	
(On Sunday) Church		10.30
Work	11.00	
Dinner	1.00	1.30
Work	2.00	
(On Sunday) School		3.00
Supper	6.30	6.30
Work	7.00	
Singing Scripture Reading and Prayer	8.30	7.30
Bed	9.00	9.00

Source: Birmingham Reformatory Institution at Saltley Reports and Papers 1855.

## APPENDIX 9

### Visitors' Memorandum: Birmingham Reformatory Institute

1. State the day and hour of your visit
2. State the number of boys in the                      Tailor's shop  
   Shoemakers  
   at landwork  
   at housework
3. Has the timetable been kept accurately?
4. Remark upon the cleanliness and general appearance of the boys
5. Have all bathed during the last week?
6. Are any sick?
7. Remark upon the ventilation and cleanliness of floors, walls and furniture of the workshops and the state of the tools.
8. Remark upon the House, Schoolroom and offices.
9. Remark upon the Dormitories and bedding.
10. Remark upon the Bath and washing apparatus
11. Remark upon the Kitchen and cooking utensils
12. Remark upon the Larder and provisions.
13. Remark upon the School apparatus, books and maps.
14. Have any boys been out of bounds without leave or tickets
15. State if all the boys went to church last Sunday and the reasons for any exceptions.
16. What has the schoolmaster been teaching and what have been the employments of the boys on Sundays.
17. Any other observations.
18. Visitor's signature.

Source: Birmingham Reformatory Institute Reports and Papers 1855.

## APPENDIX 10

### Letters from Discharged Inmates. The 'Clarence' Reformatory

#### Ship 1867.

- a) 'Calcutta. We are very glad to inform you that we arrived safe after 100 days' passage in the Havana. I would be very glad indeed if you would drop me a few lines by return of post and let me know how the Captain is getting on...'  
(1867)
- b) 'McDonalt went to service to a farm but left and is now working at a Basket Makers. I think he was driven away from his first place in consequence of his being jeered and reproached with coming from a reformatory...'  
(1865)
- c) 'Bombay. Oh how glad I am that I ever went within the wooden walls of that old ship... The ship is now lying in Brass River Africa which is the worst harbour for sickness so we hear. R has left us; he went home in the ship - and we have heard very bad news since he left. 17 of her hands died in Benia and poor R was one of the lot that died' (1870)

Source: Clarence Committee Minutes ". (Various).

## APPENDIX 11

### Previous Commitments to Prison of Juvenile Offenders in Reformatory Schools in 1872

	<u>Male</u>	<u>Female</u>	<u>Total</u>
None	662	260	922
Once	395	40	435
2 times	148	5	153
3 times	45	1	46
4 times	9	2	11
5 times	7	1	8

Source: HMI Report 1873.

## APPENDIX 12

### Nature of Offence for which Juvenile Offenders were Convicted and Committed by Reformatory Schools England and Wales. 1858-59

<u>Offences</u>	1858		1859	
	Male	Female	Male	Female
Larceny/Petty theft	342	89	371	109
" of fixtures	13	-	7	-
" by servant	25	7	23	12
" from person	44	10	60	12
" in dwelling house	140	17	134	19
Attempt to steal	21	-	22	-
Unlawful possession of goods	9	4	8	2
Fraudulent offences	7	1	3	6
Receiving stolen goods	4	1	-	-
Embezzlement	5	-	3	1
Horse stealing	3	-	5	-
Sheep stealing	1	-	-	-
Cattle stealing	-	-	-	-
House breaking/shop breaking	20	4	22	1
Burglary	3	1	6	-
Robbery on the Highway	-	-	-	-
Attempts to break into houses	3	-	-	-
Arson and wilful burning	3	1	7	3
Wilful damage	3	-	3	1
Assault	1	1	2	-
Assault with intent to ravish	-	-	1	1
Forgeries	2	-	-	1
Uttering counterfeit coins	1	1	1	1
Vagrancy	25	4	17	9
Other	20	9	20	2

Source: Judicial Statistics: England and Wales 1860.

