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# **Capital Domicide: Home and Murder in the Mid-Century Metropolis**

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# Contents

<b>Summary .....</b>	<b>2</b>
<b>Acknowledgements.....</b>	<b>3</b>
<b>List of figures .....</b>	<b>4</b>
<b>Abbreviations .....</b>	<b>6</b>
<b>Introduction.....</b>	<b>7</b>
<b>Chapter one: sources.....</b>	<b>48</b>
<b>Chapter two: class capital .....</b>	<b>89</b>
<b>Chapter three: the home front .....</b>	<b>127</b>
<b>Chapter four: ‘race’ .....</b>	<b>165</b>
<b>Chapter five: gender and sexuality.....</b>	<b>201</b>
<b>Conclusion.....</b>	<b>253</b>
<b>Bibliography .....</b>	<b>260</b>
<b>Appendix: images .....</b>	<b>276</b>

## Summary

This thesis examines experiences in domestic spaces in London 1930 to 1970 on a case-study basis, and through them explores the meanings of home more generally in the period.

This study is unique in using case files for murder trials at the Central Criminal Court, also known as the Old Bailey, as a source for this topic, archive documents that include photographs and plans alongside rich descriptions of everyday domestic and urban life and the use of home spaces. This is an area notoriously difficult to study because of the scarcity of sources that combine visual and descriptive information, particularly sources that can be described as ‘actual’ rather than ‘ideal’ or ‘aspirational’.

It focuses on the urban and suburban areas of the capital, specifically the area under the jurisdiction of the Central Criminal Court and Metropolitan Police, the producers of the sources used.

Informed by Social and Cultural Historical and Geographical approaches, this thesis concentrates on the ways homes were interpreted by the authors of the documents and their relationship to ideas about home in wider society. It argues that a circular relationship existed in which assumptions by police and judiciary about class, gender, ‘race’ and sexuality influenced the ways people’s homes were ‘read’ and the way evidence was collected from domestic crime scenes. These readings informed perceptions of residents’ capability for respectable domestic life, and of the culpability of victims, the guilt of defendants, and the veracity of witnesses’ evidence. Further, verdicts and sentencing were then reported on and shared in ways that had impact on later crimes, homes, and their interpretation.

By analysing the processes that created the archived documents, this thesis challenges the assumptions embedded within them. It finds that social, cultural and economic capital were used by people to negotiate privacy, comfort and domesticity in their homes.

In these ways, this thesis both makes an original contribution to studies of home, and describes and justifies a method and approach to crime sources that can be applied to a variety of other topics.

## Acknowledgements

I am grateful to the Geffrye Museum of the Home and the Histories of Home Subject Specialist Network for inspiring the use of crime sources for studying home with their ‘Crime Scenes and Case Files’ postgraduate study day in 2012. Chris Williams at the National Archives was helpful in the early stages of identifying useful collections and sources.

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This thesis is dedicated to the memory of Bryan Edward Neale, 22 March 1936 – 17 June 2015, who took me to places where working-class East Anglian ancestors were born and lived and worked and drank and died and were buried, and told me their stories and his and mine.

Here’s to his mother’s youngest son.

## List of figures

<u>Figure 1:</u> CRIM 1/2783: Exhibit 1: 'Plan and part elevation of two rooms on the first floor of a residence at number 28 Appleford Road, North Kensington W 10' [detail, undated, author unknown].....	276
<u>Figure 2:</u> CRIM 1/2783: Exhibit 4: Album of 9 photographs: 'No. 1: Shews the kitchen on 1st floor at 28 Appleford Rd' [undated, photographer unknown].....	277
<u>Figure 3:</u> CRIM 1/2783: Exhibit 4: 'No. 2: Shews the kitchen on 1st floor at 28 Appleford Rd'.....	277
<u>Figure 4:</u> CRIM 1/2783: Exhibit 19: 'Envelope containing letter and 2 samples of wallpaper' [part, undated].....	278
<u>Figure 5:</u> CRIM 1/2783: Exhibit 19: [reverse].....	278
<u>Figure 6:</u> CRIM 1/2783: Exhibit 19: [sample 2 of 2].....	278
<u>Figure 7:</u> CRIM 1/610: Exhibit 3: Book of photographs 'Taken on Tuesday 31st May and Wednesday 8th June, 1932 by Alfred Madden, New Scotland Yard' [1 of 5]. ....	279
<u>Figure 8:</u> CRIM 1/610: Exhibit 3... [2 of 5]. ....	279
<u>Figure 9:</u> CRIM 1/610: Exhibit 1: 'Plan of Ground and 1 <sup>st</sup> Floors [detail, undated]. ...	280
<u>Figure 10:</u> CRIM 1/610: Exhibit 3: [3 of 5]. ....	281
<u>Figure 11:</u> CRIM 1/610: Exhibit 3... [4 of 5]. ....	281
<u>Figure 12:</u> CRIM 1/742: Exhibit 2: '2 photographs' [undated, photographer unknown]. ....	282
<u>Figure 13:</u> CRIM 1/742: [2 of 2]. ....	282
<u>Figure 14:</u> CRIM 1/742: 'Plan of First Floor Back Room of No 12 Prebend Street, Camden Town' by PC Sidney Bostock [Met Police] 'N' Division, [undated]. ....	283
<u>Figure 15:</u> CRIM 1/1052: Exhibit 1: 'Plan of basement of No 2 Richmond Way (Shepherd's Bush), Hammersmith. London. W. On 25th October 1938.' By PC Richard Atlee, [Met Police] 'F [Division]'. ....	284
<u>Figure 16:</u> CRIM 1/743: Exhibit 9: Book of photographs [undated, photographer unknown]. ....	285
<u>Figure 17:</u> CRIM 1/743: Exhibit 9... [2 of 5]. ....	285
<u>Figure 18:</u> CRIM 1/743: Exhibit 9... [3 of 5]. ....	286
<u>Figure 19:</u> CRIM 1/743: Exhibit 8: Photograph taken 'at Brighton' [undated, photographer unknown]. ....	286
<u>Figure 20:</u> CRIM 1/743: Exhibit 12: Copy of book: Lancing, M., <i>She Wore No Ring</i> (Girls' Friend Library, 1934). ....	287
<u>Figure 21:</u> CRIM 1/743: Exhibit 12: [detail showing top of p. 56]. ....	287
<u>Figure 22:</u> CRIM 1/2206: Exhibit 2: Photographs [undated, photographer unknown].	288
<u>Figure 23:</u> CRIM 1/2206: Exhibit 2: detail showing cat on bed. ....	288
<u>Figure 24:</u> CRIM 1/4847: Exhibit 4: Plan of flat [detail, address redacted], by PC David Seear, Met Police [undated]. ....	289
<u>Figure 25:</u> CRIM 1/4261: Exhibit 1: Plan of flat [address redacted], by PC Donald Tidy, Met Police, 5 June 1964. ....	289

<u>Figure 26:</u> CRIM 1/4474: Exhibit 1: Album of photographs, David John Teague, Senior Photographer, Photographic Section, New Scotland Yard, 13 November 1965. ....	290
<u>Figure 27:</u> CRIM 1/4474: Exhibit 1... [2 of 6] .....	290
<u>Figure 28:</u> CRIM 1/4474: [3 of 6].....	291
<u>Figure 29:</u> CRIM 1/4474: [4 of 6].....	291
<u>Figure 30:</u> CRIM 1/4474: [5 of 6].....	292
<u>Figure 31:</u> CRIM 1/3164: Photographs of scullery [undated, photographer unknown]. .....	293
<u>Figure 32:</u> CRIM 1/3164: [2 of 2].....	293
<u>Figure 33:</u> CRIM 1/4847: Exhibit 5: Album of Photographs: No. 13 'shews kitchen', taken 7-8 February 1968 by Senior Photographer Bellingham [Scotland Yard].....	294
<u>Figure 34:</u> CRIM 1/3576: Exhibit 5: Album of photographs [address redacted], taken by Howard Fenacis Jones, Senior Photographer, New Scotland Yard, 27 November 1960. .....	295
<u>Figure 35:</u> CRIM 1/3576: Exhibit 5... [2 of 4].....	295
<u>Figure 36:</u> CRIM 1/4566: Exhibit 1: Photographs taken on 15 July 1966 by Senior Photographer David Chapman [New Scotland Yard], No. 1 'shews Exterior of [number redacted] Sussex Street, S.W.1. ....	296
<u>Figure 37:</u> CRIM 1/4566: Exhibit 1: Photograph No. 6 'shews [sic] Table behind door.' .....	296

# Abbreviations

CCC – Central Criminal Court

CRIM – National Archives prefix for Central Criminal Court records

DI – Detective Inspector

DPP – Director of Public Prosecutions

DS – Detective Superintendent

HO – Home Office

LCC – London County Council

LMA – London Metropolitan Archives

MEPO – National Archives prefix for Metropolitan Police records

PC – Police Constable

TNA – The National Archives



# Introduction

This thesis represents an original study of case files for murder trials at the Central Criminal Court, London, also known as the Old Bailey, as evidence for home and homes in the past. The critical intervention applied to these rich and endlessly fascinating sources permits assumptions about people and their homes to be questioned in ways previously not fully appreciated. A central argument of this thesis is that homes that were crime scenes were often denied a ‘homely’ interpretation because of assumptions about the respectability, class or character of the people who lived there. Though overlooked by police and judiciary, everyday homely experiences are here foregrounded in order to identify the ways home-making was practised in the face of hardships and inequalities.

## Home

There’s no place like home. It is both a physical and psychological place, one’s dwelling, the place one lives and sleeps, where one feels a sense of safety, comfort and belonging. It is a space where one experiences ‘the everyday’, where one ‘lives’ their place in society, and where one constructs a place to consume and exhibit material culture, express identity, and act out intimate relationships.<sup>1</sup> But it can also be a place that is denied or destroyed, of control, conflict, violence and inequality.<sup>2</sup>

In the UK in 2015 we are experiencing a ‘housing crisis’ that threatens our homes, an issue that featured high on the political agenda during the recent general

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<sup>1</sup> For excellent summaries and analyses of key texts and approaches to home see Alison Blunt and Robyn Dowling, *Home, Key Ideas in Geography* (New York: Routledge, 2006), pp. 1–16; and Ben Highmore, *Everyday Life and Cultural Theory: An Introduction* (London: Taylor & Francis, 2002).

<sup>2</sup> Ibid., see also Richard Baxter and Katherine Brickell, ‘For Home and Unmaking’, *Home Cultures*, 11.2 (2014), 133–43; J. Douglas Porteous, *Domicide: The Global Destruction of Home* (Ithaca: McGill-Queen’s University Press, 2001); Rachel Pain, ‘Social Geographies of Women’s Fear of Crime’, *Transactions*, 22 (1997), 231–44; Molly Warrington, ‘“I Must Get out”: The Geographies of Domestic Violence’, *Transactions of the Institute of British Geographers*, 26.3 (2001), 365–82.

election.<sup>3</sup> Political and popular ideology has it that home is a place for families, but this has implications for those who are denied the right to call themselves a ‘family’, or those who live alone.<sup>4</sup> The place of home and domestic identities have a significant historical context in public discussion as well as personal experience, and by studying the shifting meanings of home in the past we can better understand the legacies left by restricted resources and inequalities at home for (for examples) women, ‘problem families’, communities and marginalised groups.<sup>5</sup> Those experiencing inequalities at home in the past have been denied rights to private life, public engagement and participation in politics, or subjected to intervention and surveillance because of the conditions of their homes or the ways they have lived in them.<sup>6</sup> Home is, and has been, a site of considerable social and economic inequalities that impact everyday experiences, as well as a place where privacy and safety can be renegotiated and challenged. Whether positive or negative in its connotations, home is significant because it is so central to everyday experiences in the past and present.

Long literary and scholarly traditions exist in which writers, social scientists, reformers and other observers have understood unequal conditions and opportunities at

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<sup>3</sup> ‘The Housing Crisis’, *Shelter - The Housing and Homelessness Charity*, 2014  
 <[http://england.shelter.org.uk/campaigns/why\\_we\\_campaign/the\\_housing\\_crisis/what\\_is\\_the\\_housing\\_crisis](http://england.shelter.org.uk/campaigns/why_we_campaign/the_housing_crisis/what_is_the_housing_crisis)> [accessed 24 July 2015]; ‘Homes or Investments?’, *Shelter - The Housing and Homelessness Charity*, 2014  
 <[http://england.shelter.org.uk/campaigns/why\\_we\\_campaign/the\\_housing\\_crisis/what\\_is\\_the\\_housing\\_crisis/homes\\_or\\_investments](http://england.shelter.org.uk/campaigns/why_we_campaign/the_housing_crisis/what_is_the_housing_crisis/homes_or_investments)> [accessed 24 July 2015]; ‘PM and Chancellor Announce “One Nation” Plans to Spread Homeownership across the Country - Press Releases’, *GOV.UK*, 2015  
 <<https://www.gov.uk/government/news/pm-and-chancellor-announce-one-nation-plans-to-spread-homeownership-across-the-country>> [accessed 24 July 2015]; Tracy Jensen, ‘Speaking Back to Stigma: Social Housing and Solidarity in East London’, *Discover Society*, 11 April 2014  
 <<http://discoversociety.org/2014/11/04/speaking-back-to-stigma-social-housing-and-solidarity-in-east-london/>>.

<sup>4</sup> Katherine Holden, Amy Froide and June Hannam, ‘Introduction’, *Women’s History Review*, 17.3 (2008), pp. 317–8.

<sup>5</sup> Alison Ravetz, *The Place of Home: English Domestic Environments, 1914-2000* (London: Spon, 1995), pp. 2–5.

<sup>6</sup> See for example Becky Taylor and Ben Rogaly, “‘Mrs Fairly Is a Dirty, Lazy Type’: Unsatisfactory Households and the Problem of Problem Families in Norwich 1942-1963’, *Twentieth Century British History*, 18.4 (2007), 429–52.

home as caused by poverty and class position, but in ways that hold inhabitants responsible for such circumstances.<sup>7</sup> William Booth, for example, considered poverty to be a symptom of idleness, and poor living conditions the result of attitudes to care of the home or moral fault rather than as caused by economic or social deprivation. He mapped ‘chronic want’, ‘vicious’, ‘semi-criminal’, ‘comfortable’ and ‘well-to-do’ buildings, dwellings, and streets, making direct links between the moral character of inhabitants and the conditions of the homes themselves.<sup>8</sup> It has been argued that Booth’s ‘scientific’ findings influenced building clearance programmes by London councils in the twentieth century.<sup>9</sup> Booth’s tradition can also be seen to be echoed in the work of twentieth-century social scientists and reformers, for example the classifications of William Beveridge’s ‘five giant evils’ including squalor and idleness.<sup>10</sup> This is important because it illustrates that people experiencing poverty in the past have repeatedly been denied homes literally, by processes of ‘slum clearance’, and figuratively, through the assumption that living conditions were the result of poor morals or lack of clean and respectable habits.

Many historical sources for the experiences of home of those in poverty also tend to perpetuate negative attitudes toward them. Home is therefore an important place to study, particularly in ways that separate the values of observers from the experiences of the observed. This thesis will argue that housing circumstances were a significant determinant of everyday living practices even if contemporary commentators tended to blame what they perceived as bad habits or poor moral choices. ‘Home’ in its warm and

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<sup>7</sup> Anita Biressi and Heather Nunn, *Class and Contemporary British Culture* (Basingstoke: Palgrave Macmillan, 2013), pp. 9–10, see for examples Charles Dickens, *Sketches by Boz*, (London: Penguin Classics, 1995); Friedrich Engels, *The Condition of the Working Class in England* (Oxford: Oxford University Press, 1993); Jack London, *The People of the Abyss* (London: Pluto Press, 1998); Henry Mayhew, *London Labour and the London Poor* (Harmondsworth: Penguin Books, 1985).

<sup>8</sup> Christian Topalov, ‘The City as Terra Incognita: Charles Booth’s Poverty Survey and the People of London, 1886–1891’, *Planning Perspectives*, 8.4 (1993), p. 399.

<sup>9</sup> *Ibid.*, p. 405.

<sup>10</sup> Nicholas Timmins, *The Five Giants: A Biography of the Welfare State*, (London: HarperCollins, 2001).

emotional sense, was a word denied to homes that appear in criminal case files for a variety of reasons, and observations and discriminations remain largely unchallenged by scholars and visual artists who have used these and similar sources, as this thesis will show.

Scholars have identified the problem of accessing home as a subject of research, in part because of its private nature, and also partly because of the negative connotations associated with being perceived to have failed to live up to other people's standards. Further, they have articulated the difficulty of finding the actual versus the ideal: domestic consumption has produced catalogues, magazines, design manuals, DIY brochures, photographs, sales booklets, and endless images of desirable home furnishings.<sup>11</sup> The extent to which these ideal homes are reflected in actual dwellings in the past is difficult to analyse, particularly because sources for images of inhabited homes tend to be constructed by residents to show the way they would want others to see them.<sup>12</sup> Photographs of actual interiors, where they exist, show neat and tidy spaces with all traces of living and eating and routine packed away. Sources that show how homes look when the inhabitant has no notice of a visitor, or no notion of their home being viewed by a guest, outsider, or consumer of a photograph, are very few indeed.<sup>13</sup> Furthermore, no scholar has so far published an analysis of sources that provide both images of actual homes, and descriptions of how those spaces were lived in, how and by whom, and how the inhabitants were influenced by the spaces and places in which they lived. The sources used in this thesis and the method of using them attempts to address many of these problems.

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<sup>11</sup> See for examples Ravetz; Deborah Ryan, *The Ideal Home through the 20th Century* (London: Hazar, 1997).

<sup>12</sup> Blunt and Dowling, pp. 74–9.

<sup>13</sup> Alison Blunt and Eleanor John, 'Domestic Practice in the Past: Historical Sources and Methods', *Home Cultures*, 11.3 (2014), 269–74.

## Domicide

The word ‘domicide’ has been used by Douglas Porteous to describe the deliberate destruction of people’s homes, usually for development or profit. This is one way the word, meaning literally, ‘killing home’ could be applied.<sup>14</sup> Katherine Brickell and Richard Baxter have more recently broadened the concept using the term ‘home *unmaking*’ to mean a more general erosion or decline which they see as less ‘apocalyptic’ than ‘domicide’.<sup>15</sup> In this thesis, ‘domicide’ is more appropriate precisely because it suggests a violent end. Domestic murder is not part of ‘the lifecourse of all homes’<sup>16</sup> but an unexpected and sudden ending as the result of a homicidal or deliberate act, even if that act is later identified as one which was provoked or partially accidental.

I also consider it an appropriate word to apply to the above described ‘killing’ of working-class *homeliness* and denial of domestic identities to some groups of people, as well as instances of slum-clearance which wilfully ignored the homely qualities, attachments and meanings of buildings to their poor or working class inhabitants. Even those fortunate enough to have been assigned social housing could be denied the opportunity to live in their new homes in the manner they wished. I am also using the word ‘domicide’ to refer to the death of individual homes. When someone dies unexpectedly in a dwelling the household is rarely inhabited by the surviving members of the family in the same way again. Furthermore, it may be regarded as a ‘house of horror’ or ‘death house’ long after domestic homicide has occurred there, or in some other way remembered as an unsettling or unhomely place.<sup>17</sup> Still further, the figurative crime

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<sup>14</sup> Porteous, pp. 3, 10–12.

<sup>15</sup> Baxter and Brickell, pp. 134–5.

<sup>16</sup> Ibid.

<sup>17</sup> For examples: ‘BRIDE TAKES DEATH VILLA’, *Daily Mirror*, 10 July 1938, p. 3; ‘MURDER HOUSE YIELDS A NEW SECRET’, Ibid., 30 March 1953, p. 6; ‘HOUSES OF DEATH’, Ibid., 24 September 1954, p. 7.

of domicile can often be judged to have been committed by the victim of a murder if they have in some way failed to maintain or live in the home as they should have. This subtly expressed interpretation nevertheless has an impact on the perceived guilt of the defendant in murder cases.

Domestic crime scenes were increasingly investigated and interpreted scientifically over the period 1930-1970, emphasis shifting to the evidence of mental health experts who were relied upon for interpretation of the moral health of the defendant and the comparative culpability of the victim, including their behaviours at home.<sup>18</sup> In other words, the physical place of the home and the immediate interpretation of the police became relied upon less in court to tell the story of what happened. Rather, the interpretations of ‘expert’ witnesses in the forms of mental health reports on defendants and detailed forensic analyses of material collected at the scene became more significant. Unlike police, these experts were unlikely to have visited the home their reports described. Interviews with defendants show that home’s importance as a physical place was replaced by its temporal place. The personalities and domestic behaviours of individuals were increasingly read by experts as leading to violence, diminishing the role of regular police in establishing a narrative of the crime from the immediately visible evidence of the home. This can also be understood as a type of domicile – the visible home slowly dying in significance as an interpretational tool across the period.

Uses of crime scene photos after their judicial purpose, described by Katherine Biber as their ‘cultural afterlife’, have also denied homely interpretations of the scenes they examine.<sup>19</sup> Most have much in common with the voyeuristic literary

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<sup>18</sup> Ian Burney and Neil Pemberton, *Body, Trace, Space: Homicide Forensics and the Making of English CSI* (Baltimore: Johns Hopkins University Press, Forthcoming [2016]) promises to explore changing interpretations of crime scenes over the twentieth century.

<sup>19</sup> Katherine Biber, ‘In Crime’s Archive: The Cultural Afterlife of Criminal Evidence’, *British Journal of Criminology*, 53.6 (2013), 1033–49; see also her ‘The Spectre of Crime: Photography, Law and Ethics’,

traditions described above that attribute physical and environmental deprivation to poor morality and deviant behaviour. Though some uses of domestic crime scene photographs have recognised their potential for studying homes and interiors including material culture and decoration,<sup>20</sup> most have formed what could be described as coffee-table books. Associated with darkly fascinating ‘Film Noir’ imagery, crime writers and scholars in art criticism have published collections of crime scene photographs from the past alongside interpretations and descriptions that attempt to make assumptions about inhabitants, their homes, neighbourhoods, and the cities in which they are situated. For example, Eugenia Parry has used newspaper reports to identify the crimes depicted in an album of unknown origin purchased in a Paris curiosity shop. Her book uses the police photographs of Paris crime scenes from the late nineteenth century ‘as points of departure for meta-fiction,’ describing domestic settings inhabited by working class Parisians she describes as whores, perverts, and addicts.<sup>21</sup> James Ellroy’s collection goes further, seeking to characterise the city of Los Angeles in 1953 using selected photographs from L.A. Police Department archives. Commentaries on images, people and places depicted describe them as, to take one example: ‘quintessential L.A. *Then* [1953]... The pic reeks of creepsville Laurel Canyon... It’s pricey real estate – but the pads look cheapshit. Laurel Canyon is a perv zone and death zone... Shit City.’<sup>22</sup> Similarly, descriptions appended to New York street-crime photographs by their creator ‘Weegee’, characterise the city as a place of violence and death created by the poverty of people who live there. His collected

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*Social Semiotics*, 16.1 (2006); ‘Evidence and the Archive: Ethics, Aesthetics, and Emotion’, *Australian Feminist Law Journal*, 40.1 (2014), 1–14; and with Peter Doyle and Kate Rossmanith, ‘Perving at Crime Scenes: Authenticity, Ethics, Aesthetics: A Conversation’, *Griffith Law Review*, 22.3 (2013), 804–14.