### APPENDIX 13

Nature of Offence for which Juvenile Offenders were Convicted  
and Committed by Reformatory Schools England and Wales. June 1, 1882  
to May 31, 1883.

Age	Offence	<u>Sentence Prison</u>	<u>Ref.</u>
13	Stealing 5 rabbits	21 days	5 years
12	Stealing bottle beer	1 cal.month	5 years
12	Lodging in open air to wit a shed	10 days	3 years
11	" " " "	10 days	3 "
12	" " " "	10 days	3 "
12	Stealing 3 pairs boots	21 days HL	4 "
11	Stealing 3sh.10d & 1 knife	10 days	5 "
12½	Stealing watchchain & ½ guinea	1 months	2 "
12	Stealing £2.2.6d	14	5 "
12½	Stealing 3 pigeons	14 days HL	3 "
12	Stealing purse and money	21 days HL	4 "
10	Stealing £4.12.4d	1 cal.month	5 "
12	Stealing bread and bacon	14	5 "
10	Stealing 3 hens	14	5 "
13	Wilful damage to bricks	14 days HL	4 "
11	Stealing 1 pair boots	10 days HL (6 strokes)	5 " (1 prev.conv.)
13	Stealing 1 pair boots	"	"
11	Stealing 5s.6d.	1 months	5 years
10	Stealing 20 lbs. nails	14	5 "

Source: Judicial Statistics, England and Wales 1883.

Age	<u>Offence</u>	<u>Sentence</u>		<u>Ref.</u>
		<u>Prison</u>		
11	Stealing potatoes	10 days HL	5	"
11	Stealing potatoes	10 days HL	5	"
10	Stealing 1 guernsey	10 days HL	5	"
12	Stealing 2s.6d	1 cal.months	5	"
11	Stealing 6 iron washers	6 weeks	5	"
12	Stealing 2 pairs boots	1 cal.month	5	"
11	Stealing 7 suits clothes	14 days	5	"
12	Stealing purse and money	21 days	3	"
13	Stealing 6 pigeons	21 days HL	5	"
		(6 strokes)		
12½	Stealing 9d from person	14	5	"
<u>Residue:</u>	Poisoning	14	5	"
	Absconding Ind.School	14	5	"
	" "	"	"	"
	Assaulting female	10 days HL	3	"

# APPENDIX 14

## Number of Juvenile Commitments to prisons: England and Wales 1856-1868

	<u>Under 16</u>		<u>over 16</u>
1856	13091	1859	98159
57	12501	1864	111149
59	8929	1866	114935
60	8029	1867	121767
64	8857	1868	133078
66	9336	1869	146940
67	9631	1874	148837
68	10079	1879	165843
74	8943	1884	171588
79	6810		
84	4879		

Source: HMI Reports (various).



# APPENDIX 15a

## Data relating to Boys discharged from Reformatory Schools 1859-75

	<u>Dead</u>	<u>Doing well</u>	<u>Reconvicted</u>	<u>Doubtful</u>	<u>Unknown</u>
1859-61	31	894	197	139	247
60-62	35	989	207	137	362
61-63	38	1128	220	128	508
62-64	51	1336	326	80	400
63-65	59	1499	335	94	228
64-66	71	1394	368	100	221
65-67	65	1552	391	77	236
66-68	57	1497	383	53	237
67-69	55	1606	397	56	264
68-70	76	1774	396	73	297
69-71	77	1844	402	74	265
70-72	89	2084	410	77	281
71-73	75	2117	412	62	322
72-74	77	2202	424	67	362
73-75	66	2164	437	76	300

Source: HMI Reports (various).

# APPENDIX 15b

## Date relating to Girls discharged from Reformatory Schools 1859-75

	<u>Dead</u>	<u>Doing well</u>	<u>Reconvicted</u>	<u>Doubtful</u>	<u>Unknown</u>
1859-61	7	150	31	46	51
60-62	10	225	41	51	63
61-63	16	274	37	65	62
62-64	17	319	44	73	74
64-66	15	385	46	72	52
65-67	11	416	58	74	60
66-68	11	377	54	61	72
67-69	11	345	69	48	83
68-70	14	382	59	56	50
69-71	11	377	67	71	57
70-72	26	445	68	70	41
71-73	24	468	60	63	47
72-74	23	470	47	63	85
73-75	14	492	36	48	85

Source: HMI Reports (various).

# APPENDIX 16

## Totals Discharged from Reformatory Schools 1861

	<u>Protestant Schools</u>		<u>Catholic Schools</u>	
	<u>Boys</u>	<u>Girls</u>	<u>Boys</u>	<u>Girls</u>
To work or service	376	129	63	41
To friends	543	83	230	23
Emigrated	264	12	9	3
Enlisted	138	-	60	-
To sea	226	-	32	-
Special discharge	56	28	14	4
Died	40	11	11	14
Transferred to other Reformatory Schools	243	97	5	3
Absconded not recovered	153	17	25	1

## Totals discharged from Reformatory Schools 1862

	<u>Boys</u>	<u>Girls</u>
To service or employed provided by managers	242	95
To care or employment found by friends	261	62
Emigrated	104	6
Enlisted	22	-

	<u>Boys</u>	<u>Girls</u>
Sent to Sea	90	-
Special discharge on grounds of health or incorrigible	20	13
Died	18	9

Totals discharged from Reformatory Schools 1870

	<u>Boys</u>	<u>Girls</u>
Placed in service or employment	315	164
Returned to friends	408	94
Emigrated	115	6
Sent to Sea	227	-
Enlisted	19	-
Discharged on account of disease	16	6
Discharged as incorrigible	5	5
Died in schools	35	8
Absconded and sentence expired	23	3

Source: HMI Reports (various).

## APPENDIX 17

### Number of Certified Industrial Schools and Number of Children in Certified Industrial Schools 1861-83

	<u>Number of schools</u>	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
1861	34	297	183	480
1862	45	641	308	949
1863	47	972	377	1349
1864	50	1194	474	1668
1865	51	1467	595	2062
1866	57	1893	675	2566
1867	63	2766	1036	3802
1868	73	4166	1572	5738
1869	82	5416	1929	7345
1870	91	6598	2190	8788
1871	95	7023	2397	9420
1872	100	8130	2775	10905
1873	104	8947	2844	11791
1874	110	9774	2901	12265
1875	110	10499	2903	12682
1876	117	11315	2976	13475
1877	118	11747	3044	14359
1878	124	12585	3206	14953
1879	127	13089	3275	15860
1880	129	13519	3357	16955
1881	130	14075	3436	16955
1882	138	15070	3540	17614
1883	141	15043	3737	18780

Source: HMI Report 1884.

# **APPENDIX 18**

## Total income and expenditure, Industrial Schools 1867, 68 and 84.

<u>1867</u>			
<u>Income</u>		<u>Expenditure</u>	
Treasury	22,729		
Payment of Parents	1,542		
Subscriptions & Legacies	19,999		
Payment for voluntary inmates	2,914		
Sundries			2,572
<b>Total</b>	<b><u>£49,826</u></b>	<b>Total</b>	<b><u>£58,701</u></b>

<u>1868</u>			
<u>Income</u>		<u>Expenditure</u>	
Treasury	31,723	Salaries	16,948
Payment from Parents	1,869	Food (inmates)	32,024
Subscriptions & Legacies	23,010	Clothes	9,860
Payment for voluntary inmates	2,920	Washing, fuel, light	4,549
Sundries	4,214	Sundries (repairs/ rates)	4,549
Contribution from rates			15,949
		Rents	1,808
		Disposals	1,326
		Building	5,357
<b>Total</b>	<b><u>£83,873</u></b>	<b>Total</b>	<b><u>£87,821</u></b>