<sup>20</sup> For example the presentation that inspired this project: Bernard Jacque, ‘Blood and Wallpaper’ (Histories of Home Subject Specialist Network Study Day ‘Crime Scenes and Case Files: Sources for studying Domestic Interiors’, Geffrye Museum of the Home, London, 2012); see also ‘Note the Decor. Ignore the Body, Immigration History Research’ *Tenement Museum* [New York] <<https://tenement.org/research.html>> undated [accessed 23 November 2015].

<sup>21</sup> Eugenia Parry, *Crime Album Stories: Paris 1886-1902* (New York: Scalo, 2000), pp. 4, 11, 317.

<sup>22</sup> James Ellroy, *Lapd ’53* (New York: Abrams Image, 2015), p. 30.

press photographs give an impression of New York in the early twentieth century as a place in which violent murders were so frequent and common that just by driving around at night he could happen upon a fresh scene still being cordoned off by police.<sup>23</sup> In these and similar publications, gross assumptions have been made and stereotypes of working-class living have been repeated and perpetuated. The idea that the dwellings and places in these images were once people's homes, with emotional and personal meanings, is completely denied. This too could be described as a sort of domicile.

Incorrect assumptions about police practices in the past further enable offensive interpretations of crime scene photographs. For example, in the one instance of UK crime scene photographs being appropriated in this way, Henry Bond's descriptions of the methods of construction of the DPP case files, documents and photographs are at best incorrect, based on modern methods of police photography and techniques seen in US popular television programmes.<sup>24</sup> The ways he has interpreted the scenes he has reproduced in his book have been described as insensitive, harmful, degrading and even mocking of victims (mostly women) of sexual homicide.<sup>25</sup> I would add that the majority of the interpretations he makes are exploitative of the sexual, social, economic and power inequalities that contributed to the scenes. With this in mind, and considering Biber's well-reasoned call for a more sensitive approach to cultural interventions on criminal evidence than has hitherto been applied in the work of Bond and other cultural theorists and artists, I have developed a way of selecting from and working with the case files for murder trials that derives historically-situated meaning with consideration for the processes that have constructed them, rather than inviting consumers of my work to derive entertainment from the emotional responses the photographs illicit, such as feelings of

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<sup>23</sup> Weegee, *Weegee: Murder Is My Business* (New York: DelMonico Books, 2013).

<sup>24</sup> Henry Bond, *Lacan at the Scene* (Cambridge: MIT Press, 2012), pp. 11, 24.

<sup>25</sup> Katherine Biber, 'In Crime's Archive', pp. 1034–5.



revulsion or shock. I argue that the additional materials in case files are key in interpreting the spaces depicted in the crime scene photographs, and that attention needs to be paid to the ways all evidence was interpreted during the trial: what contemporaries believed the images depicted, as well as the different ways they can be read today.

### **Photography and historians**

In the way described above, this thesis represents an original approach to using photographs as sources for history. Before the cultural turn, or perhaps what we might more specifically call the visual turn, historians took little advantage of images, including photographs, as direct sources for history. Even in the 1970s and 1980s, it is claimed, photographs were mainly used to illustrate histories, as supporting evidence for other arguments rather than as a central source.<sup>26</sup> More recent commentators on photography as a source for history have pointed out that historians still privilege words and documents far over photographs and images.<sup>27</sup> It is therefore unusual that photographs should be the starting point for the research in this thesis.

Further, some historians who have encouraged the use of photographs as sources have tended to forefront issues of authorship and subject selection as well as techniques of creative framing in photographic practice. Peter Burke's *Eyewitnessing*, for example, describes a methodology for working with images that can be described as something like the 'who, what, where, when and why' approach applied to documents or textual sources.<sup>28</sup> This method arguably limits the ways photographs can be used as sources for history, and draws on the main debate over photography as a method of

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<sup>26</sup> Peter Burke, *Eyewitnessing: The Uses of Images as Historical Evidence* (Ithaca: Cornell University Press, 2001), pp. 10–12.

<sup>27</sup> Leora Auslander, 'Beyond Words', *The American Historical Review*, 110:4 (2005), p. 1015; Sarah Barber and Corinna M. Peniston-Bird (eds), *History beyond the Text: A Student's Guide to Approaching Alternative Sources* (Abington: Routledge, 2009), p. 1.

<sup>28</sup> Burke, p. 14, for example.

documentation which surrounds its capacity for ‘truth’ or ‘realism’. Photographic theorists and practitioners who have contributed to this debate, such as Roland Barthes, John Tagg and Allan Sekula, have highlighted comparisons between the camera as historian or detective, the camera as a witness, and the photograph as evidence, which illustrate the strong theoretical links between crime and photography.<sup>29</sup> However, commentators who have explored photographs created by the processes of criminal justice to reinforce their ideas about truth and representation in images have forefronted the criminal portrait or mugshot, spending little if any time examining the use of photography in analysing or recovering the crime scene.<sup>30</sup> In this way, this thesis builds on wider debates on photographs as a source for historians by presenting a new way of using them. Analysis of crime scene photographs in this thesis moves beyond debates over a ‘recoverable truth’ and instead considers the points at which the spaces shown in the photos can be seen to contest the descriptions of them by police and court.

At the time of writing, a few historians are considering photographs in their context as a unique and scientific medium, analysing images at the point where photographic practice and representation or ‘intent’, converge with contemporary reading and interpretation of images and subjects they depict, such as scientific investigation, emotions, poverty, anthropology, families and ‘race’. Put simply, these scholars are exploring beyond photographs as ‘evidence’ for history, rather they examine what photographs ‘do’ now, what they were intended to do, and what was done with them.<sup>31</sup>

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<sup>29</sup> Steve Edwards, *Photography: A Very Short Introduction* (Oxford: Oxford University Press, 2006), pp. 21-2, 117; Derek Sayer, ‘Chapter 4: The Photograph: The Still Image’, in Barber and Peniston-Bird (eds), *History beyond the Text*, pp. 49, 54.

<sup>30</sup> See for examples Jonathan M. Finn, *Capturing the Criminal Image: From Mug Shot to Surveillance Society* (Minneapolis: University of Minnesota Press, 2009); Allan Sekula, ‘The Body and the Archive’, *October*, 39 (1986), 3–64.

<sup>31</sup> See for examples B. Pichel, ‘From Facial Expressions to Bodily Gestures: Passions, Photography and Movement in French 19th-Century Sciences’, *History of the Human Sciences*, 29.1 (2016), 27–48; Elizabeth Edwards, ‘Photographic Uncertainties: Between Evidence and Reassurance’, *History and Anthropology*, 25.2 (2014), 171–88.

This thesis joins this ground-breaking new work by exploring what crime scene photographs were intended to do in court and comparing them to what they actually do for histories of home. It also challenges some of the theory on photography and crime by considering crime scene photographs as doing the same things as mugshots and medical photography (depicting the ‘other’, in this case, homes) but also doing something different. This thesis argues that the purposes of crime scene photographs are ambiguous and difficult to reach and change over time. Unlike mugshots, they were not intended to assist in identifying and capturing recidivists and so they did not need to be recovered and referred back to in order to prevent future crimes. Nor were they part of a contemporary archive in the sense that different places were intended to be compared or used together.<sup>32</sup> What they were intended to do in court was represent a space that was not there. They acted as a surrogate for the space, for actually being there, following the long tradition of coroners’ inquests taking place at the site where a body was found. They also assisted with positioning the narrative, demonstrating where material evidence was taken from, where things took place. This thesis therefore builds on recent work on the unique science of photography as a selective and representational tool, but also breaks new ground in identifying crime scene photography as a unique medium with a unique function. In my argument the photos contribute to understandings of the home and subliminal messages, in the same way that mugshots sometimes did, showing how poor or deviant and so how culpable or innocent the people who lived there were. They speak to class and respectability in a less explicit way, but this was an affect rather than part of their spoken purpose. By comparing what the documents say the photographs do in representing the home in the photographs I can offer an alternative understanding of them, a view into

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<sup>32</sup> As in the Bertillon and similar criminal archives. See Sekula; Paige B. Gridack, ‘Bringing Bertillon Back: The Preservation and Research Application of Bertillon Materials in Museums, Archives, and Historical Societies’, *Journal of Archival Organization*, 7.4 (2009), 188–213.

people's private lives that allows us to question police and court interpretations and therefore wider social and cultural constructs.

The traditions of documentary photography over the nineteenth and twentieth centuries, from social survey to social realism, from science to art, have all contributed to the development and reinforcement of the idea of middle-class life as being private and interior, and working-class life as being public, exterior, the life of the streets.<sup>33</sup> My work is important because it challenges this. It shows the private, domestic, comfortable, homely, interior lives of the working classes through both photographic and textual sources, playing one off the other as well as viewing the two independently. Further, it shows that these interior and homely lives were not envisioned for the working classes in the processes of justice, through the gaze of police and the middle- and upper-class judicial system that their photographs and testimony worked for, and also demonstrates that public and private were not so binary in the spaces in which working class life was lived.

### **Mid-century**

Research for this thesis initially identified the 'CRIM 1' collection at The National Archives as the most useful for photographs of crimes and related descriptive material of the same dwellings. The collection covers depositions, photographs and other documents used in evidence at trials at The Old Bailey or CCC in London between 1834 and 1971.<sup>34</sup> At this latter date the court system in England and Wales was restructured and the bureaucratic processes that recorded and archived crime changed, including the

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<sup>33</sup> Edwards, *Photography*, pp. 55–6; Stephen Brooke, 'Revisiting Southam Street: Class, Generation, Gender, and Race in the Photography of Roger Mayne', *Journal of British Studies*, 53.02 (2014), pp. 464–5, 495; Sayer, p. 97.

<sup>34</sup> The National Archives (hereafter TNA), *Legal Records Information Leaflet 27: Trials in the Old Bailey and the Central Criminal Court*, 2008 <<http://www.nationalarchives.gov.uk/records/research-guides/old-bailey.htm>> [accessed 24 November 2015].

numbered collection in which they were stored, with different access arrangements including more widespread closure of files. This initially identified 1970 as a parameter for the thesis.<sup>35</sup> The year 1930 was established as a starting point because photographs feature in the files only very infrequently before that date, the technique of recording crime scenes in this way being a burgeoning new technology.

The CRIM 1 files include photographic and spatial evidence of domestic interiors, accompanied by rich descriptions of the people who lived there, their relationships, routines, level of income, class, ‘race’, sexual and social lives, and paid and unpaid labours. These areas of life were impacted by significant social and cultural change over the period 1930 to 1970, a further reason for selecting these years for research in the thesis. Key contextual factors include, but are not limited to, the ‘hungry’ inter-war years and the development of social housing; the disruptive influence of the Second World War which displaced hundreds of thousands of people across the globe, including serious damage to homes in London in the Blitz; post-war attempts to reconstruct home life from austere rationing and national economic recovery to affluence; large-scale migration from former commonwealth territories to British cities and towns; and the ‘permissive’ 1960s. One would expect to find these phenomena impacting life in this period in any research project, but they can be described as particularly significant in impacting experiences of home and private life. The physical spaces of Britain and particularly London were also changed significantly in this period, by ‘slum’ clearance, bombing, urban and suburban planning and building programmes.<sup>36</sup>

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<sup>35</sup> The majority of serious crimes which went to trial at the CCC in 1971 before the restructure were likely committed at the end of the preceding year. TNA, ‘Central Criminal Court: Depositions’, *The National Archives*, undated <<http://discovery.nationalarchives.gov.uk/SearchUI/details?Uri=C5513>> [accessed 24 November 2015].

<sup>36</sup> See Jerry White, *London in the Twentieth Century: A City and Its People* (London: Vintage, 2008).

The period 1930-1970 also sees significant legal and judicial change which allows any research project using crime sources to consider how such factors impacted extra-legal aspects of everyday life. Many legal reforms, for example the introduction of diminished responsibility in codified law, were called for after years of the concept being part of discretionary practices used by judges and magistrates.<sup>37</sup> The period 1930 to 1970 therefore allows post-war reforms to be examined as features of judicial practice before and after codification. These are all factors significant in selecting the decades of the 1930s to the 1960s for this research project.

Furthermore, this thesis contributes to recent scholarship that uses the ‘mid-century’ as a period of debate and analysis in history. Whereas historians have traditionally highlighted the post-war period as one of significant and unique historical change, particularly in the areas of class, gender and ‘race’, more recent cultural and social historians have challenged this periodisation, highlighting instead continuities between the inter-war period and the years after 1945. This thesis contributes to this recent scholarship by similarly finding points of continuity with experiences of homes, but pointing out changing perspectives on home.

For example, the historiography of gender has it that women were emancipated by their roles in traditionally masculine work they took up in wartime,<sup>38</sup> and that women were much more likely to participate in paid work outside of the home post-war than interwar. These theories were challenged by feminist historians in the 1980s who described a public ‘backlash’ that determined such work as ‘only for the duration’

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<sup>37</sup> Terence Morris, *Crime and Criminal Justice since 1945* (Oxford: Basil Blackwell, 1989), pp. 84–5.

<sup>38</sup> Arthur Marwick, *The Deluge: British Society and the First World War* (London: Bodley Head, 1965), chap. 3 & 9.

and strengthened discourses on women's proper place as being in the home.<sup>39</sup> They point to popular culture's obsession with women's place as in the home in the 1950s as evidence of this, and conflicting ideas about women's 'dual role' or 'double burden' of domestic work and paid employment. However, in recent years, social and cultural historians have challenged 'backlash' historiography, pointing to leisure opportunities, political movements, employment and positive representations of women as modern and mobile.<sup>40</sup> Similarly, historians have revised notions of the 'permissiveness' of the 1960s, arguing that legislative changes that seemingly liberated sexuality were part of longer social and cultural transformations rather than merely specific to the post-war period.<sup>41</sup> An example of particular relevance to this thesis is Claire Langhamer's work on home in the 1950s. She identifies the meanings of home and domesticity with their relationships to privacy, suburbanism, affluence and consumerism, considered specific to the post-war years, but argues that they had a longer pedigree, these aspirations having their root in the 1930s.<sup>42</sup> Another significant point is highlighted in Dolly Smith Wilson's important article on 'the good working mother'. Wilson tempers arguments about women's participation in paid

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<sup>39</sup> Niamh Baker, *Happily Ever After? Women's Fiction in Postwar Britain, 1945-1960* (New York, 1989), pp. 68–73, 161–4; Gail Braybon, *Women Workers in the First World War* (London: Croom Helm, 1981), pp. 11, 170, 220; These and other historiographies of gender and domesticity are discussed in Adrian Bingham, "'An Era of Domesticity'?" *Histories of Women and Gender in Interwar Britain*, *Cultural and Social History*, 1.2 (2004), 225–33.

<sup>40</sup> See for examples Sally Alexander, 'Becoming a Woman in London in the 1920s and 1930s', in *Metropolis, London: Histories and Representations since 1800*, by David Feldman and Gareth Stedman Jones, (London: Routledge, 1989), pp. 245–71; Caitríona Beaumont, *Housewives and Citizens: Domesticity and the Women's Movement in England, 1928-64*, (Manchester: Manchester University Press, 2013); Claire Langhamer, *Women's Leisure in England, 1920-60*, (Manchester: MUP, 2000); Alison Light, *Forever England: Femininity, Literature and Conservatism between the Wars* (London: Routledge, 1991); Selina Todd, *Young Women, Work, and Family in England, 1918-1950* (Oxford: Oxford University Press, 2005).

<sup>41</sup> Frank Mort, *Capital Affairs: London and the Making of the Permissive Society* (New Haven: Yale University Press, 2010).

<sup>42</sup> C. Langhamer, 'The Meanings of Home in Postwar Britain', *Journal of Contemporary History*, 40.2 (2005), 341–62.

employment in the 1950s and 60s being new, highlighting less formal and less recorded methods of earning in the interwar period.<sup>43</sup>

On the face of it, reactions of men who murdered their wives when they returned from the war, and newspaper coverage of these cases, explored in Chapter 3 of this thesis, would seem to support the backlash model. The strong desire shown by men to return to pre-war ways of living and step back into their roles as heads of household and breadwinners is demonstrated by conflicts with women's changed positions that ended in domicile. However, this thesis argues that the returning soldier killing his wife was a common cultural construct that was widely circulated by newspapers. By fitting their experiences into a contemporary dialogue about concerns for reconstructing family life post-war, men who murdered their wives increased the likelihood of receiving sympathetic verdicts and sentencing. This approach to identifying cultural constructs builds on the work of Penny Summerfield, who identifies contemporary and historiographical notions of women's roles in, and following, wartime, remembered by oral history interviewees in her book.<sup>44</sup> It also builds on Langhamer's and Wilson's work and contributes to the body of recent work that identifies continuities between interwar and post-war periods by using everyday sources that reveal much about household activities and economies that were otherwise not written about or recorded in official or other sources.<sup>45</sup> For example the depositions in the case files reveal how time was spent at home and how women shared responsibilities for children with neighbours, showing continuities between the interwar and post-war periods but identifying changing

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<sup>43</sup> D. S. Wilson, 'A New Look at the Affluent Worker: The Good Working Mother in Post-War Britain', *Twentieth Century British History*, 17.2 (2006), 206–29 (p. 222).

<sup>44</sup> Penny Summerfield, *Reconstructing Women's Wartime Lives: Discourse and Subjectivity in Oral Histories of the Second World War* (Manchester: Manchester University Press, 1998).

<sup>45</sup> See for example Lilian A. helping out on the family market stall and landladies earning money by letting rooms in Chapter 2.



perspectives through court commentary and newspaper coverage. In these ways, this thesis contributes to both older and newer historiographies of gender, providing a more nuanced view of the apparent ‘backlash’ after the Second World War, and contributing to more recent arguments about continuity with earlier periods.

Continuities between working-class homes in the 1930s and homes in the post-war period are particularly highlighted in Chapter 4 of this thesis on ‘race’. It argues that Black migrants from the Commonwealth living ‘hugger mugger’ in overcrowded homes was not new, and culturally specific, as contemporary sociologists suggested, but rather very closely resembled the ways white working-class families lived in similar dwellings in the earlier period. In this way this thesis provides new evidence that supports the last twenty years of scholarship in Black history. Kennetta Hammond Perry has described this recent work as challenging popular histories which reduce Black migration history to ‘the Windrush moment’.<sup>46</sup> She and other historians such as Marc Matera have argued for the opening up of narratives of Black migration experience to look wider than the preceding historiography which focuses, like contemporary sociological and popular narratives of Black British ‘immigrants’, on people who came mainly from Jamaica; with and after Windrush; as workers; to settle in London; and focus on their reception by Whites from the point of view of ‘race relations’. Rather, Perry and Matera argue for more nuanced analyses that take account of the ‘globality’ of Black migration; that acknowledge and investigate Black migration preceding Windrush; that consider experiences of domestic and familial life and take account of political activism and intellectual organisation, Black identities and their impact on wider British post-colonial

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<sup>46</sup> Kennetta Hammond Perry, *London Is the Place for Me: Black Britons, Citizenship, and the Politics of Race*, (Oxford: OUP, 2015), p. 14.

identities, and significant communities in other urban centres.<sup>47</sup> This thesis finds global Black migrants, not only from Jamaica, and identifies significant areas of settlement outside of London, though it necessarily focuses on cases in the capital.<sup>48</sup> Most significantly, it contributes to both Perry and Matera's arguments for consideration of Black migrant identities beyond the worker by using sources that highlight domestic identities and family life. It provides an alternative to common representations of Black males in London as 'rootless and adrift',<sup>49</sup> particularly through photographs of their homes which show comfortable domesticity.

The approach taken to the files shows points at which photographs of raced homes rub up against descriptions by police of the same homes, again identifying what was done with the photos. This can be seen to contribute to the work of Stuart Hall, Paul Gilroy and Tina Campt in their analyses of photographs of Black Britons and what was done with them.<sup>50</sup> On the other hand, I am conscious of the limits of this thesis in fairly representing the multiplicity of Black identities. The sources I use do not, as I am careful to point out, give an accurate and unmediated voice of Black Britons. The ways they were

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<sup>47</sup> Perry, pp. 10–15; Marc Matera, *Black London: The Imperial Metropolis and Decolonization in the Twentieth Century*, (Oakland: University of California Press, 2015).

<sup>48</sup> See Chapter 4: Joseph A. and Backary M. were from West Africa, not Jamaica, yet discussions of their identities in court positioned them as part of a specifically raced and specifically West Indian drug problem; Roy M., Herman D.'s friend and flatmate, was from British Guiana, not Jamaica; Vincent S. and his ex-girlfriend and her parents and brother had all settled in Birmingham, Viona had fled to London to escape him and her parents had joined her later; Cleveland R. had suggested fleeing to Glasgow to escape the shame of his victim's photo, although he suggested this city because no-one knew him there, one assumes it was a place he knew he could get on.

<sup>49</sup> Wendy Webster, *Imagining Home: Gender, 'Race,' and National Identity, 1945-64*, *Women's History* (London: UCL Press, 1998), pp. 48–9.

<sup>50</sup> Stuart Hall, 'Reconstruction Work: Images of Postwar Black Settlement', in James Proctor (ed.), *Writing Black Britain, 1948-1998: An Interdisciplinary Anthology* (Manchester: MUP, 2000), pp. 82–94; Paul Gilroy and Stuart Hall (eds), *Black Britain: A Photographic History* (London: Saqi, 2007); Tina Campt, *Image Matters: Archive, Photography and the African Diaspora in Europe* (Durham, NC: Duke University Press, 2012). Broadly, they argue that contemporary photographs of recent migrants used to illustrate the 'Windrush moment' positioned Black migration and Black identities as problems for white Britain, choosing negative interpretations through their subject selection, framing and captioning, particularly positioning migrants as workers with no claims to domestic or family life. In contrast, photographs by migrants themselves show multiple co-existing identities and successful, comfortable domesticity.

identified were selected and constructed by the questions asked of them by police, and are clearly racially biased and constructed against them. This highlights racial differences operating from the top down rather than the bottom up, challenging the race relations historiography because it shows how neighbours were united by common struggles such as migration to the city and economic deprivations, rather than divided along racial lines.

Methodologically this raises a further point my research has in common with recent scholarship on ‘race’ such as Perry, but also with recent queer histories: no singular narrative is offered but impressions are gained from the experiences of individuals.<sup>51</sup> Matt Houlbrook, for example, describes ‘doing’ queer history, or ‘thinking queer’, as a method of using individual experiences and identities as a way of disrupting or problematising dominant narratives.<sup>52</sup> Matt Cook, for example, has used case studies of queer male households to show how queer identities were not incompatible with the domestic.<sup>53</sup> Chapter 5 of this thesis contributes to this work by using case studies of domicides involving people in queer relationships to show the ways police interpreted their identities (or, more particularly, how they did not interpret them) but also adds more detail to Cook’s arguments by comparing the domestic lives of women in queer relationships (Cook focuses on male case studies only). Furthermore, this thesis considers the points at which issues of class and economic restrictions affected everyday experiences of, and access to, queer domesticities, adding nuance to Cook’s work.

Indeed, this thesis argues that economic difficulty and class identities intersect with multiple issues in experiences of home in the mid-century period, an

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<sup>51</sup> Perry, p. 50.

<sup>52</sup> Matt Houlbrook, ‘Thinking Queer: The Social and the Sexual in Interwar Britain’, in *British Queer History: New Approaches and Perspectives*, by Brian Lewis (Manchester: MUP, 2013), pp. 134–64.

<sup>53</sup> Matt Cook, *Queer Domesticities: Homosexuality and Home Life in Twentieth-Century London* (New York: Palgrave Macmillan, 2014).

approach taken by many recent historians of society and culture who have tempered claims that Britain was an increasingly classless society in the post-war years, including for examples Ben Jones, Mike Savage and Stephen Brooke.<sup>54</sup> As the latter has summarised, the historiography of declining working-class identity in the post-war years has been challenged by historians using experiences of affluence and the values associated with more middle-class ways of living, arguing that affluence had a limited reach.<sup>55</sup> Brooke, Savage and Jones have each touched on the relationship between the perception of working class identities through the lens of these changing values and the necessary re-working of traditional notions of public and private in the post-war period. This thesis uses case studies of domestic experiences to illustrate some of the ways changing values about home impacted people's everyday lives and, most significantly, how those values could work against people who were deemed working class and not 'respectable', because of their homes and their behaviour in public and in private, and what this could mean in cases where they committed domicile or domicile was committed against them. It thus adds further nuance to recent historiographies that have challenged overarching generalisations about social change in the post-war period, and calls for attention to the complex meanings and experiences of public and private life, class values and intersecting identities, particularly when applied by a system of justice ruled by those furthest from the working classes in the social hierarchy.

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<sup>54</sup> Ben Jones, *The Working Class in Mid Twentieth-Century England: Community, Identity and Social Memory* (Manchester: MUP, 2012); Michael Savage, *Identities and Social Change in Britain since 1940: The Politics of Method* (Oxford: OUP, 2010); Stephen Brooke, 'Gender and Working Class Identity in Britain during the 1950s', *Journal of Social History*, 34.4 (2001), 773–95. See also Martin Francis on the intersections of gender, class, and public and private: 'The Domestication of the Male? Recent Research on Nineteenth- and Twentieth-Century British Masculinity', *The Historical Journal*, 45.03 (2002).

<sup>55</sup> Brooke particularly addresses the public/private dichotomy and decline of working class identity argued by Richard Hoggart in *Uses of Literacy* (London: Chatto, 1957) see 'Gender and Working Class Identity', pp. 787–9.

## Murder

I have found that evidence is most abundant in cases of murder in part because for most of my period the life of the defendant depended on it. Within the context of the active debate regarding capital punishment the importance of evidence that could lead to such a sentence increased. Put simply, it became important not just to collect evidence strong enough to convict, but also strong enough to give grounds to sentence someone accused of murder to death. As the Royal Commission on Capital Punishment brought capital crimes under even closer scrutiny after 1948, and the Murder Act (1957) codified the precise nature of the legal differences between murder and manslaughter,<sup>56</sup> all types of evidence in cases of murder that could be reduced to lesser crimes such as manslaughter became increasingly significant. This combined with the development of ‘expert testimony’, forensic analysis, and increased awareness of psychiatric illness, made the collection and interpretation of visual and descriptive evidence in cases of murder even more important over time. Thus there are more photographs and more details recorded for crimes later in the period, and the weight of evidence shifts to take into account new methods of investigation and interpretation of crime scenes. This is particularly noticeable in cases of domestic crime because similar crimes and dwellings and the methods used in them can be compared over time.

Policies for preservation of CRIM 1 deposition case files from CCC trials held in the years 1839-1971, dictated that all cases of murder, treason, sedition, and political conspiracy and riot were preserved. In addition, files for cases ‘held to be of historical interest’ and ‘a 2 percent random sample was kept for other trials.’<sup>57</sup> Murder is

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<sup>56</sup> Graham Hughes, ‘The English Homicide Act of 1957: The Capital Punishment Issue, and Various Reforms in the Law of Murder and Manslaughter’, *Journal of Criminal Law and Criminology*, 49.6 (1959), 521–32.

<sup>57</sup> TNA, *Leaflet 27*.

therefore one of the few crimes for which records should, in theory, survive for every CCC trial where the defendant was indicted of that charge. Of the total 5,694 bundles and files in the CRIM 1 collection, approximately 2,000 case files include photographs and were prioritised in this research project. From these 2,000 files it was necessary to filter out files that were unlikely to be useful given the focus on home. As the collection is available only in person at TNA and not digitally, and ordering restrictions and production times make it possible only to view a maximum of around 20 files on any research day, time was a significant consideration in this project. Further, the catalogue descriptions for the case files reveal no more than the name of the defendant, the year of the trial, and the alleged crime for which they were indicted. There was thus no way of identifying cases that showed London homes in their photographs, other than to order and view them. Early research showed that different types of cases produced different types of photographs, some of which were not useful for studying home. I was able to exclude cases of personal violence including indictments for sexual violence, rape, and cruelty to children (approximately 100 of 2,000), drugs offences, theft, robbery, arson and other damage to property (approximately 170), shooting with intent, conspiracy to cause an explosion and possession of firearms (approximately 70). Photographs in these case files were almost invariably showing close-ups of injuries, objects, damage, weapons and fingerprints. These exclusions should have, in theory, left only cases where the photographs could potentially be of places and spaces (approximately 1,650).

Of the CRIM 1 files that were likely to contain photographs of places and spaces, about 30 were the types of crime likely to include images of public (not domestic) spaces, because they were for riot or affray, and ten cases for prison breaking or assisting a prisoner were likely to show cells and relevant escape routes. About the same number of files were for keeping betting houses or ‘disorderly houses’, and around 170 cases of

dangerous driving and other motoring offences were likely to contain images of vehicle damage, crash scenes, and/or streets. These latter CRIM 1 files may possibly provide avenues for further research on public spaces and neighbourhoods. It might be useful, for example, to compare these types of photographs with other London street photography from the same period.<sup>58</sup>

Cases of concealment of birth and abortion, manslaughter and attempted murder prioritise depositions of victims, statements and bodies as the most important parts of the evidence and explanation of events.<sup>59</sup> By their very nature murder cases do not generally permit the words of the deceased victim to be used in defence of their own culpability for the crime. On the one hand, this means that the defendant can say what they want about the dead, in order to shift the blame for their actions onto the victim and having their sentence reduced to manslaughter. On the other hand, it is precisely this tension between murder and manslaughter and the significance of the evidence that creates such rich and telling photographic and documentary sources, including descriptive depositions, in cases where the indictment was for murder. TNA catalogue search results for files in the CRIM 1 collection where the indictment was murder, that include photographs, and limited to 1930-1970 total 816 case files.

The potential value of these files for studies of home is vast. However, it is impossible to determine if any case file will include only images of exteriors, fingerprints or close-ups of injuries before actually viewing them. By systematically searching for the names of defendants in the *Daily Mirror* online archives I was able to narrow my search by excluding cases that were clearly not of domestic murder – for example where the

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<sup>58</sup> For examples see Mike Sparham (ed.), *London Street Photography, 1860 - 2010: Selected from the Museum of London Collection*, (Stockport: Dewi Lewis Publ., 2011).

<sup>59</sup> Case file examples include TNA: CRIM 1/2213... Charge: Attempted Murder (CCC, 1952); CRIM 1/2862: ... Charge: Shooting with Intent to Murder and Attempted Suicide (1957).

location was described as a shop or a restaurant, or outside a public house or tube station.<sup>60</sup> Not all searches produced results. I found that, generally speaking, the reporting of details of domestic murders decreased over the period 1930-1970, newspaper priorities shifting to more sensational cases including those with greater sexual content.<sup>61</sup> I have used, where appropriate in this thesis, reports of trials and cases in the *Daily Mirror* to consider the wider meaning of home as interpreted for its readership.

Where someone died unexpectedly in a domestic setting, in someone's home, those with romantic or familial relationships to the deceased became primary suspects, particularly if they were present at the death. They were therefore highly unlikely to claim to have had nothing to do with the death at all, but they would 'try to get away with murder' by attempting to prove that the alleged murder was an accident, or happened on the spur of the moment, rather than that it was planned 'with malice aforethought'. It is this malice and planning that constituted the type of murder that could be penalised with death for most of the mid-century period, and therefore any evidence for or against murder or manslaughter becomes key. In cases of murder-suicide or unsolved crime, where a suspect was never identified or apprehended, or they died before coming to trial, the evidence structure is lacking. Lack of sufficient evidence to accuse a suspect likely meant a lack of any evidence at all, and so no case was constructed, and few or no statements and photographs were kept on file by investigating police.<sup>62</sup> The most useful crime files for the study of home then, are those that relate to a death in a domestic setting where a defendant was being brought to trial.

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<sup>60</sup> For examples: CRIM 1/1427 (1942) [a pawn shop]; CRIM 1/1384 (1942) [a stable]; CRIM 1/1550 (1943) [onboard a ship].

<sup>61</sup> Adrian Bingham argues that sexual content increased in the press over this period in his *Family Newspapers?: Sex, Private Life, and the British Popular Press 1918-1978* (Oxford; Oxford University Press, 2009), pp. 363–5.

<sup>62</sup> For examples: MEPO 3/3019 (1948); MEPO 3/3027 (1948).



Although photographic practices for recording crime scenes changed throughout the mid-century period, evidence for domestic deaths or murders tended to include photographs of the scene – wide images of a room or area, and where necessary a close-up of the injuries on the body, or the position in which it was found. This means that photographs tend to be of two types, firstly the incredibly useful images of domestic interiors, and secondly close-up views of bodies that say little or nothing about home. I have included no reproductions of the latter type of photograph in this thesis, mainly because they do not say anything about homes. In the majority of cases there were attempts to revive the victim or to administer first aid by removing them to a hospital by ambulance. In these cases, the scene is photographed without the body present, and any injuries are photographed at the post-mortem. I feel personally that there is no justification in my research for showing images of dead victims which might be considered disturbing. I hope that the images I have selected to justify my arguments do not cause any distress, although I appreciate that such feelings are subjective. My own experience was that I was unable to look at detailed images of sexual or facial injuries. I do not believe, however, that avoiding viewing the parts of these photographs (warnings allow ample preparation and censorship when opening books of photographs in the files) in any way diminished the productivity of my research. I found also that cases of murders of children were disturbing and told me very little about home. I therefore excluded cases of murders of persons under the age of 16.

## **Metropolis**

The CRIM 1 collection of files I selected as the primary focus for this thesis are the records of the Central Criminal Court. For the majority of the mid-century period the jurisdiction of the CCC was equivalent to that of the Metropolitan Police, an area

covering the majority of central and greater London: a 15 mile radius of Charing Cross.<sup>63</sup> This allows a comparison of homes and evidence that is not complicated by the different practices and processes of other police forces. The Metropolitan Police set precedents for police practice in other forces across England and Wales and their special officers at Scotland Yard were called on to assist in cases across the country when their advanced skills were required.<sup>64</sup> These are all excellent reasons to focus a research project on the CRIM 1 collection and related files. However, it is also the case that the 15 mile radius of Charing Cross throughout the period 1930-1970 included suburban, rural and urban dwellings of various types, sizes and tenures. London was affected by ‘slum-clearance’, urban planning and bombing, by building programmes, council housing and private development. A spectrum of social class is reflected in London homes throughout this period, and people were murdered in any of them.

In addition, other cities are very difficult to identify in the files because of the structure of the court system. ‘ASSI’ files, those covering regional assize courts (equivalent to the CCC for London) in England and Wales, do not provide details of towns, cities or other locations in the catalogue entries. Whereas the majority of CRIM 1 files will refer to crimes in greater London, ‘ASSI 36’, for example, could include deposition papers (equivalent to CRIM 1) for cases of crimes that occurred as far apart as Norwich and Brighton.<sup>65</sup> This does not allow for the same kind of consistency and comparison of urban and suburban areas that the CRIM 1 collection permits. Potential areas for future research identified by this thesis might include comparing homes and

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<sup>63</sup> TNA, ‘Domestic Records Information Guide 52: London Metropolitan and Transport Police’, *The National Archives* <<http://www.nationalarchives.gov.uk/help-with-your-research/research-guides/london-metropolitan-and-transport-police/>> undated [accessed 22 October 2015].

<sup>64</sup> Clive Emsley, *Crime and Society in Twentieth-Century England* (Harlow: Longman, 2011), pp. 154–6.

<sup>65</sup> TNA, ‘Assizes: Home, Norfolk and South-Eastern Circuit: Depositions [ASSI 36]’, *The National Archives* <<http://discovery.nationalarchives.gov.uk/details/r/C2428>> undated [accessed 22 October 2015].

cases in other major cities, urban or rural areas. According to the interventionist approach recommended by this thesis, such a project would require examination of the different police forces and courts methods of collecting, organising and interpreting evidence. I felt that this would be outside of the scope of this particular thesis but intend to explore the possibility of comparison in the future.

The CRIM 1 files therefore permit comparison of homes in London across time, as well as between spaces. However, my approach is not to generalise from the case files but to identify common themes within them. By comparing the case files as ‘case studies’ I am able to identify recurring themes, discourses and change over time in London, as well as directly comparing the living conditions of the rich and poor who have for centuries lived so closely in the capital. It is these extremes of socio-economic status shown side by side that has dominated many histories of London, including those using photographs, as described above. It was also a specific aim of post-war planning for London that the extreme differences between the housing and living standards of social classes should be levelled, thus solving the linked problems of urban, social and moral decay and class conflict. New homes in the suburbs and urban zoning were part of the perceived solutions.<sup>66</sup> Distinctive zones or areas characterised by the identities of inhabitants have dominated historiographies of London, for examples Ruth Glass’s ‘zones of transition’, Booth’s ‘semi-criminal’ streets, the working-class East End, Black Brixton, wealthy Chelsea, the international and ‘cosmopolitan’ character of Soho, and the accompanying policing or surveillance when specific zones, even streets, were characterised as ‘rough’ or associated with crime.<sup>67</sup> In contrast to these histories, this

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<sup>66</sup> Richard Hornsey, *The Spiv and the Architect: Unruly Life in Postwar London* (Minneapolis: University of Minnesota Press, 2010), pp. 40–45.

<sup>67</sup> Ruth Glass, *London’s Newcomers: The West Indians in London* (London: Centre for Urban Studies, 1960); Topalov, ‘City as Terra Incognita’; Michael Young and Peter Wilmott, *Family and Kinship in East London*, (London: Penguin, 1962); Sheila Patterson, *Dark Strangers: A Sociological Study of the*

thesis finds first and foremost that murders happened everywhere - mapping cases of murder in the mid-twentieth-century showed no patterns or more murderous areas. Rather, this thesis uniquely argues that London had fewer discrete boundaries in the files and the experiences they depict than those referred to by police. Metropolitan Police Divisions may have been understood by contemporaries in policing and justice to have specific characters,<sup>68</sup> however this thesis finds that more significantly for everyday experience, people moved across and between these boundaries, real or imagined, both in their everyday practices for work, shopping, leisure and family, but also in terms of home-moves. In cases where people describe their address histories and reasons for moving, it is clear that people lived wherever they could find affordable housing, though they prioritised places nearer to where they worked, or to their families, rather than restricting themselves to certain zones because that is where people with an identity they shared were understood to reside by outsiders.

Perhaps most significantly, this thesis contributes to recent historiography that identifies the intensification of top-down values of interior-domestic and exterior-urban zoning in London in the post-war period (for example Richard Hornsey has identified the twin projects of post-war planning in the County of London Plan and interior design as shown by the Britain Can Make It exhibition),<sup>69</sup> but demonstrates that (as Brooke has identified in the photography of Roger Mayne),<sup>70</sup> rather than being controlled by these notions of zoning, people's everyday lives were much more mobile and their experiences

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*Absorption of a Recent West Indian Migrant Group in Brixton, South London*, abridged edition (London: Penguin, 1965); Judith R. Walkowitz, *Nights out: Life in Cosmopolitan London* (New Haven: Yale University Press, 2012); Jerry White, *The Worst Street in North London: Campbell Bunk, Islington, between the Wars* (London: Routledge, 1986); Matt Houlbrook, *Queer London: Perils and Pleasures in the Sexual Metropolis, 1918-1957* (Chicago: Chicago University Press, 2005).

<sup>68</sup> See Houlbrook, *Queer London: Perils and Pleasures in the Sexual Metropolis, 1918-1957*; and the testimonies of Police Court Magistrates in the papers of the Wolfenden Enquiry in Brian Lewis, *Wolfenden's Witnesses: Homosexuality in Postwar Britain* (Basingstoke: Palgrave Macmillan, 2016).

<sup>69</sup> Hornsey, pp. 39–79.

<sup>70</sup> Brooke, 'Revisiting Southam Street', p. 483.

of London's urban and interior spaces, of the public and the private, were much more complex, fluid and open. Furthermore, the sources this thesis uses identify women in the interwar period, confined in contemporary ideology to the domestic sphere, who were much more mobile in public, and Black men, commonly understood to circulate in the public spheres of work and leisure, who experienced homely and domestic lives.

## Sources

A further significant reason for selecting these sources concerns the gap in critical approaches taken to them in the past. While legal case files have so far not been used to study homes in the twentieth century, some historians have utilised them for social and cultural histories of other times and areas of life and space. However, their use has been tempered by warnings about the biases of the systems that created them. Natalie Zemon Davis, Carlo Ginzburg and Carolyn Steedman have all counselled against using legal and case file documents as unmediated texts, for example, and Michel Foucault drew attention to the contradictions between witnesses and documents relating to the 1835 trial of Pierre Rivière.<sup>71</sup> Other scholars have used case files for murder trials specifically to examine the unequal treatment experienced by women or people of colour from the British judiciary in the twentieth century; see for example the work of Annette Ballinger, Lizzie Seal, and John Minkes and Maurice Vanstone.<sup>72</sup> Cultural theorists and historians such as Stuart Hall and Matt Houlbrook have described the historical moments in which

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<sup>71</sup> Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France*, (Stanford: Stanford University Press, 1987); *The Return of Martin Guerre* (Cambridge: Harvard University Press, 1983); Carlo Ginzburg, *The judge and the historian: marginal notes on a late-twentieth-century miscarriage of justice* (London: Verso, 2002); Carolyn Steedman, *Dust: The Archive and Cultural History* (New Brunswick: Rutgers University Press, 2002); Michel Foucault, *I, Pierre Rivière, Having Slaughtered My Mother, My Sister, and My Brother: A Case of Parricide in the 19th Century* (Lincoln: University of Nebraska Press, 1982).

<sup>72</sup> Lizzie Seal, *Women, Murder and Femininity Gender Representations of Women Who Kill* (Palgrave Macmillan, 2010); Annette Ballinger, *Dead Women Walking: Executed Women in England and Wales, 1900-1955* (Aldershot: Ashgate/Dartmouth, 2000); John Minkes and Maurice Vanstone, 'Gender, Race and the Death Penalty: Lessons from Three 1950s Murder Trials', *The Howard Journal*, 45.4 (2006), 403–20.

crimes were committed as influencing the formation of records and data about them.<sup>73</sup> Though many of these scholars appreciate the ways in which the contemporary nature of the criminal justice system and perceptions of crime might influence the treatment of crimes and the resulting files, very few analyse in any detail the specificities of the different documents that case files include. My own intervention seeks to address this gap by researching, in a manner more thorough than any preceding study, the precise bureaucratic and procedural processes that created each document in a case file, the relationship between the documents and their use as evidence, particularly in the court room, and the ways such evidence was interpreted and used and filtered into popular understandings about crime and/or murder. Research soon to be published promises to consider some of these issues in isolation, however much work remains to be done on the cultural history of crime and its investigation and interpretation by police, judiciary, press and public over the twentieth century in Britain. I believe that my unique approach to the sources has much to offer this area.<sup>74</sup>

Historians who have specifically used the CRIM 1 collection of deposition files in TNA in their research include Amy Helen Bell, Ginger Frost, Daniel Grey, Matt Houlbrook, Julia Laite, John Carter Wood, Lucy Bland and Frank Mort (though it must be noted that the latter two both focus on newspaper reporting of cases more than the original case files).<sup>75</sup> In most instances scholars employ a mixed-methods approach that

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<sup>73</sup> Stuart Hall, Chas Critcher et. Al., *Policing the Crisis: Mugging, the State and Law and Order*, (Basingstoke: 2<sup>nd</sup> ed., Palgrave Macmillan, 2013); Houlbrook, *Queer London*.

<sup>74</sup> Matt Houlbrook, *Prince of Tricksters: The Incredible True Story of Netley Lucas, Gentleman Crook* (Chicago: University of Chicago Press, Forthcoming [2016]); Burney and Pemberton, *Body, Trace, Space*.

<sup>75</sup> Amy Bell, *Murder Capital: Suspicious Deaths in London, 1933–53* (Manchester: Manchester University Press); Ginger Frost, “‘She Is but a Woman’: Kitty Byron and the English Edwardian Criminal Justice System”, *Gender and History*, 16.3 (2004), 538–60; Daniel Grey, “‘Almost Unknown Amongst the Jews’: Jewish Women and Infanticide in London 1890–1918”, *The London Journal*, 37.2 (2012), 122–35; Houlbrook, *Queer London*; Julia Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885–1960* (Basingstoke: Palgrave Macmillan, 2012); John Carter Wood, *The Most Remarkable Woman in England: Poison, Celebrity and the Trials of Beatrice Pace* (Manchester: Manchester University Press, 2012); Lucy Bland, *Modern Women on Trial: Sexual*

also engages with contemporary newspaper reporting and additional sources to explore numerous topics in cultural and social history including ‘flappers’, infanticide, and queer public and private spaces. Recently, historians such as Amy Helen Bell have begun to think more critically about the documents that inform these histories. Bell and Daniel Grey both consider photographic methods and institutional agendas, as well as the impact of legislative changes and legal reforms, when they read contemporary views of women who sought illegal abortion or committed infanticide from the case files. However, in some ways they stand alone in their approach.<sup>76</sup> Ginger Frost’s re-telling of narratives of women accused of murder, for example, takes many contemporary gendered stereotypes shown in the texts at face value.<sup>77</sup> I will show that further exploration of the nature and significance of the institutional, legal and bureaucratic shaping and re-telling of the crime narratives significantly improves our understanding of them. The ways documents in criminal case files were made and for what purpose, how they were used in court, and by whom, betrays contemporary ideals about various topics as well as the more obvious biases of defence and prosecution.