<u>1884</u>			
<u>Income</u>		<u>Expenditure</u>	
Treasury allowance	176,733	Salaries	74,266
Subscription	42,129	Food	117,066
Payment from County rates	26,621	Clothing	43,518
Payment from Borough rates	13,421	Washing & fuel	21,661
Payment from School Boards	65,542	Repairs/rates	24,042
Payment from parochial authorities	1,452	Furniture	13,809
Payment from voluntary inmates	6,423	Printing	7,855
Profits	23,771	Travel	2,160
<b>Total</b>	<b><u>£31,2211</u></b>	<b>Total</b>	<b><u>£244,40</u></b>

Source: HMI Reports (various).

## APPENDIX 19

### Day Industrial Schools under the New Elementary Education Act 39 and 40 Vict., C79. by 1884

Gateshead School Board Day Industrial School,  
Windmill Hill Gates, Gateshead

Bristol School Board Day Industrial School,  
St. James' Back, Bristol.

Liverpool School Board Day Industrial School,  
Park Lane, Liverpool.

Liverpool School Board Day Industrial School,  
Bond Street, Liverpool.

Liverpool School Board Day Industrial School,  
Queensland Street, Liverpool.

Kirkdale Voluntary Day Industrial School,  
Mayor Street, Kirkdale.

Great Yarmouth School Board Day Industrial School,  
South Town, Great Yarmouth.

Oxford School Board Day Industrial School,  
St. Algate's Street, Oxford.

Leeds Day Industrial School,  
Edgar Street, Leeds.

Wolverhampton Day Industrial School,  
Wolverhampton.

Source: HMI Report 1884.

## APPENDIX 20

### Ages of children on Admission to Industrial Schools 1870

<u>Age on admission</u>	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
From 6 - 8 years	125	92	217
8 - 10 years	358	149	507
10 - 12 years	681	182	863
12 - 14 years	759	119	878

### Parental circumstances of children admitted to Industrial Schools 1870

	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
Illegitimate	71	27	98
Both parents dead	253	104	357
One parent dead	691	210	901
Deserted by parents	269	78	347
One or both parents ) criminal or destitute)	85	39	124
Others			638

Source: HMI report 1871

## APPENDIX 21

### Subscription rates for Residential and Day Industrial Schools

<u>Residential Schools</u>		<u>Day Schools</u>	
1870	£59,310	1880	£1,005
1880	£29,260	1890	£3,698
1890	£34,490	1900	£3,253
1900	£24,897	1905	£3,305

Source: HMI Returns 1906



Dietry

	Boiled milk	Oatmeal porridge	coffee	bread	cooked beef	mutton	pea soup	boiled suet pudding	Baked suet pudding	cheese	vegetables	bread	cocoa	tea	current bread
Sunday			$\frac{3}{4}$ pint	6 ozs	5 ozs			8 ozs			8 ozs	3 ozs	$\frac{3}{4}$ pint	$\frac{3}{4}$ pt	6 ozs
Monday	$\frac{1}{2}$ pint	$\frac{3}{4}$ pint		4 ozs								4 ozs			6 ozs
Tuesday		$\frac{3}{4}$ pint		6 ozs							8 ozs	3 ozs			6 ozs
Wednesday			$\frac{3}{4}$ pint	4 ozs			1 pt					6 ozs			6 ozs
Thursday	$\frac{1}{2}$ pint	$\frac{3}{4}$ pint		6 ozs							8 ozs	3 ozs			6 ozs
Friday				6 ozs	5 ozs				8 ozs	$1\frac{1}{2}$ ozs		4 ozs			6 ozs
Saturday		$\frac{3}{4}$ pint		4 ozs								8 ozs			6 ozs

Timetable

6.15	Rise, fold bed and wash	1.30	Recreation
7.00	Sweep and clean house and school	2.00	Distribution for school work
8.00	Breakfast	5.00	Leave school - ditto -
8.40	Prayers	5.50	Leave work, prepare for supper
9.00	Distribution for school and work ( $\frac{1}{2}$ to school, remainder in industrial occupation)	6.00	supper
	Leave school, trade boys to work, little boys to play	6.30	Recreation
12.00	Leave work, prepare for dinner	7.30	Prayers
12.50	Dinner	8.00	Boys to bed
1.00			

## APPENDIX 23

### Admissions to Industrial Schools in England and Wales, showing Age Distribution, 1862 - 1865

<u>Year</u>	<u>Under 7</u>	<u>7-9</u>	<u>9-11</u>	<u>11-13</u>	<u>13-15</u>
1862	4	37	128	135	49
1863	8	39	111	147	47
1864	3	31	108	106	52
1865	3	36	157	182	80
1866	4	69	238	239	117
1867	19	179	390	494	265
1868	11	222	430	576	217
	<u>6-8</u>	<u>8-10</u>	<u>10-12</u>	<u>12-14</u>	
1869	80	274	589	577	
1870	106	337	586	556	
1871	104	353	824	603	
1872	109	359	903	600	
1873	136	441	1042	626	
1874	70	372	994	555	
1875	85	386	988	534	
1876	63	413	1033	681	
1877	121	406	1274	834	
1878	131	400	1210	841	
1879	91	405	1242	1160	
1880	76	378	1434	1110	
1881	31	448	1469	1258	
1882	73	524	1735	1368	
1883	123	602	1862	1633	
1884	141	415	1231	1118	
1885	127	426	1176	1073	

Source: HMI Reports (various).

# APPENDIX 24a

Data relating to Boys discharged from Industrial Schools in  
England and Wales, 1860 - 1884.

<u>Discharged</u>	<u>Date recorded 31 Dec.</u>	<u>Dead</u>	<u>Doing well</u>	<u>Convicted of crime</u>	<u>Doubtful</u>	<u>Unknown</u>
1860-1862	1863	2	44	-	9	44
1861-1863	1864	5	70	-	4	24
1862-1864	1865	6	107	5	13	48
1863-1865	1866	7	180	16	25	95
1864-1866	1867	8	256	21	31	154
1863-1867	1868	12	326	34	25	210
1866-1868	1869	23	467	41	47	150
1867-1869	1870	22	634	53	68	133
1868-1870	1871	24	863	79	58	172
1869-1871	1872	33	1146	117	97	220
1870-1872	1873	41	1551	135	108	250
1871-1873	1874	70	1909	143	125	252
1872-1874	1875	63	2261	150	115	228
1873-1875	1876	79	2560	170	102	253
1874-1876	1877	84	2862	175	118	274
1875-1877	1878	80	3113	200	125	240
1876-1878	1879	82	3329	242	164	330
1877-1879	1880	92	3695	260	133	299
1878-1880	1881	98	3969	263	201	457
1879-1881	1882	130	4109	276	215	635
1880-1882	1883	126	4632	313	213	663
1881-1883	1884	115	4480	279	173	629
1882-1884	1885	109	4728	268	153	605

Source: HMI Reports (various).

# APPENDIX 24b

Data relating to Girls discharged from Industrial Schools in  
England and Wales, 1860 - 1884.