I argue that by reading the documents in the CRIM 1 files and comparing the trial transcripts for the same cases directly, we can better understand the way depositions and other documentary evidence was made, interpreted and used in the case. Documents that are seemingly meaningless to researchers today could have determined the entire direction of a trial. In court, evidence could be commented upon in ways which transform their meaning, seemingly important documents could be excluded, and letters given

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*Transgression in the Age of the Flapper* (Manchester: Manchester University Press, 2013); Mort, *Capital Affairs*.

<sup>76</sup> Bell, ‘Crime Scene Photography and Illegal Abortions in London, 1950-67’; Daniel Grey, ‘To Provide against the Possibility of Improper Convictions: Infanticide in England and Wales since 1945’ (presented at the conference ‘Crime & Deviance in the Twentieth Century’, University of Lincoln, 2014).

<sup>77</sup> Ginger Frost, “‘Such a Poor Finish’: Illegitimacy, Divorce, and Murder, 1918-25’ (presented at *ibid*).

further context and significance, for examples. In addition, by comparing newspaper articles to the trial transcripts we can better understand the circular relationship between society's perceptions, the way those views impacted trials, and the ways that the trials were shared with the public, and thus informed society's ongoing perceptions. Analysed in this way with a view to understanding the 'cultural circuit', crime sources have a great deal more to say about cultural and social histories of the twentieth century than has so far been appreciated.<sup>78</sup>

Indeed, Matt Houlbrook has recently argued for an approach to cultural histories using crime sources that more carefully examines the processes by which the cultural notions being studied are constructed.<sup>79</sup> By examining the practices and processes that bring types of crimes or criminals, such as Houlbrook's own 'trickster' or Stuart Hall et. al's 'muggings', into existence, we can better comprehend the creation, communication, repetition, maintenance or decline of these constructions.<sup>80</sup> In my own research the same could be said for the figure of the respectable housewife, the betraying soldier's wife, or contemporary ideals of home itself which, as this thesis will show, can be read in the trials. By drawing on existing approaches to case files, trials, crime scene photographs and police archives, the rigorous research I have conducted into the creation, significance and provenance of the sources allows me to move beyond previous analyses of them. This thesis identifies these sources as exceptional in providing not only rich detail regarding everyday life and experience, but also in illuminating the significance and meaning of those details to individuals and to the powerful structures who would investigate, prosecute, detain, judge and sentence them.

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<sup>78</sup> For a description of the 'circuit of culture' see Stuart Hall (ed.), *Representation: Cultural Representations and Signifying Practices*, (London: Open University, 1997), p. 1.

<sup>79</sup> Houlbrook, 'Making Crime in Modern Britain' (presented at the conference Crime and Deviance in the Twentieth Century, 2014); Hall and Critcher.

<sup>80</sup> Houlbrook, 'Making Crime in Modern Britain'.



## Reflexivity

My personal experiences of home have shaped my work. I grew up on two 1950s-built council estates in a Second Wave New Town and ‘left home’ (with my single Mum) in 2000 at the age of 16. Experiences in my childhood and teens taught me that home and family by 1980s and 90s ideals were inaccessible to me, and at times that I was actively excluded from them. I have moved home 21 times. I have been forced to make decisions about relationships, education and career opportunities with the cost of rent, and living, in mind, and linger in abusive relationships because I have had nowhere else to live. My opportunities in life have been restricted by where and how and with whom I have had to live, and I have been judged by my living circumstances. I struggle to feel ‘at home’ in some cities, and in the academic world.<sup>81</sup> My perspectives on gender and gendered codes of behaviour owe much to my participation in a sport in which I have learned from my teammates and friends that gender can be performed and read in a variety of ways. I have also been able to see how people’s perceived gender and relationships influence the way their homes are ‘read’ by outsiders, and that people who identify themselves or their relationships as ‘queer’ are able to actively challenge the established rules for the performance of gender, relationships, family and domesticity at home, within certain social limits. I have worked in social care and social housing at neighbourhood levels in the town of my birth, and witnessed the social difficulties that can be embedded and perpetuated in the ‘temporary’ nature of modern housing and the legacy of the privatised home hierarchies that I discuss in this thesis.

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<sup>81</sup> For more on working-class women in academia see Lisa Mckenzie, ‘Who Would Be a Working-Class Woman in Academia?’, *Times Higher Education (THE)*, 8 October 2015 <<https://www.timeshighereducation.com/blog/lisa-mckenzie-who-would-be-working-class-woman-academia>> [accessed 23 November 2015].

In the context of some excellent recent work on reflexivity, I feel that the above experiences have left me equipped to recognise similar issues experienced by the subjects of my sources.<sup>82</sup> Further, thinking reflexively about how I approach the specific source types I use and my method for approaching them further demonstrates points of originality in this thesis. Coming to academic history through family history, and having been a family secret for most of my life, has made me question secrets kept or censored and notice classed differences in the information that is written and shared about people. As Deborah Cohen has pointed out: secrecy and privacy are classed.<sup>83</sup> To paraphrase Cohen, as a family secret my identity has been deformed, the truth interrupted,<sup>84</sup> and this has meaning in the sources I use. I am critical of depositions that describe the dead, asking what agenda or purpose is served by their specific framing of the deceased victim's behaviour. How does it benefit their own innocence or culpability to describe the person they killed in this way? This is important because it identifies particular points at which domestic conflicts have been styled to fit a legal understanding of manslaughter over murder (see Chapter One), a unique argument of this thesis previously unexplored in the historiography.

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<sup>82</sup> Lucy Robinson, 'Does My Reflexivity Embarrass You?', *Now That's What I Call History*, 2015 <<https://drlucyrobinson.wordpress.com/2015/07/16/does-my-reflexivity-embarrass-you/>> [accessed 24 July 2015]. For examples of writing that could be described as 'reflexive' that have influenced my work, see Jeffrey Weeks, *Making Sexual History* (Cambridge: Blackwell Publishers, 2000), pp. 3–4; Lisa Mckenzie, *Getting by: Estates, Class and Culture in Austerity Britain* (Bristol: Policy Press, 2015), pp. 1–9; Linda McDowell, *Working Lives: Gender, Migration and Employment in Britain, 1945-2007* (Chichester: Wiley-Blackwell, 2013), pp. 16–17; Ben Rogaly and Becky Taylor, *Moving Histories of Class and Community Identity, Place and Belonging in Contemporary England* (New York: Palgrave Macmillan, 2011), pp. 23–8; Lizzie Seal, 'Emotion and Allegiance in Researching Four Mid- 20th-Century Cases of Women Accused of Murder', *Qualitative Research*, 12.6 (2012), 686–701; Matt Cook, *Queer Domesticities: Homosexuality and Home Life in Twentieth-Century London* (New York: Palgrave Macmillan, 2014), pp. 17–20.

<sup>83</sup> Deborah Cohen, *Family Secrets: The Things We Tried to Hide* (London: Penguin, 2014), p. xviii.

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

My experiences of reporting harrassment to the police have shown me how some details of personal experience are considered irrelevant in the context of a specific crime or legal framing from the point of view of a witness or victim. I am therefore attuned to what depositions describe and how, noting that the judicial system rarely allowed for superfluous detail. Having suffered harrassment and emotional abuse at home in my own personal life I am acutely aware of suggestions of these issues in my sources. Blunt and Dowling have identified a wide body of scholarship that challenges the notion of home as a safe and secure place, particularly for women, but this work largely draws on domestic violence.<sup>85</sup> By identifying other types of non-physical abuse in the sources I am able to add nuance to this area of the historiography of home as a place where safety and privacy often has to be negotiated, particularly by women.

Though personal experiences have contributed to my analysis of home, I am conscious that there are areas I discuss of which I have little experience. Most significantly, I am not, and have never been read as, a person of colour, I have 'cis'-gendered and white privilege, and am usually read as 'straight'. I have never experienced racism by policing or housing structures, or been affected by the issues discussed in Chapter Four. I am also unable to empathise with any aspect of the experiences of visibly queer men whose relationships have been, as Chapter Five will show, affected by readings of their homes that excluded them in the past in particular. I do not wish to assert that my research 'gives a voice' to any group or liberates the experiences of marginalised groups. Nor do I wish to argue that I am best positioned to empathise with the experiences described in this thesis. Rather, my research choices are driven by my many experiences of home and historical research to question any sources created or mediated by those with significant social and cultural capital that claim to tell a truth about people with less,

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<sup>85</sup> Blunt and Dowling, p. 14.

particularly if they make judgements about the way they have lived. Though I cannot empathise with the experiences of extreme violence explored in this thesis, I feel a sense of solidarity with many of the individuals whose various experiences of home are at least partially illuminated by my sources. I believe that people should be judged for their violent acts and not because their home was messy or overcrowded. I feel that an act of violence should be punished because it is painful and wrong, and not diminished in significance because the victim did not have dinner ready on time. I believe that spaces and places should be explored in all their historical, cultural, geographical and social contexts, and not characterised by one type of crime that has occurred there, or denied a homely interpretation because the person who inhabits that space makes money from sex.

As a recent example, the Jack the Ripper Museum in East London interprets a victim's bedroom, describing it as typical and lacking in comfort. It highlights alcohol consumption, prostitution and the women's rarely washing their hair, in a museum that seeks to commodify violent and sexual crime against women in the past.<sup>86</sup> This and recent activism against the museum made me think carefully about the approaches I took to my sources,<sup>87</sup> as did the 'Crime Museum Uncovered' Exhibition at the Museum of London, which included objects I had read about in some of the case files I use in this thesis.<sup>88</sup> Though it arguably took a much more sensitive approach to murder, victims of crime and London, it is important to note that the exhibition was mediated by police and the state. I have been anxious to avoid assuming the kind of positive and effective interpretations of

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<sup>86</sup> 'About the Museum' *Jack the Ripper Museum*, undated <<http://www.jacktherippermuseum.com/about-the-museum.html>> [accessed 23 November 2015].

<sup>87</sup> Lisa McKenzie, 'Why I Am Protesting against the Jack the Ripper Museum', *Times Higher Education (THE)* 8 October 2015 <<https://www.timeshighereducation.com/blog/why-i-am-protesting-against-jack-ripper-museum>> [accessed 23 November 2015].

<sup>88</sup> 'The Crime Museum Uncovered' *Museum of London*, undated <<http://www.museumoflondon.org.uk/london-wall/whats-on/exhibitions-displays/the-crime-museum-uncovered/>> [accessed 23 November 2015]; and accompanying book: Jackie Keily and Julia Hoffbrand, *The Crime Museum Uncovered: Inside Scotland Yard's Special Collection* (London: I.B. Tauris, 2015).

policing and justice portrayed by the Crime Museum as much as I have been anxious to avoid interpreting homes and neighbourhoods as dirty, criminal or unhomely as depicted in the Jack the Ripper Museum and the above described coffee-table books on crime scenes.<sup>89</sup>

Like the Jack the Ripper Museum, other interpretations of crime and places in London can also be described as a kind of ‘murder tourism’. Narratives are reproduced with all the gusto of a crime novel, inviting the reader to ‘go and look’ at the house where a woman was brutally murdered, or stand on the exact spot where a man took his last breath, or suggest a walking route that takes in as many murder sites as possible.<sup>90</sup> In some instances the families of these people are still alive and able to access these dramatised versions of the death of a parent or grandparent with a brief search (full texts are increasingly available via popular search engines, just as this thesis will likely eventually be publicly searchable due to Open Access requirements of my funding). With addresses given in full, the inhabitants of these homes may be distressed to find that a violent murder was committed on their living room floor, for example. These issues have influenced not only my approach to the sources and the people and places they describe but also the decisions I have made about the information I share in this thesis: where buildings are still standing I have chosen only to give the street and not the precise address of the homes I consider. I have also chosen to refer to individuals by their first name and initial, apart from in more famous cases already in the public domain. I would encourage anyone with a personal or familial interest in the individuals described in this thesis to

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<sup>89</sup> Finally in this reflexive section I want to note that I am acutely aware of the fact that the educational opportunities I have received thanks to research council studentships have given me a platform upon which my research can be communicated, and that there are many people who have as much or more to say who do not enjoy such an opportunity to make their voices heard.

<sup>90</sup> Jan Bondeson, *Murder Houses of London*, (Stroud: Amberley, 2014); David Long, *Murders of London: In the Steps of the Capitals Killers* (London: Random House, 2012); Kris Hollington and Nina Hollington, *Criminal London: A Sightseer’s Guide to the Capital of Crime* (London: Aurum, 2013).

refer to the case files themselves at TNA in the first instance, and of the caveat in each catalogue entry describing how ‘the naming of a defendant in this catalogue does not imply guilt’. My aim in this thesis is not to describe ‘what really happened’ or who is to blame in a case of murder, but to highlight the unequal messages perpetuated by the investigation, trial and reporting of the case. I apologise if any inaccuracies in the case file documents are perpetuated by my thesis.

The questions I am driven by in this thesis concern the given narratives of homes and poverty based on middle-class-down perspectives, compared to the actual experiences that can be at least partially illuminated by the descriptions by people who lived in them. I reconstruct the place, space and materiality of home from an inside perspective, rather than a point of view that pathologises the working class inhabitants and reads the homes as sites of moral decay. I also use the files to compare these experiences and meanings of home to the inhabitants, to the wider social ideals and constructions of what home should mean at that time. I compare the public notions and expectations of home that can be read in the files, and the embedded domestic routines and gender performances they actually show in practice.

The most prevalent theme I have read in the files concerns the problems and conflicts that socio-economic deprivation can cause at home. This likely betrays me as a social historian, and one who writes from an often unconscious Feminist perspective. I see women as producers as well as consumers and my reading of domesticity is one which attempts to understand women as providing labour of an equal importance, if not equal status, with men’s paid employment. Women were employed in paid labour outside and inside the home in my period, but I focus more consciously on home as a place to live and perform unpaid labour because that is what my files have shown it to be.

## **Structure of the thesis**

My approach is consciously social/cultural historical, and thus prioritises the experiences of working class people, although I am conscious that these are not the actual ‘voices’ of my witnesses and defendants. It is for this reason, primarily, that this thesis prioritises an understanding of the practices and persons that have shaped the production of the sources I have used, explored in detail in Chapter One by reference to a case study. This thesis argues that the most significant factors influencing people’s experiences of home in mid-twentieth-century London, 1930-1970, were class and access to economic capital and gender. Chapter Two thus identifies specific ways in which experiences of home differed for those with more and less social and economic capital. It focuses mainly on cases from the 1930s because the contrasts were most stark during this decade of high unemployment. Furthermore, later chapters, particularly Chapter Four, argue that the strategies and ways of living that can be seen in homes in the 1930s, as a result of conditions at the bottom of the housing hierarchy, are repeated throughout the period under study. Homes of the 1950s and 60s, for example, bear more resemblances to homes of the 1930s than has previously been appreciated, including by contemporaries, who viewed the living conditions of poor migrants as symptoms of their different home cultures, their ‘race’, and compared them to middle-class ideals of home and home-making. Chapter Three describes the Second World War as a period which intensified the meaning and importance of privacy at home because of the conditions at home and away from home that it created. This is understood as contributing to postwar feelings about home that, although they had root in the 1930s, were catalysed and intensified by the war years and the years of reconstruction that followed immediately after. Chapter Four looks at the postwar period in terms of the updated understandings and meanings of home. Home was then idealised as a place that was private, semi-detached and suburban. The

lowest rented homes were inhabited by people who were transitioning to the city in much the same way as in previous decades, however some of these people were more visible than their white predecessors. The homes of people of colour were thus judged as owing their conditions and the habits of their inhabitants to 'race'. I argue that this was a misconception, and that it was actually the housing that caused differences, revealing a continuity with interwar housing that has not so far been fully appreciated. Chapter Five further analyses the ideals of home and relates experiences there as owing much to intersecting factors of gender and socio-economic difference. It is argued in Chapter Four that women of colour, and in Chapter Five, queer men, experienced a denial of the dual domestic-labour identities that were being increasingly offered to white heteronormative families.

By highlighting the rich details of selected cases throughout the thesis I identify common themes and ways evidence was interpreted. Photographs show that documents interpreting poor domestic habits were more likely describing symptoms of material deprivation than lack of care of the home. The weight attributed to gendered roles in the home, to privacy and comfort, shift over time according to my reading of case commentaries by police and counsel in reports, questioning and opening statements. Statement contents are reinterpreted and argued over in court, changing their meaning. And details from the scenes, statements and CCC speeches that appear in newspaper reports show which elements of cases were deemed most culturally significant. The unique critical intervention I apply to the sources combines empirical enquiry, deriving descriptive detail from what the documents *say*, with meticulous methodological research, implying meanings from the ways documents were made and used by individuals and organisations. Chapter One therefore opens this thesis with consideration



of the evidence and the ways it was collected, constructed, produced, interpreted and contemporaneously used.

## Chapter one: sources

As described in the Introduction to this thesis, studies using CRIM, DPP and MEPO files from the National Archives crime collections have so far shown only a limited comprehension of how the documents were made. For example Lucy Bland considers some judges' comments combined with newspaper articles and argues that women in court in the 1920s and 30s were judged by their modernity, appearance, and sexual independence. However she uses mainly newspaper reports of cases, and comparatively few DPP and CRIM files; only one of each, in fact.<sup>91</sup> I will show that the ways women and men were judged by the judiciary, and to a certain extent by the public, can be better revealed with a rigorous analysis of the creation of the documents for, and by, the court. Houlbrook has argued that earlier historians of the 'cultural turn' used archive documents such as these to analyse discourses and cultural constructions, without attending to the method by which they were produced, or the extent to which these documents may or may not accurately reflect these methods. More attention needs to be paid, according to Houlbrook, to the archive, the sources, and their creation and provenance.<sup>92</sup> In the instance of criminal case files, institutional practices, precedents and preconceptions informed the way evidence was handled, communicated and used, and the way that newspapers were able to report on court cases and what they were able to write at various stages in the proceedings. Historians often fail to critically unpick the ways in which the narrative of a case was constructed and communicated within these types of sources. In contrast this chapter will identify the relevant precedents, practices and codes, through which the narrative of a crime and the resulting case developed, demonstrating that the ways the documents were made and used is crucial to

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<sup>91</sup> Bland, pp. 2, 140, 221.

<sup>92</sup> Houlbrook, 'Making Crime in Modern Britain'.

understanding the cultural norms and constructs reflected, reproduced and embedded within them. This analysis will facilitate a deeper analysis of the material, and the homes that appear within them, in the following chapters.

In researching and presenting about murder cases I have found that fellow scholars are eager to learn ‘what happened in the end’ as well as the story of events leading up to the crime. Police correspondence also shows the significance of establishing a narrative in understanding the crime and its evidence. Police officers in charge were required to write a detailed report of the background of individuals involved in the crime, the story of events leading up to it, and details of the police investigation following the murder, all in the form of a narrative that could be read and understood by senior police and by the DPP. These documents are valuable in understanding the police perspective on events and at what point and in what manner they discovered evidence. However they also illustrate the manner in which pieces of the puzzle were put together after the event to construct a narrative that made sense of what happened. It becomes clear that in many cases the order in which evidence was discovered or witnesses were interviewed influenced police understanding of what happened. The narrative constructed from various sources of evidence was then put together and reproduced by the DPP in court in the form of the opening address to the jury, a narrative that arguably influences the interpretation of the testimony that followed in court in front of the jury. The narrative was highly significant and also potentially highly prejudicial. In the following paragraphs I lay out the narrative of one case as an example, in order to demonstrate the various types of evidence collected in the investigation of a murder, and the ways they were interpreted in court. As the Solicitor General and counsel for the prosecution, Sir Harry Hylton-Foster

Q.C. (and M.P.) put it to the jury in the case of *The Queen vs Brian B.*, ‘I must tell you a little of the story, so that you may follow the evidence when it is called before you.’<sup>93</sup>

Moira R. was born in South Shields, the illegitimate daughter of Alice, whose mother brought Moira up as her own daughter, and so Moira believed that Alice was her sister. In 1953, when she was 16, Moira married Brian B. in South Shields, and the next day they moved to rooms in Hanwell, London, near his parents. In January 1954, six months after they wed, their son Ray was born. Two years later the couple decided to part and made a separation agreement, witnessed by social workers. Moira and their son moved back to South Shields to live with the woman she thought was her mother, and Alice was living on the same street. Moira and Brian kept in contact by letter and after a couple of months decided to try to patch things up. They agreed the terms on which she should come back, with their son, and in June 1956 they lived together again at Appleford Road, North Kensington, in a first floor flat.<sup>94</sup>

Brian was employed as a Statistical Clerk for a firm who made washing machines at Neasden, on the North Circular Road. He had a reputation as a good employee, and a punctual one, making his journey to work on his motorbike, he was in the regular habit of leaving home at a quarter to nine every morning. On Tuesday the 27<sup>th</sup> of November, 1956, Moira got up earlier than usual and went to the dairy shop at the top of Appleford Road for a pint of Child Welfare Milk and a couple of bread rolls and was back at the flat before Brian was due to leave for work. Some time later he called for the help of their downstairs neighbour, Mrs G. Moira had collapsed, he said, by the sink while he was shaving with his electric razor in the opposite corner of the room they used as a kitchen. Mrs G. found Moira to be cold and couldn’t find a pulse, so she covered her with

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<sup>93</sup> TNA: J 82/27: (CCC, 1957), Trial transcript, p. 2.