<u>Discharged</u>	<u>Date recorded 31 Dec.</u>	<u>Dead</u>	<u>Doing well</u>	<u>Convicted of crime</u>	<u>Doubtful</u>	<u>Unknown</u>
1860-1862	1863	-	37	-	7	10
1861-1863	1864	-	42	-	3	11
1862-1864	1865	-	32	-	4	19
1863-1865	1866	-	43	3	7	35
1864-1866	1867	-	70	3	18	53
1863-1867	1868	4	85	5	16	73
1866-1868	1869	5	95	6	31	65
1867-1869	1870	6	119	7	26	40
1868-1870	1871	4	160	3	30	56
1869-1871	1872	8	235	3	46	66
1870-1872	1873	11	341	9	60	48
1871-1873	1874	16	409	13	63	66
1872-1874	1875	18	483	16	73	66
1873-1875	1876	25	577	9	85	63
1874-1876	1877	18	646	10	74	82
1875-1877	1878	20	688	13	93	92
1876-1878	1879	22	648	6	91	80
1877-1879	1880	20	649	21	89	119
1878-1880	1881	17	674	17	83	145
1879-1881	1882	13	753	22	98	161
1880-1882	1883	13	825	20	88	156
1881-1883	1884	15	846	18	97	143
1882-1884	1885	22	887	18	106	111

Source: HMI Reports (various).

## APPENDIX 25

### A comparison of Juvenile and Adult Crime Rates 1859-84

	<u>No. of convicted</u> <u>juveniles</u>	<u>No. of convicted</u> <u>adults (over 16)</u>
1859	8,913	98,159
1864	8,857	111,149
1866	9,336	146,940
1869	10,314	148,837
1874	8,945	165,843
1879	6,816	171,588
1884	4,879	(check)

Source: HMI Reports (various).

## APPENDIX 26

### Number of Young Offenders Admitted into Reformatory Schools in Great Britain, 1885-1910

<u>Year</u>	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
1896	1089	197	1286
1897	1236	185	1421
1898	1363	170	1533
1899	1138	177	1315
1900	1356	177	1533
1901	1455	182	1637
1902	1218	173	1391
1903	1182	158	1340
1904	1171	191	1362
1905	1394	138	1532
1906	1314	176	1490
1907	1295	165	1460
1908	1426	184	1610
1909	1316	150	1466
1910	1304	167	1471

Source:                    HMI                    Reports                    (various).

## APPENDIX 27

### Children Sent to Industrial Schools in the London Area

1871-1904

<u>Numbers</u>	<u>Reason</u>
15436	under Section XIV of 1866 Industrial Schools Act (found begging and under 14)
3575	under Section XVI of 1866 Industrial Schools Act 1866 (out of control of parents and under 14)
748	under Industrial Schools Amendment Act 1880 (lodging with prostitutes, frequenting with the company of prostitutes).
1816	under Elementary Education Act 1876 for non-attendance at school.
11281	sent to truant schools under Sections 11 and 12 of the New Elementary Act 1876.
11254	in day industrial schools where parents assure reasonable efforts to enforce compliance

Source: Final Report of the London School Board 1904

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## ABSTRACT OF THESIS

E.Hartley, The Institutional Treatment of Juvenile Delinquency: Aspects of the English Reformatory and Industrial School Movement in the Nineteenth Century.

This thesis studies the significance of the reformatory as a nineteenth century institution whose purpose was to reduce and eventually eliminate juvenile crime. It examines in particular the reformatory school and the long-term industrial school (together with its products the truant and day industrial school).

It is argued that the growth and development of these schools was governed by the dynamic interaction of social pressures and institutional responses, but the Home Office's position between these two forces was often a formative influence in its own right.

Some of the traditional interpretations of reformatory history are reviewed critically, particularly the view that reformatory and industrial schools were the creations of wide-ranging fears about juvenile criminality, and that Home Office Schools were no longer seen as socially relevant by the end of the nineteenth century.

There are two fundamental themes. The first is concerned with the ideological underpinning of the industrial and reformatory school movement, both at its inception and during its development in the second half of the century. The theory and practice of the institutions forms the second theme, and a detailed study of daily regimes is integral to an attempt to assess how legal and social changes were interpreted and acted upon in the schools.

The final part of the thesis suggests that toward the end of the nineteenth century Home Office Schools adapted in a variety of ways to the changing demands made upon them, and continued to function as significant agents in society's attempts to remodel the characters of its non-conforming children.