<sup>94</sup> Ibid.

a couple of coats and a blanket, and sent Brian for the doctor. When he couldn't reach him on the phone, and a little brandy failed to rouse Moira, Mrs G. told Brian to get an ambulance instead. The ambulance-men tried and failed to resuscitate her, and the 21-year-old woman was pronounced dead at the hospital. Brian appeared to be in shock and was offered a cup of tea, which he accepted and drank. He told the Casualty Officer that he and his wife had eaten their breakfast together that morning as usual, and she had collapsed while washing up. Later that afternoon Brian formally identified the body of his wife at the Coroner's Office, giving details of his wife's collapse to the Police Constable who wrote them down in his notebook. He went home to pick up the couple's son from Mrs G., who had looked after him when they got in the ambulance, and told her Moira had died. He then went to his parents' house in Hanwell with the little boy.<sup>95</sup>

The next day, the 28<sup>th</sup> of November, the pathologist began the standard post-mortem on Moira's body and found no food in her stomach but a lethal quantity of cyanide and barium. He noted that she had been six weeks pregnant. Police went to the flat at Appleford Road but found Brian was not at home. They searched the two-roomed flat anyway and took possession of a teapot that had been scoured, and left a message with Mrs G. for Brian to come to Harrow Road Police Station the next morning. When he arrived, Superintendent Webb offered him a cup of tea, to which he replied "No, thank you. I never drink tea. I hate it." Webb considered his unnecessarily emphatic response strange and made a note of it in his notebook. He then asked Brian some questions about his married life and the events of the previous morning, writing down his responses in the form of continuous prose, reading the resulting narrative back to Brian, who signed to say it was an accurate statement. In the statement he explained that he and his wife had separated earlier that year after arguments over the welfare of their son. They'd been

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<sup>95</sup> Ibid., pp. 2–4.

getting on better since they got back together, he said, but Moira had been tired lately and even more listless and disinterested in the home than usual. In response to questions put to him by Webb about cyanide, Brian replied that he did not know if it was used at his workplace, and he could not think how his wife might have got hold of it.<sup>96</sup>

Later that day police visited his place of work and found a substance in one of the treatment rooms called Perliton Liquid Heat, barrels of which were marked with warnings that the product contained deadly cyanide. On the following day, the 30<sup>th</sup>, Brian asked to see Superintendent Webb at Harrow Road station and said he'd been thinking about the cyanide question. He had made enquiries at work, he said, and found that cyanide was used in the manufacturing processes at the factory. He was still not sure how his wife could have gotten hold of it, he told Webb, who wrote down the details of the conversation in his notebook. Brian also reported that he had been experiencing stomach pains, and asked that the coffee, milk, sugar and cup at his home be inspected by police scientists for traces of cyanide. They found none. Meanwhile, Brian took Moira's coat, one of the two used to cover her up after she collapsed, to the cleaners. He later took a small rug from the flat to be cleaned at the same place.<sup>97</sup>

On Friday the 7<sup>th</sup> of December police brought Brian to Harrow Road station from work and asked him to give another statement about the morning of Moira's death. He did so, adding minor details of what she had eaten for breakfast: half a plate of porridge, he said, and he had also fed her the leftovers of his black pudding. It was after this, when Moira had been making a cup of tea and Brian had been shaving that she had collapsed, he said. She had only drunk about an inch from the top of the cup she had made when she fell on the floor. He also described cleaning the cup, the teapot, and some other

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<sup>96</sup> Ibid., pp. 5–8.

<sup>97</sup> Ibid., pp. 9–11.

things at the flat when he got home the day after she died. After he had finished this new statement, Superintendent Webb cautioned him that he was under suspicion of murdering his wife, and that he need not say more on the subject, but that if he did it would be written down and could be used in evidence. The caution was written down and Brian signed it. Immediately afterward Brian informed Webb that he wanted to make a new statement because he had lied when he made this last one.<sup>98</sup>

In the new statement Brian said that he had got the cyanide from his work when he was working overtime the weekend before Moira died, intending to take it himself. He wanted to commit suicide, he said, he thought Moira and their son would be better off without him, but he did not plan to do it straight away because his employers were short-handed. He had been late to pick up his wife and child from his mother's that evening, and Moira was annoyed. When she complained about his being so late Brian showed her the bottle of cyanide he had collected and told her he intended to kill himself with it. The threat stopped her complaining. In fact, the next day, Monday, she was more affectionate toward him than usual. On the Tuesday morning Moira had gotten out of bed before him and must have gone into the pocket of his trousers for some money for milk and bread before she went to the shops. When she collapsed he found the cyanide bottle on the draining board and thought that she must have found it in his trousers when she took the money, and put it in her tea with the intention of killing herself. He was worried that her suicide would upset her family, he claimed, and so he hid the bottle and washed out the cup and the teapot before he went for Mrs G.'s help in order to conceal the fact that it had been suicide. He later retrieved the bottle and threw it in the River Brent by the Ruislip Road on the way home from his mother's. When he had signed this statement, Superintendent Webb arrested him for the murder of his wife and he was detained at the

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<sup>98</sup> Ibid., pp. 11–14.

police station. The next day he was taken to Brixton Prison to wait for his appearance in front of the magistrate at the police court (the next stage in the judicial process). The two officers who drove him there discussed the route between them in the car, and Brian offered a suggestion. What he said next surprised them so much that they wrote down the exchange in their notebooks when they returned to the station: ‘I’m worried about the rent on my flat,’ he said, ‘I mean to keep it on. I don’t want to lose the flat, as I may get married again.’<sup>99</sup>

### Depositions

The majority of the facts informing Hylton-Foster’s narrative, as in other opening addresses at trials, were gained from depositions by witnesses, given under oath in front of a magistrate at the police court.<sup>100</sup> Depositions of this type form the majority of the papers in the CRIM 1 collection of files and also in the DPP 2 collection at TNA.<sup>101</sup> And yet the method of their construction, their provenance, is the least-commented-upon aspect of their use in any scholarly work that benefits from them.<sup>102</sup> Extensive research has shown that, although many depositions appear to be in the witness or defendant’s own words, they are what might be described as an ‘enforced narrative’, and are the result of heavy construction processes.<sup>103</sup>

Depositions and statements were constructed by police and informed by their interpretation of ‘what happened’ meaning that the prosecution’s case was formed at the very earliest stages of questioning. Depositions, statements, police reports about them,

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<sup>99</sup> Ibid., pp. 14–15.

<sup>100</sup> Lord Devlin, *The Criminal Prosecution in England* (Oxford: Oxford University Press, 1960), p. 92; Seal, *Women, Murder and Femininity*, pp. 98–99.

<sup>101</sup> TNA: J82: ‘Court of Criminal Appeal and Supreme Court of Judicature, Court of Appeal, Criminal Division: Case Papers’, TNA: CRIM 1: ‘Central Criminal Court: Depositions’.

<sup>102</sup> Lizzie Seal has described some of the process in her *Women, Murder and Femininity*, pp. 98–99.

<sup>103</sup> Carolyn Steedman, ‘Enforced Narratives’, in Tess Coslett (ed.), *Feminism and Autobiography. Texts, Theories, Methods* (London: Routledge, 2000), pp. 25–39; or her *Dust*, pp. 47–8.



trial transcripts and further research into their construction shows that documentary evidence in case files represents a biased account of a crime rather than what historians could consider a neutral dossier or collection of fragments of evidence. Police, at the investigation stage of a case, even if they had a confession from a suspect, were required to enquire into the particulars of the events leading up to and immediately following a suspicious death, but they explored the most likely course of events, guided by those closest to the victim. It was the first step, following contact with the police, in Brian's case, and in any other murder investigation to informally question anyone connected with the case or living near the suspect, victim, or the place where the body was found. Questioning would usually take place in homes, but police could also ask questions at an individual's place of work. They could then be asked to come to a police station to give a voluntary statement. Any information given to police in connection with their inquiries would be offered voluntarily, there existing no legal obligation whatever to answer police questions.<sup>104</sup> Police were aware of this lack of obligation, however they frequently used subtle ways of extracting information from witnesses, however unwilling they might be. For example, by insinuating that they already knew all the details of a case or events, police could obtain information they needed from defendants.

Many householders or members of the ordinary public were not aware that they were not under obligation to answer questions put to them by police, or to allow them entry into their homes or workplaces, or to attend the station to help with their enquiries. The very status of the police would often be sufficient to encourage people to give them any information they asked for, whether or not they were obliged in law to actually provide such information.<sup>105</sup> Brian's trial came at a point between two Royal

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<sup>104</sup> Devlin, p. 27.

<sup>105</sup> Ben Whitaker, *The Police in Society* (London: Methuen, 1979), p. 28.

Commissions on Police Powers. The first, in 1929, was initiated by concerns for inappropriately forceful questioning of a witness called Irene Savidge.<sup>106</sup> The second, 1960 commission, came in the wake of accusations of police corruption, protection and bribery in forces outside of the capital in 1959.<sup>107</sup> As yet police were, for the most part, considered to at least have the appearance of being on the right side of the law. Mothers threatened their children with policemen if they were naughty, and for most of the mid-century period, most people did as the police asked simply because they were the police.<sup>108</sup> In his *Exploring English Character* in 1955, Geoffrey Gorer found that his respondents on the whole thought of the police as an institution in a positive light and deserving of respect. A common view according to Gorer was that there were the occasional unfair or dishonest individuals, as in any other job, but generally they were doing a difficult job well, although a few respondents described how they thought that the police treated working class people with less respect than middle class people.<sup>109</sup>

At this early point in questioning, police would ask questions to find out what they wanted to know, and then write notes in their notebooks to remind them what the witness had said. At the next possible convenience, usually when they returned to the station, they would write up more fully what the witness had told them.<sup>110</sup> This information would then be passed on to the Director for Public Prosecutions in the form of a document that began ‘so-and-so will [if asked] say...’ and would be summarised in a police report to the DPP which would initiate the next step in the process: the Police Court. Witnesses could later be summoned to the police court to say what they had told

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<sup>106</sup> Huw Clayton, ‘A Bad Case of Police Savidgery: The Interrogation of Irene Savidge at Scotland Yard’, *Women’s History Magazine*, 61 (2009), 30–38.

<sup>107</sup> Whitaker, p. 12.

<sup>108</sup> Devlin, p. 80; Whitaker, p. 28.

<sup>109</sup> Geoffrey Gorer, *Exploring English Character* (Charleston: Nabu Press, 1955), pp. 213–218.

<sup>110</sup> Devlin, p. 41.

police in front of a magistrate, if the Director deemed it relevant to the case and called them. There, under oath, they would respond to questions put to them by the magistrate, or the counsel acting for the prosecution in order to extract the relevant information they needed that would form part of the case for the prosecution. The defence counsel would, by this practice, be made aware of the terms upon which the defendant was being accused, what he or she was being accused of, including the what, where, when and how of the alleged crime. This would give the defence an opportunity to cross-examine the witness to establish if they had any information that could be used to discredit their own testimony, or that could otherwise be used to defend the accused party.<sup>111</sup> However, it was important at this stage not to reveal what the grounds for defence actually were, so as not to give the prosecution the opportunity to peremptorily arrange their own evidence in a way that would exclude a viable defence; for example an alibi, some mitigating circumstances, or proof of insanity.<sup>112</sup> Police court depositions were then typed up by a clerk of the court from their shorthand notes, based on the answers to questions put to them by prosecution and defence counsels.

In cases of suspected murder police would be very careful not to make an arrest or allow a case to reach the magistrate at the police court unless they had sufficient evidence to secure a conviction. Indeed, the main purpose of the hearing at the police court in criminal cases was to ensure there was sufficient evidence ‘to answer’ and that the judgement of a jury was necessary. For less serious crimes, the police court was as far as the case went, and a magistrate could reach a verdict and sentence. In some cases that went to a higher court, the magistrate’s purpose was also to decide if bail would be granted, and how much of a surety needed to be provided that the defendant would make

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<sup>111</sup> Devlin, pp. 60, 90–91.

<sup>112</sup> Ibid., p. 59.

their appearance in court. Murder was potentially a capital crime, and so required judgement by a jury, and defendants for murder were not entitled to bail. A defendant could, and almost invariably did, decline to give their own evidence at this lower police court and instead 'reserve their defence' for the higher court at the Central Criminal Court.<sup>113</sup> Their counsel would therefore have to carefully conduct their cross-examination of witnesses to establish if any information they gave could be used to defend their client, as well as by the prosecution. Between the police court hearing in front of the magistrate and the trial at the CCC in front of a jury, the defence counsel could find and select their own witnesses and material evidence. However, police were expected to speak to all relevant witnesses and collect all relevant evidence whether it implicated or exonerated a suspect, both of which would likely be named or described in the defendant's own statement(s), and it was therefore unlikely that the defence counsel would need to look outside of the evidence collected by the police and shown at the police court. However, it would be fair to say that once police had established a suspect in a murder investigation any evidence they collected from that point would be biased toward securing the conviction of that person. Much of this information describes a process that differs from that portrayed in popular television programmes. Some researchers have described 'the CSI effect', and I think it is important to note that the ways evidence is constructed is crucial to understanding its meaning. If material is interpreted with an American idea of investigative representation by defence lawyers, for example, or of a police investigation that collects evidence and offers it to the court from a neutral and unbiased viewpoint,

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<sup>113</sup> Devlin, p. 90.

such interpretations would wholly misunderstand the process, construction, and weight afforded to the material.<sup>114</sup>

## Evidence

Of course each regional force had slightly different practices. The regional force for London, the Metropolitan Police, was divided into divisions, each with its own mapped area, police station, police court, and divisional inspectors. It was important for all evidence to be submitted at the police court because new evidence might be deemed inadmissible if it had not been checked by the magistrate in this way. The magistrate would be ensuring that the content of the witnesses' answers was relevant, and not unfair to the defendant.<sup>115</sup> It could not, for example, refer to any previous convictions they might have, although a record of their previous convictions, if any, would be made available by the police to the defence and prosecution counsels, as well as the magistrate and any professional asked to comment on the state of mind or personality of the defendant such as doctors, prison guards and forensic scientists. This is significant because even information that was not able to bias the jurors against the defendant by knowledge of previous convictions, *was* able to influence the minds of professionals before *they* gave powerful expert testimony about them, backed up by their status as medical or psychiatric professionals. The potential impact of this is illuminated at a point in Brian's trial at the CCC involving an 'expert witness,' which will be discussed below.<sup>116</sup>

Of course, different magistrates might treat evidence differently, and it is interesting that they received little training for their posts at the time of Brian's trial,

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<sup>114</sup> Ian Burney, David A. Kirby and Neil Pemberton, 'Introducing "Forensic Cultures"', *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences*, 44.1 (2013), p. 1.

<sup>115</sup> Devlin, p. 36.

<sup>116</sup> TNA: J 82/27: Transcript, [cross examination of witness by Richardson for the defence], pp. 71–3.

perhaps further increasing the likelihood of differing judicial discretion between magistrates.<sup>117</sup> It is also worth noting that there was only one woman police court magistrate throughout the period 1930-1970, and so it can be argued that it was a very male perspective that was being applied to the evidence and cases.<sup>118</sup> In their selection from the available evidence, documentary, material or verbal, magistrates could allow or disallow evidence to be used at the CCC whose sole purpose was to tarnish the character of the defendant.<sup>119</sup> Although such evidence was supposed to be inadmissible, magistrates could argue that evidence could not be excluded because it was useful for other reasons. For example, it has been argued that the letters between Freddie Bywaters and Edith Thompson should not have been admissible in the case against her, and should have been weeded out at the police court. Their use by the prosecution, it has been argued, was less to do with her inciting Freddie to murder her husband, and more about informing the jury that she was having a sexual affair with him.<sup>120</sup> In contrast, John Carter Wood has argued that in the cases of Kitty Byron and Beatrice Pace, some evidence was held back from the criminal trials because they were unfair to the defendants, possibly describing extra-marital or pre-marital sexual relationships or attempts at abortion, unconnected with their alleged victims, which could have biased the jury against them.<sup>121</sup> In Brian's case a letter he sent to a relative of Moira's after she died and before he was arrested was deemed relevant by police but inadmissible in court, and therefore it does not feature in any of the files.<sup>122</sup> It is suggested by the reports of 'expert witnesses' that, even when evidence was made inadmissible in court it had already, by the time of the judges' decision to this effect,

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<sup>117</sup> Morris, p. 41.

<sup>118</sup> Sybil Oldfield, 'Campbell, Sybil (1889–1977)', *Oxford Dictionary of National Biography. Online Ed.*, 2004 <<http://www.oxforddnb.com/view/article/61344>> [accessed 16 June 2015].

<sup>119</sup> Devlin, p. 62; Bland, p. 138.

<sup>120</sup> Bland, pp. 103–4.

<sup>121</sup> Wood, p. 195.

<sup>122</sup> J 82/27: Trial transcript, [cross examination of DS Webb by Richardson for defence], pp. 106–108.

been read by the experts and other individuals who had been asked to make independent and unbiased reports. They were furnished with all the available depositions and evidence prior to making them. It is therefore unfortunate for historians that these documents are missing from the historical record.

The potential for impact by this practice of viewing all depositions and evidence before making reports and giving testimony can be seen in the proceedings against Brian when a medical expert was seen in court with the file he had been given. Lewis Nickolls of the Metropolitan Police Laboratory was one of the individuals supplied with copies of the depositions and statements in advance of Brian's trial at the CCC. His report confirmed that he had read them before he made his findings, which refer to chemical testing of items of material evidence, such as the teapot and cup, for traces of cyanide. However, the depositions had little relevance to his tests. In the CCC courtroom, there was some doubt as to whether his having the file in his hand while being questioned was appropriate, but no challenge was made to his having actually seen them at all. He could refer to other people's notes when responding to questions about his own findings, which had also been influenced by these different documents in the first place.<sup>123</sup> The outcome of a heated exchange between Justice Pearson and E. Ryder Richardson for the defence was that the evidence was permitted to continue, although Pearson could equally have deemed it inadmissible, this being an example of discretionary practice rather than strict enforcement of rules.

Of course, expert witnesses themselves had opportunity to influence the outcome of a trial depending on their testimony, their performance in court under questioning, and the commitment they showed to their interpretation of the evidence their

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<sup>123</sup> Ibid., [cross examination of Nickolls by Richardson], pp. 71–3.

expertise were called on. Ian Burney and Neil Pemberton have described the influence of expert witnesses and celebrity pathologists in early twentieth century murder trials.<sup>124</sup> Such experts included fingerprint analysts, firearms specialists, forensic pathologists and scientists. However, research for this thesis has shown that even the best expert witnesses with the most highly regarded reputations could sometimes be ignored depending on whether their evidence fitted with the preferred narrative of events for the court or the jury. In the cases in Chapter Two of this thesis, for example, the evidence of a firearms specialist had little bearing on whether or not the gun was deemed to have gone off accidentally, and Bernard Spilsbury, the famous pathologist was ignored when he offered a possible interpretation of domestic violence. This demonstrates that, where evidence was available to witnesses for whom the evidence had little relevance or could create bias, it was still unlikely to skew the case away from the interpretation favoured by the jury. A wholly new narrative of events was unlikely to appear at the moment of the CCC trial. Rather, it was more likely that witnesses, expert and lay-person, would be even more committed to the police and/or prosecution counsel's version of events by their reading or viewing additional documents in the case, even if magistrates deemed some of the material inadmissible and disallowed it later.

A further task of a magistrate at a police court in relation to later proceedings at the CCC was to ensure that the defendant's own statements were not unfair to their defence case. Their statements were not taken down at the police court like those of witnesses but made prior to this at the police station.<sup>125</sup> In fact, in cases of domestic murder the defendant's statement was often the article upon which police arrested the defendant in the first place, because they had admitted to causing the victim's death. In

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<sup>124</sup> Ian Burney and Neil Pemberton, 'Bruised Witness: Bernard Spilsbury and the Performance of Early Twentieth-Century English Forensic Pathology', *Medical History*, 2011, pp. 57–60.

<sup>125</sup> Devlin, pp. 36–7.



Brian's case it seems likely that Superintendent Webb made up his mind to charge Brian when he admitted to having lied in prior statements.<sup>126</sup> It was essential to the admissibility of the statements that police were not extracting confessions unfairly by offering bribes or threatening their suspects. It was important to establish that the statement had been made voluntarily, not only because it was in the interests of a fair and just trial, but also because if the proper procedure had not been followed by police the statement would be legally inadmissible by the magistrate and could jeopardise the whole trial. If defence counsel were able to discredit a confession by insinuating that it had been the result of a bribe or threat, or even that the correct procedure was not followed in part, then they would do so, and it could mean the difference between a trial continuing and being dismissed. Police responded to this by ensuring that suspects signed a declaration at the start of their statement which was frequently very formulaic, such as 'I want to tell you what happened...' to highlight the voluntary nature.<sup>127</sup> This voluntary spirit was codified in the Judges' Rules, which were written to inform police practice to ensure that statements brought before a judge were permissible. They described how statements should be made voluntarily but it was not unknown for police to use at least mildly pressurising tactics to gain information. They could offer or withhold cups of tea, food and cigarettes, they could keep suspects waiting for their interview, thus allowing them time to think, and worry, about what they might say.<sup>128</sup> In the case that inspired the 1929 Royal Commission on Police Powers, it was claimed that Irene Savidge was questioned harshly and extensively while exhausted, in a manner described as 'the third degree' and associated with aggressive American styles of policing.<sup>129</sup> In another case from 1958 a

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<sup>126</sup> J 82/27: Transcript, [DS Webb by the Solicitor General], p. 102.

<sup>127</sup> Devlin, pp. 43–4.

<sup>128</sup> Ibid.

<sup>129</sup> Clayton, pp. 33–4.

suspect was held at Holloway Police Station for 80 hours.<sup>130</sup> Police could also insinuate that they already knew all the details of what had happened, or they could simply suggest that the suspect should ‘come clean’ and ‘make a clean breast of it’.<sup>131</sup> These phrases often feature at the beginning of the statements themselves, including in Brian’s case.

Of course, the actual content of the statement would be biased toward an outcome that favoured the defendant themselves. As details emerged, Brian adapted his story to suit the findings of the coroner and scientific specialists. He was unlikely to admit to intentionally having killed his wife with full ‘malice and aforethought’ when this would define it as a capital crime. He was more likely to highlight the influence of other people, including his victim, in order to make himself appear less culpable. After all, Moira would not be able to contradict his version of events after she died. Avoiding a capital sentence meant successfully arguing manslaughter, rather than murder, or significant provocation. Both concepts would have been well understood by non-legal-professionals at this time. Though not codified in law until 1957, provocation was frequently reported in the press when judges told murdering husbands that they were being sentenced to a short period for manslaughter, rather than capital punishment for murder, because they had been provoked by their dead wife’s actions. (See Chapter Three of this thesis.) These messages would have been known and understood and could be used by a defendant to justify his acts after he committed them.<sup>132</sup> Similarly, any evidence for insanity might be used by the defendant and their counsel to argue for a non-capital conviction. Mid-century domestic murder cases show that this was a period of rapid development in the fields of Psychology and Psychiatry and the way they could be applied to murderers, but the

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<sup>130</sup> Whitaker, p. 61.

<sup>131</sup> Devlin, p. 44.

<sup>132</sup> TNA: CRIM 1/1052 (CCC, 1938), ‘Extract from coloured-note-book found in case at Sister in law’s [City of Manchester Education Committee Regulation Note Book.]’, p. 3.

general continuity across the century was that if the killer had been insane at the time of the killing they could not be held entirely culpable.

Popular understandings of insanity and provocation as defences could, arguably, influence the planning of a crime. For example it was suspected that some more violent murderers like Neville Heath and Gordon Cummins may have been more violent to their victims in order to highlight the less reasonable aspects of the crime to make a defence of insanity easier.<sup>133</sup> Cummins in particular was suspected of drawing on popular depictions of Jack the Ripper in the injuries he inflicted on his victims, similarities that were picked up on and highlighted in newspaper reports in which he was referred to as 'The Blackout Ripper'. This was also a way that the press could euphemistically refer to the sexual nature of the injuries without being explicit.<sup>134</sup> The fact that such defences were anticipated by the DPP is clear from the advanced and formulaic psychiatric reports on defendants extant in the CRIM and DPP files, with professionals expected to comment on whether, in their opinion, the defendant had been sane at the time of the murder, and whether they were capable of understanding that their actions were wrong. It was not unknown, however, for a defendant to admit to the true extent of his actions at the time of giving a statement because he had committed his crime with the full knowledge of what his punishment might be. Some mid-century wife-murders were intended murder-suicides that somehow went wrong. Others were committed by men who were prepared to die for killing their wives and thus were not necessarily likely to defend their actions to the fullest, although they could change their minds when they received legal advice.

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<sup>133</sup> Janet Weston, 'An Ordinary Sexual Pervert? Murder, Moral Insanity and Medicine in Mid-20th Century Britain' (presented at the conference Crime and Deviance in the Twentieth Century, 2014).

<sup>134</sup> *Daily Mirror*, 30 April 1942, p. 8.

Brian was actually unusual as a convicted wife-murderer in that he never admitted to deliberately killing his wife. In fact, he never *needed* to have admitted to anything at all. The Judges Rules refer to an important piece of information which is that a person charged with murder is entitled to remain silent, and should be cautioned as such ‘as soon as the police officer has made up his mind to charge the suspect’.<sup>135</sup> However, a suspect usually had to give that piece of incriminating information in order to make the transition from suspect to defendant. At the CCC, Superintendent Webb took great pains to point out that he cautioned Brian and asked him to sign the caution ‘as soon as he had made up his mind to charge him’.<sup>136</sup> This is an example of the detailed descriptions and discussions of police procedures by the defence who were seeking any point upon which they might discredit the production of a statement and thus its content and admissibility. It highlights the fact that CCC transcripts can alter the apparent meaning of a document, demonstrating that their interpretation in court could make meaning less than straightforward. This is significant because many historians and criminologists take approaches to cases in the past that seek to re-evaluate evidence and how it might be treated by courts today.

A particular focus of these writings is convicted or capitally punished defendants. For example, Ruth Ellis’ and Edith Thompson’s cases have been much examined by historians and criminologists alike, re-evaluating the evidence from the point of view of modern times, modern judicial practices, and from a point of view that does little to take into account the theatrical ‘performance’ of the courtroom events. As John Carter Wood has put it, to evaluate the evidence from the point of view of modern methods is to insinuate that we are now at a point of ‘correctness’ or in a position to find

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<sup>135</sup> Devlin, pp. 28–30.

<sup>136</sup> J 82/27: Transcript, [Webb by Richardson], p. 85.

the truth in documents previously misunderstood.<sup>137</sup> However, as Lucy Bland has pointed out, trial outcomes could often come down to which side gave the most dramatic and convincing performance on the day, highlighting their own evidence or discrediting that of the opposition, sometimes by simply failing to take a witness seriously, or chatting to a witness casually while another was giving evidence.<sup>138</sup> Although trial transcripts give a much better impression of the use and understanding of evidence in trials, without actually being at the trial and witnessing the performance, the tension, and who was able to use the scene to their advantage, it is impossible to fully understand how a jury came to their individual and collective decisions about the guilt or innocence of a defendant.

Furthermore, although the Judges' Rules and other codified and un-codified rules and practices were intended to regulate the gathering, collection and interpretation of evidence, they were not always applied in practice. Even by 1964 after both Royal Commissions on Police Powers, Ben Whitaker quoted a police officer as saying "If we fully observed the [Judges'] Rules, new or old, we would be tying one hand behind our backs, and the public would be the first to howl at us because we never convicted anybody" He quotes an experienced inspector as saying "A good policeman remembers the [Judges'] Rules – [only] when he is in the witness-box."<sup>139</sup> Although not all police forces or divisions can be thought of as practicing the same methods, there are examples of police malpractice having terrible consequences, one of the most famous being the case of Timothy Evans. Under police pressure, it is suspected, he confessed to a murder for which it was later judged that John Christie actually committed. But by this time Evans had already been hung for murder. It was likely that Evans told lies that discredited his testimony because he thought that Christie was performing an abortion on his wife. When

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<sup>137</sup> Wood, pp. 194–5.

<sup>138</sup> Bland, pp. 145–7, 150–1.

<sup>139</sup> Whitaker, pp. 61–2.

Christie told him she had died during the procedure Evans was scared that he himself would be culpable because he had agreed to, or even arranged the abortion. To the court, however, if Evans could lie about anything he could lie about murder, and this confirmed his guilt.<sup>140</sup>

A significant point in the Judges' Rules which contributes to understandings of the words used in a statement concerns the absence of questions. Because the statement had to be given voluntarily and police were expected only to ask questions to clarify certain points, they would, in the main, not include their questions at all in the written statement. This had the effect of making a defendant or suspect's statement appear to be continuous prose and in their own words when it was actually the result of rigorous questioning which could have been in the form of leading 'yes or no' questions.<sup>141</sup> Any historian or practitioner who has conducted or listened to oral history interviews will fully appreciate the potential impact of closed questioning or leading questions on the material being used. A directive issued in 1947 by the Home Office further codified the requirement in the Judges' Rules that the statement be given in the defendant's own words wherever possible, and that they be encouraged to write it themselves.<sup>142</sup> Invariably, they did not write it themselves, realising perhaps that if they did they might implicate themselves further, as Brian did by admitting he had told lies in earlier statements.<sup>143</sup> This has the effect of making dialect words appear in some statements after this date. It is unlikely that the actual words of the defendants were suddenly used in statements, indeed barrister Ben Whitaker, writing in 1964, believed that they were not even by this date.<sup>144</sup> Rather it is more likely that police continued to use the same or similar languages and

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<sup>140</sup> Edward Marston, *John Christie* (Kew: National Archives, 2007), p. 55.

<sup>141</sup> Devlin, p. 39.

<sup>142</sup> *Ibid.*, p. 117.

<sup>143</sup> J 82/27: Transcript, p. 102.

<sup>144</sup> Whitaker, pp. 66–7.

practices that they had done previously, but that they now sprinkled the statements with words that would sound as though they had come from the defendant's own mouth, treading a fine line between appearing to be a serious factual document in which a jury could believe, and something that the police had created themselves. This information is highly significant in using defendant statements, particularly when using the statements of non-native migrants. Regional English accents, people from Scotland, Ireland, and post-empire territories such as the Caribbean and the Indian sub-continent, could all have spoken with quite different accents than Metropolitan Police officers and used dialect words which do not feature as heavily in statements as one would expect. The occasional use of such words can be deceptive, making the statements appear genuine, which was likely the intention of police who made them. These are not however, the actual 'voices' of defendants and witnesses in the sense of verbatim transcripts but a narrative constructed from the answers to invisible police questions in police courts and police stations. Although this narrative is then annotated (if needed) and each page signed by the defendant as a true and accurate representation of the narrative, it is unlikely to contain the actual words they would have chosen to describe events. They may have been under pressure to sign, or not fully understood the implications of certain phrasing being analysed in court.

Tape-recorders, and thus actual voices, were not used in police stations and courtrooms until well after the mid-century period of my thesis.<sup>145</sup> So witness depositions are not in their own words either. The examination of witnesses by prosecution and cross-examination by defence counsel at the police court involved asking questions to verify the notes ('so-and-so will say...') provided by the police rather than repeating the notes themselves. The questions asked were likely to be closed rather than open, to clarify what

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<sup>145</sup> Devlin, p. 58.

was said to police rather than to gain new information. It was the role of the shorthand writers (who worked for an independent organisation rather than being directly employed by the court) to take down what the witnesses said, and write it out in the form of a prose statement, rather than question and answer. First this would be done in long-hand, a handwritten document on blue pre-printed forms that one can often find retained at the back of a depositions file, and then typed onto carbon paper (a yellowish, thin paper with dark purple type) that can be, or has been, reproduced in duplicate. A copy of this prose statement was read over to the witness at the police court, any necessary corrections added, and then the witness would sign to say that this was a true reflection of what they had said. Crucially, their statement was taken ‘under oath’ and this was reflected at the beginning of the statement. Their occupation, address, and often their age was also recorded, giving an impression of the kind of person that would have been invited to speak in a police court, the sort of individual who could be believed.

A significant factor here is that neighbourhood policing at this time was conducted ‘on the beat’ by constables who generally knew the area and the residents. Although the constant movement of large numbers of people in areas of high density, low cost, or temporary housing in the capital made this kind of local knowledge more difficult, police would be able to select witnesses they knew to be trustworthy, likely not asking local residents who were known to be liars or troublemakers.<sup>146</sup> The respectable status of a male witness is usually shown by their occupation, a woman by her marital status. Married women appear more frequently than single or divorced women, for example, and employed men more frequently than unemployed ones. These details are a rich resource for social and cultural historians, particularly when researching the space and place of home. The occupations attributed respectable status are telling about class and social and

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<sup>146</sup> Devlin, p. 59.



cultural capital. It is significant that in the post-war years a man's service during the war would also be mentioned as part of an assessment of his character, whether he be victim, witness or defendant. Other useful details are related to developing bureaucratic and legal processes throughout the twentieth century. Cases in the 1960s, for example, show new standardised forms being used to record 'household situation', income and debt. Although much of this information was intended to support applications for Legal Aid, the completed forms tell a great deal about the limits of post-war 'affluence': for many households affluence was founded upon heavy borrowing.<sup>147</sup>

### **'Innocent until proven guilty'**

At the police court the bureaucratic processes recording the proceedings were biased toward the prosecution, and therefore the guilt of the defendant. They represent a selection of available evidence, shaped by police and by established bureaucratic practice that must, above all else, appear to follow the Judges Rules. It was then only a matter of how the defence could interpret the given evidence or testimony to the advantage of their client, or how they could discredit evidence or testimony presented by the prosecution, thus casting doubt on its reliability in the minds of the jury, at the CCC trial. After all, the burden of proof lay with the prosecution, the defence need not prove that their client did not commit the crime, or that someone else did, only provide reasonable doubt that they had. Juries were directed that if there was any doubt in their mind that the defendant committed the crime for which he was charged, they should not convict, instead finding the defendant not guilty.<sup>148</sup> This is significant because it further demonstrates that trial outcomes cannot be read simply.

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<sup>147</sup> For example CRIM 1/4847 (CCC, 1968).

<sup>148</sup> Devlin, p. 32.

For example there might be a temptation for historians or criminologists to draw conclusions from not guilty verdicts in particular types of cases, or to find patterns in verdict numbers. A period in which trials for infanticide, for example, are more likely to result in not guilty verdicts where guilty was previously more likely, might appear to show a change in attitudes toward women whose babies died in infancy, or women suffering from post-natal depression.<sup>149</sup> It should be noted that, whilst trends may appear, the issues are much more complex than this. The outcome of each individual case balanced on a knife-edge of admissible evidence, as well as depending on how convincing prosecution and defence counsels could be in their theatrical displays at the CCC, as argued by Lucy Bland.<sup>150</sup> Outcomes depended on such a wide variety of factors that the same case with the same evidence tried on different days with different counsel or in front of a different jury, could make all the difference between surety of guilt and doubt resulting in a not guilty verdict.

Furthermore, it is worth noting that a verdict of not guilty of murder did not necessarily mean that the defendant was not responsible for the death of the victim and that the actual killer was still at large. In cases of domestic murder, particularly, a not guilty verdict more likely meant that there was insufficient evidence that the death was caused deliberately, or that there had been an unfortunate fatal accident during a physical fight, or perhaps that the circumstances were sufficiently mitigating (for example self-defence) or provocative that the defendant should not be punished as severely as a guilty of murder verdict would require.

The punishment might also feature heavily in the minds of the jury when they were reaching their verdict. Slips of paper in some case files bear this out, communicating

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<sup>149</sup> Grey, 'To Provide against the Possibility of Improper Convictions'.

<sup>150</sup> Bland, p. 150.

messages between the foreman or representative of the jury and the presiding judge. They ask questions about the legal implications of certain pieces of evidence or verdicts they might reach, for example if they found the defendant guilty could they make a strong recommendation for mercy. Questions like this show that the jury were considering not only whether the defendant before them had killed the victim or not, but also whether they believed he or she deserved to die for it. As the death penalty became increasingly unpopular over the mid-century period it is likely that juries were increasingly reluctant to return a guilty verdict where their doing so could result in the death of the defendant.

It is here that it becomes clear why the domestic reputation of a woman could be such a significant element in a case. The prosecution could not discredit a witness or the defendant by attacking *their* character for fear that the defence could do the same to any of their witnesses, the same was true vice versa.<sup>151</sup> However, either party could say what they liked about the deceased. This thesis will argue that the home and expected roles and behaviour there were constructed as essential to understanding the character of adult women and (though to a lesser extent and in later periods) men. The courts saw the betrayal of home as the ultimate transgression for a woman. If she was the victim, the opportunities for discrediting her as a woman, a homemaker, a housekeeper, a mother, a cook, a housewife, a wife, a lover, etcetera, were limitless. If she was the defendant, such attacks on her character had to be made subtly rather than explicitly, and this would likely be done by drawing attention to the positive aspects of the person of her victim, most likely her abusive husband, thus casting doubt on whether he could have provoked her or required her to defend herself against him. Alternatively, the prosecution could insinuate that the moral character of the woman defendant was lacking, or that she went out dancing too often, for example. As the majority of murders were committed by husbands against

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<sup>151</sup> Devlin, p. 47.

their wives, it follows that narratives of domestically transgressive women victims would be more frequent and more prolific than for men, even if these notions were not gendered in the popular mind. As domestic violence by men became less tolerated over the mid-century, women who killed their violent husbands were treated more sympathetically, but they were still open to insinuation, as defendants, that they were less than perfect when it came to marriage and home, and that their dead husbands had been reasonable, non-violent men who provided for home and family. This kind of image would cast doubt on a narrative of intolerable violence and self-defence which could sway the jury.

In Brian's case, a deposition by his mother highlights one of the ways in which a woman's failure to fulfil the domestic roles expected of her could be used to paint her as a provocative rather than innocent victim. It also highlights some of the potential problems with the leading style of questioning at the police courts described above, highlighting further the advantages of using trial transcripts alongside deposition documents wherever possible. At Marylebone Police Court in January 1957 Brian's mother Blanche was quoted as saying:

My son and his wife had been separated in 1956 for 2 months. Before the separation, my son and his wife had not been too happy together... The cause of their unhappiness was to do with the child. My son was unhappy because his wife was not looking after the child properly... She was not my type of housewife – she didn't plan very well. I wouldn't call her a very intellectual sort of person. In the early days of the marriage, they lived with me. She left a lot of the work to me.<sup>152</sup>

She signed the deposition. However, when she was questioned at the CCC by E. Ryder Richardson for the defence about this statement a few weeks later she remembered nothing about it. The transcript explains:

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<sup>152</sup> CRIM 1/2783 (CCC, 1957), deposition of Blanche B., 4 January 1957.

Q Was not your son unhappy because your son did not think his wife was looking after the child properly?

A I do not know, sir.

Q Perhaps you would just have a look at your deposition, madam; it might help you. (Deposition handed.) His Lordship will see it is about half-way down the first page. You can take it from me that the officer is showing you what is a true copy of your deposition. Do you see “The cause of their unhappiness was to do with the child”?

A It does not say anything here about it...

Q Do you see that there?

A I do not remember saying that.

Q Let us go back a bit. You gave evidence before in this case, did not you?

A Yes, sir.

Q Before the Magistrate, do you remember?

A Yes, sir.

Q And what you have there is a copy of the evidence you gave to the Magistrate.

A I do not think I said that before the Magistrate.

Q You signed the deposition. Do you remember signing it?

A To tell you the truth – do you mean Marylebone [Police Court]?

Q Yes.

A I do not remember saying it.

Q Do you remember this gentleman asking you questions?

A I had a bit of a flutter, didn't I?

Q Very well; we will part from this...<sup>153</sup>

This illuminates another practice at the CCC that is significant: questions asked of witnesses and defendants here were even more closed than at the police court. Questions were deliberately worded in order to receive an answer that confirmed what the examining or cross-examining counsel wished to highlight to the jury (although in this case Blanche failed to give the answers the defence counsel were hoping for).

Furthermore, the language of the court was highly institutionalised and specialised, one might even say intimidating. Little opportunity was given to lay-witnesses to contest the assumptions inherent in the leading questions posed by prosecution and defence counsel. Brian seemed more able to challenge his peers in court than his mother was, repeatedly asking to have questions reworded, or correcting minor

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<sup>153</sup> J 82/27: Transcript [cross examination of Blanche B. by Richardson], pp. 21–2.

inaccuracies inferred in the closed questions asked of him.<sup>154</sup> It was pointed out that Brian was of above-average intelligence, however, so one can imagine that it must have been difficult for the majority of defendants or witnesses to communicate confidently or precisely with the CCC courtroom.

Those who did have a voice in the courts were mostly white, educated or propertied (or both) men. Police court magistrates were not required to have any training at all, but were frequently people of wealth and influence. Assize and CCC judges were required to have spent ten years serving at the Bar and have acted as Queen's or King's counsel, thus representing the interests of the crown, the DPP and the police. Having worked and been educated together, relationships outside of the professional likely existed between barristers on both sides of the court and judges presiding over it.<sup>155</sup> The same names recur across murder trials, and it is likely that there was more than traditional formality in the address 'my learned friend'. Further, the institutional, political and gendered biases of the men in charge of the courtroom had an impact on their interpretation of the evidence and the aspects of the case on which they focused. The Solicitor General was a government position and so favoured an establishment view, and at the time of Brian's trial it was a Conservative government that was in power and so he was a Conservative Member of Parliament. In 1960 at the Lady Chatterley obscenity trial, prosecution counsel was criticised for being out of touch with modern life when he asked

Would you approve of your young sons, young daughters - because girls can read as well as boys - reading this book? Is it a book you would have lying around your own house? Is it a book that you would even wish your wife or your servants to read?<sup>156</sup>

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<sup>154</sup> J82/27: Transcript, [examination of defendant by Solicitor General], p. 130.

<sup>155</sup> Emsley, pp. 178–9.

<sup>156</sup> C.H. Rolph (ed.), *The Trial of Lady Chatterley: Regina v. Penguin Books Limited: The Transcript of the Trial* (London: Penguin Books, 1961), pp. x, 17.

If such people could be out of touch with mass popular culture, so too could they be out of touch with the living conditions and relationships of the people they tried and interviewed in the courtroom. Perhaps this might explain why Ryder Richardson commented that ‘these rooms are very small, are they not?’,<sup>157</sup> when Brian and Moira’s home was likely typical of the conditions of many young families living in London at this time. Indeed other case files have borne this out.

### Newspapers

Brian’s mother Blanche’s examination in court also highlights a further consideration for historians when using crime sources: the potential impact of newspaper reporting. She had become confused between what her son told her about his wife’s death and what she had read in the newspaper on the subject:

Q ... Did you say in answer to my learned friend who has just been asking you questions that on the afternoon of her death your son said to you that his wife had collapsed and died on the way to the hospital?

A No, she died and fell under the table. I have read it in the papers.<sup>158</sup>

Newspaper editors could be fined or even imprisoned for printing information that could bias a jury or a witness before the end of a trial, but these small details were not considered significant enough to make a difference.<sup>159</sup>

However, the limitations that did exist add an interesting dimension to Lucy Bland’s analyses of the trials of women in the 1920s, in which she argues that these female defendants were described in newspapers during the trial by their clothes and hobbies.<sup>160</sup> It seems likely that, apart from wishing to appeal to the majority female audience who

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<sup>157</sup> J 82/27: Transcript [cross examination of PC Francis Guy, plan-maker, by Richardson], p. 17.

<sup>158</sup> Ibid., [re-examination of Blanche B. by Solicitor General], p. 23.

<sup>159</sup> Bingham, *Family Newspapers?*, p. 126.

<sup>160</sup> Bland, p. 6.

were fascinated by a woman defendant, clothes and hobbies were some of the few things that the newspapers could report on without finding themselves in contempt of court. Perhaps the press were less preoccupied with the ‘modernity’ of the women defendants than Bland has argued. Her case might have been strengthened in this regard had interpretations of the evidence been consistently available (they are not) in the trials she uses in her book, a method I am arguing for here by prioritising cases where transcripts exist. Without the benefit of the above exchange between Blanche and defence counsel, for example, one might wonder why more was not made of her statement regarding Moira as being ‘not my type of housewife’.

In 1949 the press received a further reminder about what they could and could not print and at what stage in the proceedings when a newspaper printed details about the case of ‘Acid Bath Murderer’ Haigh.<sup>161</sup> The information could have seriously jeopardised the impartiality of the jury and the legitimacy of the whole case.<sup>162</sup> It is important to note, therefore, that trial reporting was restricted by numerous unspoken as well as spoken rules. As Adrian Bingham has argued, concerns and complaints about court journalism were particularly high in the 1920s and 50s, the former in connection with divorce reporting, the latter crime coverage.<sup>163</sup> Reporting on cases of murder or suspicious deaths were not typically newsworthy until they became suspicious, unless the circumstances were particularly tragic, or a spin could be put on them to appeal to readers in a shocking way. The first time Brian’s case was reported on in the *Daily Mirror*, to take just one newspaper as an example, was 1<sup>st</sup> December, several days after Moira had died but before Brian was arrested. It could be argued that the article added a frisson of intrigue by insinuating that Brian may have been involved in his wife’s death. According to the paper

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<sup>161</sup> Morris, p. 45.

<sup>162</sup> Devlin, p. 100.

<sup>163</sup> Bingham, *Family Newspapers?*, p. 126.



he was ‘helping police’ with their investigations.<sup>164</sup> Two days later the newspaper reported that murder was suspected in Moira’s death, and that local chemists who stocked poison were being checked by police.<sup>165</sup> There is no evidence of these checks in any of the open files on the case (but it is worth noting that this kind of information would be found in a MEPO file, which does not seem to exist for Brian’s case). Alternatively, the newspaper might have been using literary license here. The next day the *Daily Mirror* reported on the hearing at the Coroner’s Court where Brian identified his wife’s body. The article insinuated that police were checking his place of work for traces of cyanide, the poison that killed her. They included a photograph of him and described him as ‘leaving the court quickly on his motorcycle combination’ and as a ‘red-headed man’, perhaps suggesting that he was quick-tempered.<sup>166</sup> There were some minor inaccuracies in the articles on following days, but the reporting ceased when Brian was arrested for Moira’s murder. No other coverage of the case featured until 22<sup>nd</sup> December when the case reached the police court. At this time, the newspaper had to be careful what it reported on, the facts were allowed to be reported, but no mention of evidence other than his “alleged” statement were used. To add intrigue, the mundane, everyday elements of the case like the scoured teapot were highlighted.<sup>167</sup> Again, reporting on the matter fell silent after this article until 14<sup>th</sup> February. This short article promised a dramatic finish to the trial and full reporting on it in the following day’s edition. It made clear that a *Daily Mirror* reporter had been present in court on the preceding day when Justice Pearson adjourned immediately before his own summing up, the last event in the courtroom

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<sup>164</sup> *Daily Mirror*, 1 December 1956, p. 20.

<sup>165</sup> *Ibid.*, 4 December 1956, p. 9.

<sup>166</sup> *Ibid.*

<sup>167</sup> *Ibid.*, 22 December 1956, p. 9.

proceedings before the jury would retire to make their decision.<sup>168</sup> As promised, the following day's report explained dramatically:

NOW it can be told... the straight-from-life thriller story of how a poisoner was trapped by psychology - and a policeman's patience. The killer left no clues. There were no witnesses. There was no apparent motive. But last night he was in the death cell...<sup>169</sup>

The only further mentions of Brian's case in the *Daily Mirror* following the trial are a few lines to report the attempt at an appeal which failed,<sup>170</sup> and a reference to the case in coverage of the passing of the Homicide Bill on 22 March 1957, which limited capital punishment to only four types of murder. This bill, it was explained, would not affect sentences already passed waiting to be carried out, and so it would not save Brian from the gallows. However, it was thought that he would be reprieved anyway.<sup>171</sup>

Although the majority of capital sentences in the twentieth century were commuted to life imprisonment they were done so through the process of mercy by the Home Office rather than appeal. Reprieves became increasingly likely over the twentieth century partly due to the contested status of the death sentence.<sup>172</sup> This may have influenced high court judges in refusing appeals against conviction because to overturn the 'guilty' judgement of a court would mean admitting that the trial had in some way failed, that justice had not properly been done, or that esteemed colleagues with similar educations and affiliations had made some sort of mistake in their treatment of a case. If they refused the appeal and the Home Secretary commuted the sentence, justice would appear to have been done but the convicted criminal would not lose their life, making the government appear merciful but just. For this system to function, appeals for retrial would

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<sup>168</sup> Ibid., 14 February 1957, p. 10.

<sup>169</sup> Ibid., 15 February 1957, p. 3.

<sup>170</sup> Ibid., 19 March 1957, p. 8.

<sup>171</sup> Ibid., 22 March 1957, p. 3.

<sup>172</sup> Emsley, p. 208.

only be successful if the defendant or their counsel could show that the original trial had been conducted unfairly in some way. In case of a request for an appeal, a copy of the transcript of the trial had to be made available. However, they were usually destroyed if an appeal was not lodged. This is why transcripts for some trials appear in the J collection (J for justice, although they exist only for a limited period) and in some DPP files. In other cases a copy of the transcript was kept where a precedent has been set by the case, or where some element of practice in the case wished to be retained by the Director for future reference. Although each case is different and different documents exist (for example transcripts are not available for all cases), there are key processes identified in transcripts which frame the production of evidence available to historians. These processes are invaluable for understanding how the information contained in material evidence was communicated through the action of the courtroom into the public consciousness, mediated by newspapers and questioning by counsel.

## **Plans**

Of the circa 150 case files for murder trials from the CRIM 1 collection that I have examined, none have failed to include or refer to a plan made of the location where the body was found or the murder was suspected to have been committed. These plans were drawn to scale by experienced plan-makers who were also Police Constables, in the case of the Metropolitan Police. Alongside their plan they deposed that they were experienced at making them. The plans were generally intended to show the relationship between rooms, buildings or items of furniture, depending on the circumstances of the case. In some cases, for example, the plan includes a larger area than just the home, correlating with depositions of witness who claimed to have a good view of the events they were able to describe, for example from a window or doorway. In some cases where a night-time outdoor context was important, they would show the placement of, and

distance between, streetlamps. In Brian's case, the plan was used to explain to the jury the scene of the alleged crime and the relationship between the views shown in the accompanying photographs.<sup>173</sup> It would also demonstrate whether Brian would be able to see his wife from where he stood shaving, and if he would be unable to see the bottle of cyanide that he claimed she had used in her own tea.

The plans are valuable documents to historians and geographers, particularly scholars of home, because they demonstrate the sizes and uses of spaces. For example in the death of Lilian A., discussed in the next chapter of this thesis, the plan showed how overcrowded the living space was with furniture and people.<sup>174</sup> The likelihood of her death being an accident hinged on the measurements and representation of the space in which she died. After all, the jury could not go there themselves.

It is not clear what the basis for the design of these plans was, although they seem to have much in common with contemporary architectural drawings and plans made by local government, building inspectors and medical officers. The maker of the plan of Mitre Square in the 1888 murder of Catherine Eddowes by 'Jack the Ripper' was an architect, and the plan shows what could be described as an earlier version of plans from 1930s to 1960s cases of murder.<sup>175</sup> A plan of Borley Rectory from the 1930s, the reputedly 'haunted' house investigated by The Society for Psychical Research, also shows much in common with the contemporary police-made plans.<sup>176</sup> Some plans include artistic drawings of the exteriors of buildings, some are framed by creative contemporary design

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<sup>173</sup> J 82/27: Transcript [examination of PC Guy by Mr Humphreys], pp. 15–16.

<sup>174</sup> CRIM 1/742: (CCC, 1934), 'Plan of first floor back room of No. 12 Prebend Street, Camden Town' by PC Sidney Bostock, Metropolitan Police.

<sup>175</sup> Frederick William Foster, 'Plan of Mitre Square and Surroundings, Scene of Murder, 1.45am, 30th September 1888' (1888) Wellcome Collection, on loan from The Royal London Hospital Archives and Museum.

<sup>176</sup> Eric Dingwall, Kathleen Goldney and Trevor Hall, *The Haunting of Borley Rectory* (Gerald Duckworth & Co., 1956), pp. 10–12.

flourishes, including curlicues and decorated lettering, none of which were strictly necessary for the medium. All are to scale, and provide precise measurements of the rooms they reflect, resembling architectural drawings. (See **Figure 1**.)

Plans show what police called the rooms and how much furniture was contained there, what the room was likely used for and what size it was. It is unlikely, and this is perhaps surprising, that the position of the deceased's body is indicated on a plan. Rather it seems that plans were made as a reference point for any of the action described in the depositions or referred to in the case, rather than this one specific moment.

### **Photographs**

Photographs, as Brian's defence counsel explained, did not show the scale of the rooms. What photographs could and did show however, was decoration, the condition of the furniture and the cleanliness of the home. It allowed the jury to imagine the setting and scenes that were being described to them. (See **Figure 2** and **Figure 3**.) All crime scene photography used in this period was printed in glossy black and white which adds a stark 'Film Noir' character to the images. Bell has argued that this 'atmospheric' quality was deliberately enhanced by crime scene photographers in some or all cases, in order to convey a sense of seriousness or severity that could assist prosecution if it played on jurors' emotions. Bell has argued, for example, that crime scene photographs by police were influenced by contemporary documentary photography including social commentary, using light and shadow and depth of field to give a dark 'urban underworld' feel to exterior photographs of illegal abortion locations. By deliberately contrasting innocuous, everyday domestic features of interior photographs with the instruments and abortifacients used on women who frequently endangered their own lives by seeking help

to end their pregnancies, the photographs were made more shocking. More broadly, photographs of 1930s crime scenes were testifying to contemporary social inequalities, she argues.<sup>177</sup> Certainly, many of the crime scene photographs in the DPP, CRIM and MEPO files do illicit an emotional response, which TNA have taken great care to point out in some, but not all, cases by appending warnings to the front of some files about the content of photographs and the possibility that readers may find them ‘disturbing’. However, there seems to be no scale of disturbance. I have found some images with no warnings where there really should have been one, and similarly plenty of warnings where they were not really required.

I would argue that the main benefit of the photographs in the files is to show the ways people lived rather than the ideal, as other sources for histories of home have a tendency to do. Or one which attempts to speak to a pathologising or voyeuristic look into the homes of the poor, as in social surveys for example (see thesis Introduction).

### **Documents and ephemera**

One of the richest and most intriguing sources in the deposition files are documentary sources gathered by police at the investigation stage and selected for the case. They might include letters, love notes, books, diaries, cheque books, bank statements, pawn tickets, receipts, and all manner of other ephemera police deemed relevant to their investigation into the cause of the victims death, or when gathering evidence to support the charge against a suspect. As explained above, these articles went through several stages of selection and transcription. However, the value of the letters between Brian and Moira is incredible. The original envelope and letter, still extant in the CRIM file, also contains samples of wallpaper with hand-drawn sketches on the back.

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<sup>177</sup> Bell, *Murder Capital*, pp. 31–2; Bell, ‘Crime Scene Photography...’

(See **Figure 4**, **Figure 5** and **Figure 6**.) In the letter Brian describes these enclosures to Moira, explaining that he is doing up the kitchen so she has a ‘decent home to come home to’, which is one of the conditions, she says, of her return to him. The sketches show the makeshift furniture he has constructed, and the improvements he has made, on a meagre budget, he says. He posits the improvements as ‘for her’ and invites her to help him make decisions about the other of their two rooms, his DIY and deference to her in matters of taste and colour fitting perfectly with the historiography of home improvement and companionate marriage in this period. Brian also mentions how he finds out that their building is going to be subject to a compulsory purchase order, having been designated a slum for demolition and rebuilding under post-war London schemes, and that this means ‘we’ve really hit the jackpot now Doll’ although the rent will be considerably higher in their replacement council flat. He and Moira discuss their debts and how they fear they will struggle on their household budget, contesting popular memories of late-1950s affluence and labour-saving-devices.<sup>178</sup> For historians of housing, home, culture and society then, these are rich sources indeed. Further, the way the letters are used in court tells more about how gendered roles in relation to household are seen in contemporary popular culture, further demonstrating how transcripts can be used to support and enhance the textual and visual content of the documents by comparing their contemporary interpretation.

A further argument for this point is that it is the courtroom action that makes its way into popular consumption, not the documents themselves. Newspaper reporting on the case follows the contemporary pattern and unspoken rules of the time, taking care to not reveal any detail that might put the paper in contempt of court. The barest facts of the case are revealed, and connections between Brian and Moira’s death insinuated but

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<sup>178</sup> CRIM 1/2783: Exhibit 11: Bundle of seven letters between Moira and Brian B. Undated.

not confirmed until after the case ends and sentence is passed (as described above). Primarily however, it is important to note that it is the original constructors of the evidence used in the case who are most influential upon the material left behind for the historical record: the police. It is their perspectives on the home crime scenes they investigate that informs the direction and opinion that will guide the rest of the case. Their discovery and selection of evidence, their local knowledge and understanding of relationships, of local public and private space, are what define the case from the outset. Thus it is their backgrounds and their own homes that are significant in considering how they might feel about the homes of other people. For example, it is police who comment on the ‘prodigally furnished’ rooms belonging to Elvira Barney in William Mews, and the contrasting ‘cramped and crowded conditions’ of Lilian and John A.’s one room flat (see Chapter Two). One might expect, therefore, that the average policeman’s home fell somewhere between the conditions of the two extremes and it would be invaluable to a historian of home to see precisely what a police constable’s home looked like, in order to understand what informed their judgements of other people’s. As this thesis will later explore, the case of James K. provides exactly that: the suburban home of a Metropolitan Police Constable in mid-century London (see Chapter Five).

## **Conclusions**

The processes that constructed these files in cases of domicile can be broadly summarised as a complex chain of investigation bias, filtering, selection, and narrative interpretation. A defendant was likely to apply their own meaning and interpretation to their acts based on how culpable they believed themselves to be, their reasons for committing an act (if indeed they offered any) and their desire to receive a lighter sentence (or sometimes, conversely, to receive the full sentence of death). Their report of the death of their spouse, in cases of spouse-murder, takes into account such factors when they



initially approached police, or were interviewed by them. Events were then filtered through the bureaucratic and procedural interpretations that the Metropolitan Police (or whichever force) applied to them, and to crime scenes, and to homes more generally, including legal and police precedents, traditions, discretion, and codified practices such as the Judges' Rules (although the latter arguably impacted handling of evidence by magistrates rather than creation of evidence by police). The documents and photographs they created and collected were further selected and filtered to suit the aims of the prosecution and defence counsels, based upon the likely case outcomes and which 'strategy' each decided to adopt. They were then scrutinised and sometimes further filtered by magistrates at the Police Court, where further copies were made of the more relevant aspects of the case including witness depositions. Different police divisions and police court magistrates had different discretionary practices. At the CCC, drama and performance were added to the proceedings in front of the jury-audience, who would hear competing versions of events from only witnesses deemed relevant by the police court, in the form of yes or no questions, often designed to catch out a witness or defendant if their version did not meet the aims of counsel. At various moments in the trial proceedings, depending on which stage of the process was ongoing and how much they wanted to maintain interest, newspapers would report on the crime and aspects of the case, filtering and embellishing elements to add interest and intrigue in order to sell newspapers. Often, these newspaper reports would be read and consumed by magistrates and judges after the case, and they would seek to 'make an example' or correct a message through their summing up of another similar case, or their sentencing on another day. The public would also consume the press messages and, though not all newspaper readers believed everything they read, they understood aspects of the law and sentencing that

might influence them if they ever came into contact with a crime scene, a murder suspect, or indeed if they committed the act of domicile themselves.

Despite the impact of these numerous filters, the evidence of the meaning and experiences of homes in mid-twentieth century London is still prominent in the case files. Most significantly, the messages about home and expected behaviour there that made it into newspapers was significant in communicating to the public how the victims and perpetrators of murder had failed to do what was expected of them at home. However, the provenance and construction of the documents shows that, despite numerous conflicting contributors and authors it is the establishment views that prevail in case outcomes. White, upper-middle-class judges had the final say in the meaning that could be derived from a case and the contemporary moral codes and expectations applied to it. I argue that examining the numerous documents in the case files, including their interpretation in court wherever possible, allows us to break down the bureaucratic interventions and filters and consider the meanings embedded in, and reflected by, cases of domicile. Doing so offers an alternative to previous interpretations of similar case files that have overlooked important aspects of construction processes that significantly impact the meaning of the documents and the interpretation of trial outcomes.

## Chapter two: class capital

This chapter sets the scene for its analysis of working-class homes in London at the beginning of the period of this thesis in the 1930s by considering a home that is very obviously not working class. The occupant was wealthy, to the extent that her home, the way it looked, and the way people behaved in it, were judged to be privileged compared to most contemporaries. Rather than merely highlighting the differences between the homes of wealthy and privileged socialites and those inhabited by more typical, working class families living in London in the same period, however, this chapter will consider differences in the meanings and experiences of home for the people who lived in them. It goes beyond simply considering what the dwellings looked like and the furnishings they contained, but also compares the opportunities that social class and economic capital could buy and how they affected experiences at home.

Further, the unique method of analysing these sources discussed in the last chapter identifies the ways in which the social, economic and cultural capital demonstrated by these homes was read and interpreted by police and judicial system. This chapter therefore reveals how contemporary ideals of home generally and the meanings of individual dwellings and behaviour there specifically were embedded in the judicial system itself. It not only sets the scene for the development of ideals of home in later periods, such as the Second World War, but also establishes ways of living in London dwellings that show continuity with later periods, such as the 1950s and 60s, which will be explored in later chapters. Furthermore, this chapter includes an analysis of the home of a little-known but important and connected figure in London's interwar history, and shows a stark contrast between her home and homes in the more common murder scenarios found in the period. She is an important character, not least because she was a bisexual woman, an identity frequently erased from historical writing. This chapter will

highlight the significant differences between the various homes Elvira Barney herself inhabited, and between those and the homes which were the sites of other murder cases heard at the Central Criminal Court in the 1930s. By comparing cases as case-studies in this way, differences in space and privacy are illuminated, showing what homes with low social and economic capital lacked, by exploring what homes like Elvira's enjoyed.

On Monday 30 May 1932, 28 year-old Elvira Barney, daughter of Sir John Mullens, stockbroker to the King, held a cocktail party at her home at 21 William Mews.<sup>179</sup> When the party was over she and a few of the guests went on to dinner and dancing, and Elvira returned home in the wee hours with one of them: Michael Scott Stephen, a man of similar age and background to her. Within a few hours Michael was dead and Elvira devastated. The resulting trial at the CCC came to be known as a *cause célèbre* due to the social status of the defendant and the incredible case constructed by the defence. This, and the sensational coverage by the press, led to Elvira Barney's name being associated with other high-profile twenty-somethings from wealthy families who enjoyed parties, music, clothes, alcohol, dancing and driving in the 1920s and 30s known as Bright Young People. In his book of that name, D. J. Taylor claimed that Elvira 'was not, and never had been, a Bright Young Person' in the sense that it was a group of specific people, but that 'the distinction was not one which the average newspaper reader would have been capable of making'.<sup>180</sup> The press themselves were not able to make such a distinction either, and Taylor suggests that their coverage of Elvira's case turned the tide of public feeling, which was already ripe for change, against the Bright Young People and anyone like them. As he quotes from the *Bystander*, Elvira and her friends were

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<sup>179</sup> The mews was interchangeably known as William or WilliamS Mews.

<sup>180</sup> D.J. Taylor, *Bright Young People: The Rise and Fall of a Generation, 1918-1939* (London: Vintage, 2008), p. 226.

unlikely to enjoy public sympathy or admiration ‘when such ill-bred extravagance was flaunted, as hungry men were marching to London to get work’.<sup>181</sup>

This glamorous oasis in otherwise austere times has been of interest to other researchers but few have capitalised on Elvira’s dramatic story specifically. A blog by independent researcher Maurice Bottomley has described Elvira’s case and related topics through examination of contemporary media, autobiography and literature.<sup>182</sup> Short summaries of the case have featured in two books which explored the legal and judicial aspects of the case, two from the point of view of autobiographies/biographies of people involved in the case,<sup>183</sup> and one as part of the *Celebrated Trials Series* whose introduction to the CCC trial transcripts summarised the main elements of the case and added sensational reports from contemporary newspapers.<sup>184</sup> No recent analysis of the case has been made by any academic, and nothing has been published about Elvira’s home, or the spaces she inhabited.

### **William Mews, Knightsbridge**

In 1932 William Mews was a cobbled back street cul de sac of terraced buildings off Lowndes Square in Knightsbridge (see **Figure 7** and **Figure 8**), ‘...which mostly consist[s] of rooms over garages they being occupied by chauffeurs and their families.’<sup>185</sup> Like many other mews in fashionable Knightsbridge, this was a street hidden behind much larger, grander buildings inhabited by wealthy families or individuals of

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<sup>181</sup> Citation not given, quoted in Taylor, p. 226.

<sup>182</sup> ‘Cocktails with Elvira’, *Cocktails with Elvira*, undated <<http://elvirabarney.wordpress.com22>> [accessed 22 June 2013].

<sup>183</sup> Douglas G. Browne and E.V. Tullett, *Bernard Spilsbury: His Life and Cases* (London: George G. Harrap and Co. Ltd., 1951); MacDonald Hastings, *The Other Mr Churchill: A Lifetime of Shooting and Murder* (London: Four Square Books, 1963).

<sup>184</sup> Peter Cotes, *Trial of Elvira Barney*, *Celebrated Trials Series* (Newton Abbot: David and Charles, 1976).

<sup>185</sup> MEPO 3/1673: (1932) W. Winter to Divisional Detective Inspector, Gerald Road Station, ‘B’ Division, Metropolitan Police, 6 June 1932, p.17.

status and their retinue of servants and staff. Chauffeurs and other staff lived in two or three small rooms above the garage, away from, but very close to the main house, in order to be able to look after the car and be close to it when their employer needed it, in much the same way as the coachman would have done so for the coach and horses before cars were the preferred mode of transport. The buildings on the west side of William Mews backed directly onto the rears of the properties in Lowndes Square, and some or all of them may have been linked, in deed if not also in construction. On Belgrave Square, for example, the centre of the Belgravia area just south of Knightsbridge, and south-east of Williams Mews, archways behind the imposing line of terraces framed cobbled private streets where the mews houses backed on to the large, imposing terraces that faced the square. This was the entrance Elvira, nee Mullens, used when she went to her parents' home after her trial.<sup>186</sup>

Sir Ashley and Lady Mullens' home, one of the biggest on Belgrave Square, had no less than 36 rooms. The 1911 census of twenty years earlier gives clues to the scale of the dwelling; it had at that time housed a family of five and their 16 live-in servants including a butler, French chef and three footmen.<sup>187</sup> Youngest daughter Avril was married to a Russian Prince, and elder daughter Elvira was a debutante.<sup>188</sup> Neighbours included the Duke and Duchess of Kent on the end of the terrace in a building that was slightly smaller but still enjoyed seven bathrooms, 'central and electric heating', a passenger lift, morning room, dining room, front and back drawing rooms and at least twelve bedrooms. The lease included 'a roomy garage and chauffeur's flat adjoining the back of the house'.<sup>189</sup> Lady Mullens was praised for her good taste in one of the family's

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<sup>186</sup> *Daily Mirror*, 7 July 1932, p. 1.

<sup>187</sup> 1911 Census: RG14/388/102 [6 Belgrave Square].

<sup>188</sup> *Daily Mirror*, 29 October 1925, p. 11; 21 April 1923, p. 7.

<sup>189</sup> *Ibid.*, 19 November 1934, p. 2.

frequent appearances in newspaper gossip pages.<sup>190</sup> The writer described ‘her good taste in decoration, which is shown in a lapis lazuli drawing-room with amber coloured curtains and leaf green carpet at her Belgrave-square house.’<sup>191</sup>

These descriptions show the kind of homes and surroundings members of the Mullens family and their neighbours in Belgravia and Knightsbridge were accustomed to. Yet in contrast, in 1932, Elvira (now in her mid-twenties, married and separated from her husband John Barney) was living in the cobbled backstreet a few hundred yards away at 21 William Mews, the sort of dwelling usually reserved for Mullens’ employees. (In fact, it is possible that the lease on this property was taken by the Mullens when they lived at Lowndes Square, given that many of the mews properties housed coachmen or chauffeurs and vehicles belonging to families in that street). However, this was not an ordinary mews house.

The address, 21 Williams Mews, is a different class of house to the majority of premises in the Mews... [It] is a converted stable consisting of two floors. On the ground floor, on the left upon entering, is a small scullery, and opposite the entry door is a door leading to a room fixed up as a lounge, and fitted with a bijou cocktail bar in the left corner... the place is prodigally furnished.<sup>192</sup>

This statement betrays Elvira Barney nee Mullens’ lifestyle in her mews house. She held frequent cocktail parties and had noisy arguments with friends in the street late at night and early in the morning, much to the chagrin of her neighbours.

It became known to police that many disturbances had occurred at No. 21, and that numerous complaints had been made with reference to the conduct of the person living there, and of the people who visited.<sup>193</sup>

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<sup>190</sup> See for examples: *Daily Mirror*, 17 November 1928, p. 6; 10 March 1926, p. 9; 29 April 1926, p. 9.

<sup>191</sup> Ibid.

<sup>192</sup> MEPO 3/1673: W. Winter, Met. Police, 6 June 1932, p.17.

<sup>193</sup> Ibid.

Some of the complaints were received from Elvira herself, who seemed to the police to be drunk and dramatic, or at least unable to control her guests and their behaviour at her house, as well as her own.

3 March 1932 2am went to 21 Williams Mews - Mrs Barney alleged a man had assaulted her and her window had been smashed in the struggle.

15 April 1932 about midnight went to 21 Williams Mews... [a male guest refused to leave Mrs Barney's house. Police asked him to leave but before he would do so he made her promise not to carry out the threats she had been making to commit suicide. Police evidently thought there was no cause for concern and left as soon as the man did.]

17 February 1932 10.30am Mr Everton of 11 Williams Mews approached PC Richard Hastings Francis on duty and complained "bitterly" of visitors to number 21 being drunk, shouting and quarrelling, "it was impossible for anyone living near, to sleep", he said.

17 February 1932 4am a taxi driver fetched [a police officer] to 21 Williams Mews where Mrs Barney could not make her drunk guests leave her house. She had called them a taxi but they refused to leave.<sup>194</sup>

Elvira's cocktail parties usually consisted of 'cocktails, drinks and dancing to the gramophone'.<sup>195</sup> Witness Hugh Wade described what would be Elvira's last party at William Mews: 'there were cocktails, caviare sandwiches, and the guests were standing about talking. They all seemed happy and voted the party a success.'<sup>196</sup> The next morning police found the evidence of the previous night's party:

On the counter of the cocktail bar was a bottle containing a small quantity of whiskey, two empty tumblers, one empty soda syphon, whilst underneath the counter was an empty whiskey bottle, a bottle part full of port wine, a bottle of red wine and four bottles of beer. On a table in the scullery there were thirty used glasses of various sizes, four empty soda syphons and a cocktail shaker.

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<sup>194</sup> Ibid., Statements of Police Sergeant James Barnes, and PCs Albert Sowards, Richard Hastings Francis and Robert Campbell, Met Police, 6–8 June 1932. The statements are shown in the order they were written in the source.

<sup>195</sup> Ibid.: Statement of Sylvia Coke, 6 June 1932.

<sup>196</sup> Ibid.: Hugh Armigel Wade, undated, p. 2.



Underneath the sink in the scullery were two empty vermouth bottles and three empty gin bottles.<sup>197</sup>

Other than the evidence of the party, the scullery apparently contained very little. No photographs of the ground floor rooms are available but plans and descriptions are conspicuous in their absence of furniture and detail in the scullery compared to other rooms in the house. This, and the absence of a dining table in the other rooms, supports the view of Elvira as a rich, carefree party girl who ate out every night. On the other hand, as this chapter will show, this depiction of Elvira's party lifestyle suited the aims of those constructing the evidence that supported it. Later on the night of her last party at William Mews, prosecutors for the crown alleged, Elvira shot her lover Michael Scott Stephen at close range and he died in the doorway of her bedroom. From that night William Mews would never be home to Elvira again. Any privacy she had previously enjoyed was destroyed, her name and that of her parents thrust into newspapers and local, national, even international interest, in part because of their connections with British and Russian royalty. Worse still, if she was found guilty of the charge against her, Elvira could be hanged for murder.

### **‘The place is prodigally furnished’**

Elvira would not receive the empathy of the jury at the Central Criminal Court as an apparently -morally dubious, wealthy and noisy socialite who spent her time partying, spending her father's money, and disturbing her hardworking neighbours. It also helped the crown case for her home to be seen to be ‘prodigally furnished’ as police described, or as ‘extravagant’, a word which bore added significance in what were, for many, austere times, and featured in the opening speech by Sir Percival Clarke for the

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<sup>197</sup> Ibid., W. Winter, Met. Police, 6 June 1932, p. 1.

Crown.<sup>198</sup> The sitting-room, and especially the cocktail bar, was repeatedly highlighted as a symbol of Elvira's extravagance and lifestyle, by police, prosecution counsel and in the press, although there was debate at the time about whether the house could be considered 'extravagantly furnished' given that 'at least one room was not furnished at all'.<sup>199</sup> The biographers of Bernard Spilsbury, the pathologist in the case whose evidence was largely ignored, argued twenty years later that, given her social status, Elvira 'would inevitably have been described as beautiful had she been the reverse, just as everything about her little two-floored dwelling was called luxurious.'<sup>200</sup> However, the few contemporary arguments against Elvira's home as luxurious come from people in a similar social and economic position to her own, who lived in houses like her parents' at Belgrave Square. To them William Mews was a small and modestly furnished house by comparison. To the neighbours, press, police and public, on the other hand, this was the type of home they knew externally – a small, terraced, two-storey building rather than a grand thirty-something-roomed architectural spectacle – but one which on the inside was furnished extravagantly, wastefully.

Journalist MacDonald Hastings described in the 1950s:

Even the police, when they saw the place, were as shocked as it's possible for policemen to be. Over the cocktail bar in the corner of the sitting-room was a wall painting which would have been a sensation in a brothel in Pompeii. The library was furnished with publications that could never have passed through His Majesty's Customs. The place was equipped with the impediments of fetishism and perversion.<sup>201</sup>

Hastings does not cite his sources. No reference to the wall painting has been found, in the case files or elsewhere, and unfortunately no photographs of the ground floor interior

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<sup>198</sup> *Daily Mirror*, 5 July 1932, p. 4.

<sup>199</sup> Browne and Tullett, p. 356.

<sup>200</sup> *Ibid.*

<sup>201</sup> Hastings, p. 199.

were taken as evidence in the case. Plans and a description show that the sitting room ran the full length of the ground floor of the property, covering more than 180 square feet. Whether this much floor space would justify a description of the party of 26-30 party-goers as ‘crammed into the little house’ is as subjective as views of its furnishings.<sup>202</sup> Other than the cocktail bar, the room was comfortably furnished with a large corner settee, armchair and two further chairs, two end-tables, a radiogram and bureau. The furniture was placed around the walls, facing into the open space in the middle of the room which allowed the maximum space for dancing. (See **Figure 9**.)

Photographs, plans, and much richer descriptions are available for the upstairs of the property where the bedroom was furnished in a contemporary style. Police gave rich descriptions but failed to comment on the fact that the curtains covering the entire west wall of the room matched exactly the wallpaper covering the opposite wall. (See **Figure 10** and **Figure 11**.)

The bedroom furniture consisted of a double full sized divan bed over the head of which was an extension from the telephone downstairs in the lounge. This was not switched over to the bedroom. Near the telephone was a piece of paper pinned to a wooden fitting fixed to the wall. On this paper something had been written and scribbled over in pencil, but there remained the writing clear and legible ‘Police, Blo: 5106’ Looking towards the window from the head of the bed and to the left of the bed, was a chair on which was the cushion the revolver is alleged to have been hidden under. At the foot of the bed was a dressing table on which was some spilled face powder, and an empty wine glass. Under the dressing table, on the carpet, there was a large quantity of face powder. Opposite the dressing table there was a chair and in the seat of the chair there was also face powder. A fixed wardrobe extended from the dressing table to the window and on the opposite side of the bedroom by the door was another fixed wardrobe with a kind of shelf outside it on which rested a number of papers and periodicals. Over this shelf there was a mark on the

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<sup>202</sup> *Daily Mirror*, 1 June 1932, p. 2.

wall where a bullet had struck and at the side of the wardrobe itself there was a hole caused by the ricochet of the bullet. Plaster from the wall had fallen and a very small quantity was resting on the top newspaper which was a copy of the *Daily Sketch* of the 30th May, 1932. Some of the plaster had fallen on to a copy of *Britannia and Eve* of January 1931, and some pieces of plaster and paper was on a copy of the *Daily Sketch* dated 16th May, 1932, still lower down the pile. In front of the window was a chair in which there were two rag dolls...<sup>203</sup>

Apart from the periodicals described, the room was full of reading material including more than 50 magazines and newspapers such as *The Daily Express*, *The Stage*, *National Graphic*, *Cosmopolitan*, *London Life*, *Tatler*, *The Picture Budget*, *Vanity Fair*, theatre programmes, and a book called *This Delicate Creature* published in 1928.<sup>204</sup> The covers of some of the editions make suggestions about Elvira's possible self-identity, or certainly her aspirations.<sup>205</sup> The magazines are colourful and modern, and content comments on culture, leisure and style. There are no house or home magazines, Elvira's understanding of herself does not seem to be related to the home, to domesticity or family life. It is impossible to know to what extent Elvira's lifestyle resembled the magazines she consumed, and as Houlbrook has argued in the case of Edith Thompson in the 1920s, it is dangerous to claim strong links between reading and a sense of self identification, although Edith's extensive written commentaries on what she read help Houlbrook make conclusions about the way her reading influenced her and allowed her to escape from everyday life.<sup>206</sup> What we can say is that Elvira read magazines that featured young, mobile, glamorous, active, affluent and cultured party-goers enjoying driving, sports, dancing, films and theatre, and the case files and contemporary newspaper reports,

<sup>203</sup> MEPO 3/1673: W. Winter, Met. Police, 6 June 1932, p. 1.

<sup>204</sup> Ibid.: 'list of papers, books and periodicals taken possession of by John Sourr, "B", on 4 June, 1932'.

<sup>205</sup> 'Elvira's Reading Matter', *Cocktails with Elvira*, 2011

<<http://elvirabarney.wordpress.com/2011/11/04/elviras-reading-matter/>> [accessed 31 May 2013].

<sup>206</sup> Matt Houlbrook, 'A Pin to See the Peep Show: Culture, Fiction and Selfhood in the Letters of Edith Thompson', *Past and Present*, 207.1 (2010), p. 245.

including comments from her friends, describe these as among Elvira's interests. Her hobbies and her lifestyle were facilitated by her money and the privacy it purchased her in her mews home.

### **‘Love Hut’**

Whether or not Elvira did identify with the media she consumed, it certainly appeared that she spent a lot of time reading and, more significantly for this study, reading in her bedroom. She also read letters in bed, including two from Michael found in her flat and read out in court. One letter indicates that he wanted her to find it in her bedroom and read it when he was not there. Handwritten on her pale blue headed notepaper, the pre-printed address (‘21 Williams Mews // Lowndes Square, S.W.1. // Sloane 6869’) is crossed out and ‘Love Hut’ handwritten in its place. He wrote the letter downstairs in the living room, perhaps at the small writing desk, when she was in the house, at one point he smudges the ink because she came downstairs and he had to hide it under his coat, according to the letter. ‘Baby, little Fatable,’ he writes, ‘This little note is to be awaiting your arrival in the place in which I’ve been happiest of all my life.’<sup>207</sup> That he meant the bedroom is clear from her reply. It seems that she found the letter before he had intended, but she reassures him in her response ‘I will read your letter dozens [underlined] of times when I’m in bed tonight.’<sup>208</sup> The letters and witness statements intimate that Elvira enjoyed an active sex life. Such evidence contributed to the case for the prosecution who needed to draw the attention of the jury to what contemporary society deemed her indecent behaviour, particularly as a married woman and the daughter of a knight with links to royalty. If the jury could be convinced that the shooting of Michael Stephen had

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<sup>207</sup> CRIM 1/610: (CCC, 1932), Exhibit 8: Letter from Michael Scott Stephen to Elvira Barney [undated].

<sup>208</sup> Ibid.: Exhibit 7: Letter from Elvira Barney to Michael Scott Stephen [undated].

been motivated by sexual jealousy rather than being an accident, as her defence counsel argued, Elvira could be convicted of murder.<sup>209</sup>

Elvira and her sister Avril were both separated from their husbands, but Princess Imeretinsky, as Avril was styled, had gone back to live with her parents at Belgrave Square.<sup>210</sup> With 36 rooms there was plenty of space for Elvira too, and it was only a few hundred yards away so why did she not do the same? One reason might be the sexual freedom that a quiet backstreet mews house away from her parents, their peers, and the newspaper gossip column writers would permit. Certain standards of behaviour were expected of members of the 'Smart Set' although it has been argued that Elvira and her lover were on the fringes rather than at the centre of stylish London life,<sup>211</sup> and so she could entertain her lovers and friends away from the public gaze. The relative privacy of 21 William Mews was broken, however, by the death of Michael Stephen which brought Elvira's home, relationships and routines out into the open for scrutiny by police, court, newspapers and public.

To be able to enjoy an active sex life was certainly one reason to live in a quiet backstreet, but neighbours still saw and heard what they interpreted as Elvira's morally loose behaviour. According to Dorothy Hall, a chauffeur's wife who lived at number ten, directly opposite Elvira's house, Mrs Barney 'had a man' prior to Michael

who I should think lived with her there. He used to go in with her late at night and would be seen again there early the following morning. He was with her up to the latter part of last year, when he stopped coming. Shortly after, quite a few weeks, a man to whom she spoke as 'Michael' went and lived with her. Until a fortnight ago he was there every night.<sup>212</sup>

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<sup>209</sup> Edgar Lustgarten, *Defender's Triumph* (Wingate, 1951), p. 147.

<sup>210</sup> *Daily Mirror*, 15 November 1932, p. 2.

<sup>211</sup> Browne and Tullett, p. 356.

<sup>212</sup> MEPO 3/1673: Statement of Dorothy Hall, 3 June 1932, p. 1.

Mrs Hall recalled several incidents in which she had been woken by the noise from across the mews. Dramatic exchanges frequently took place between Mrs Barney and Mr Stephen, she said, during which Elvira was usually at the upstairs window wearing very little or nothing at all, and Michael was stood in the mews below.<sup>213</sup> Several other neighbours saw and heard similar goings-on and complained to police.<sup>214</sup> However we cannot know if their observances were usual or not. Did they see and hear everything that went on in the mews or was it just that Elvira was particularly noisy? Were they shocked by her behaviour as a woman of the same social status as their employers? There are no testimonies from neighbours describing that they had ever visited Elvira or been inside the house. It seems none of them were ever invited to any of the cocktail parties. Her relative social position to Mr Stephen did not prevent Mrs Hall the chauffeur's wife from telling the former to 'clear off' as he was 'a perfect nuisance'.<sup>215</sup> Despite his apologies on this occasion, the picture that is revealed is of Mrs Barney as a noisy party girl and an inconsiderate neighbour, with drunken friends to match. Given that this was a quiet, cobbled backstreet mews where the small stable-houses were overshadowed by the backs of the big houses of the inhabitants' employers, Elvira and her noisy friends – the same sort of people they worked for - may very likely have seemed like intruders. Witness statements by neighbours do not speak of harmonious relationships with the resident of number 21, they seem to have observed her with irritation. Elvira did not say anything about her neighbours, but her statement did not call upon her to do so.

### **'He used to see me home'**

Despite Mrs Hall's observances, Elvira was keen to stress that she lived alone, that she and Michael were 'great friends' and she downplayed their intimacy by stating

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<sup>213</sup> Ibid., p. 2.

<sup>214</sup> Ibid., and William Kiff, and Kate Stevens, both 4 June 1932, for examples.

<sup>215</sup> Ibid., Statement of Dorothy Hall, 3 June 1932, p. 2.

‘he used to come and see me from time to time’ and ‘see me home’.<sup>216</sup> During her trial at the CCC she replied in the affirmative to questions about Michael’s reliance upon her financially, admitted that she was ‘his mistress’ (although she was, in fact, the married party), and said that yes, she had tried to keep details of her lifestyle and relationships out of her statement because she was ‘anxious to keep her mode of life from her parents’.<sup>217</sup> Potentially, they had more to lose than she did if her lifestyle was revealed in public, and so perhaps it suited them as well as her to have her living away from their home given her rather public behaviour in the mews. On the other hand, she may have lived at the ‘Love Hut’ to entirely keep her mode of life from her parents, and although she was separated and was clearly a ‘party girl’, they may have assumed that she did not have lovers in the mews.

Elvira had no choice but to admit to her sexual relationship with Michael. His parents and brother, whose wealth and social status was similar to the Mullens family, although they lacked a title, believed Michael was letting a suite of rooms at Brompton Road, but they were not supporting him financially.<sup>218</sup> This was considered suitable as a temporary address for a single young man when he was in town, away from his family who lived in the country. Brompton Road itself was a very suitable address, being less than half a mile from Elvira’s house and 500 feet from Harrods. Investigations at Michael’s rooms were conspicuous to police because there were no night clothes or underwear there. They doubted whether he lived there at all:

On 1st June 1932, I went to 178 Brompton Road, and searched a bedroom which had been occupied by the deceased man, Michael Scott Stephen. In that room I found a photograph of Mrs Elvira Dolores Barney, one dress suit, one white dress waistcoat, one blue cloth waistcoat, light grey waistcoat and pair of trousers, one

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<sup>216</sup> CRIM 1/610: Exhibit 10: Statement of accused, 31 May 1932, p. 1.

<sup>217</sup> *Daily Mirror*, 6 July 1932, p. 2.

<sup>218</sup> MEPO 3/1673: Statement of Francis Richard Stephen, 31 May 1932.



blue lounge suit, one pair grey flannel trousers, one mackintosh, three pairs of shoes, one pair of slippers, one dressing gown, two tennis shirts, one dress shirt, one or two day shirts, some ties, socks and handkerchiefs. There were no hats, night attire or underclothing.<sup>219</sup>

‘I can't say whether or not Stephen and Mrs Barney were living together’ answered Arthur Jeffress when questioned by police regarding his friend and her lover, ‘but last night we all three had dinner together at the Cafe de Paris and Stephen told me he was residing at Brompton Road.’<sup>220</sup> Whether Michael was living at 21 Williams Mews or not did not seem to matter in the case when all evidence seemed to highlight their sexual intimacy and the possibility of Elvira’s jealousy and violent behaviour. Of the bedroom on the night of Michael Stephen's death, Detective Inspector William Winter said ‘There was no sign of disorder or struggle there. The bed had the appearance of being slept in, and the bed linen was not unusually disarranged.’<sup>221</sup> Her doctor, the first on the scene, described how Elvira had been in her dressing gown when he arrived. ‘She said that they were in bed together quarrelling,’ he told police.<sup>222</sup> Elvira failed to mention that the couple had been to bed together but she did admit to ‘a quarrel about a woman he was fond of’, a ‘Miss C’.<sup>223</sup>

...he got up and dressed and was going to leave her. She said to him “You know what will happen if you leave me” and he went to the chair and took the revolver from under the cushion and said “Anyhow you will not do it with this”.<sup>224</sup>

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<sup>219</sup> Ibid., Statement of DS John Sourr, 6 June 1932.

<sup>220</sup> Ibid., Statement of Arthur Fildes Jeffress, 31 May 1932.

<sup>221</sup> Ibid., Statement of DI William Winter, 4 July 1932.

<sup>222</sup> Ibid., Statement of Thomas Arnold Durrant, 31 May 1932, p. 2.

<sup>223</sup> Ibid., Exhibit 10: Statement of accused, 31 May 1932.

<sup>224</sup> Ibid., Statement of Thomas Arnold Durrant, 31 May 1932, p. 2.

When she chased after him to get the gun back they ended up on the landing at the top of the stairs and the gun went off during the struggle, delivering the fatal bullet wound to Michael's lung.<sup>225</sup>

References to another woman did little for Elvira's defence case. She further incriminated herself and demonstrated her capacity for uncontrollable violent outbursts and 'paroxysms of rage' by slapping a policeman across the face when he suggested she put on her warmer fur coat rather than the one she kept upstairs in her house because she might find it cold at the police station. 'I'll teach you to say you will take me to a police station' she shouted 'now you know who my mother is you'll be a little more careful in what you say and do to me.'<sup>226</sup> The suggestion by the press that she might receive preferential treatment by the criminal justice system due to her family's position seemed to be confirmed when Elvira was acquitted of all charges against her at the CCC. Even behind the scenes people in authority were concerned about the 'nasty comparisons [that] are made [in the press and in private] as to what would have happened had the prisoner been a man or woman without any influence'.<sup>227</sup>

### **Home away from home**

An anonymous postcard in the extensive file kept on the case by the Director of Public Prosecutions suggests that the special home comforts Elvira enjoyed at 21 Williams Mews were replicated in the temporary home of her 'private cell' at Holloway Prison where she was given 'telephone, powder-puffs and grand tea-gown etc.'<sup>228</sup> Newspapers reported that Elvira's homely 'ordinary comforts' there included 'an iron

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<sup>225</sup> CRIM 1/610: Exhibit 10: Statement of accused, 31 May 1932, p. 1.

<sup>226</sup> MEPO 3/1673: Statement of DI W. Winter, 4 July 1932, pp. 6–7.

<sup>227</sup> Ibid., Letter marked 'personal' from Wilfred Dell, Registrar of the Mayor's and City of London Court, to E.H. Tindal Atkinson, DPP, 8th July 1932.

<sup>228</sup> MEPO 3/1673: Postcard sent by 'An Observer' Brixton, unaddressed, dated 10 June 1932.

bedstead with a flock mattress instead of the usual boarded bed and also a small table and a chair.’<sup>229</sup> There was also a suggestion that Elvira kept a photograph of Tallulah Bankhead in her cell.<sup>230</sup> This choice of celebrity photograph is interesting. It is possible that Elvira was friends with the actress, the two having possibly been at some of the same parties and having mutual friends. Bankhead had a reputation for being very sexually active, often with members of her own gender, and for having a cocaine habit. It is possible that Elvira kept the photograph in her cell because she identified with the actress, for these reasons or others.

Elvira’s sexuality and cocaine habits are confirmed by a letter hidden in one of the police files related to the case. ‘Hidden’ because generally, where they do exist, these types of files record only procedural details related to questioning and arrests of defendant and witnesses. The letter represents an attempt to blackmail Elvira, though for her attention, and repayment of expenses, rather than for any great sum of money. It threatens to send a letter to her mother describing her past sexual behaviour and drug-taking, a copy of which is also in the file.<sup>231</sup> The author, Barbara Graham, was very distressed and writes as Elvira’s former-lover who felt she had been thrown over for a partner Elvira preferred. While her motivations for making such accusations might make the content more extreme, perhaps tending toward exaggeration, they also add weight to the argument that a major reason for Elvira inhabiting a mews house rather than her parents’ home was to allow her greater sexual freedom. The privacy of a backstreet mews away from her parents would be particularly useful if that sexual freedom involved same-sex relationships as the letter describes, which could have generated even greater scandal

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<sup>229</sup> *Daily Mirror*, 31 August 1932, pp. 1, 5.

<sup>230</sup> ‘Cocktails with Elvira’.

<sup>231</sup> MEPO 3/1673: 14B: letter from Barbara Graham to Elvira Barney (undated) with commentary by Met Police dated 5th September 1932.

than the sexual relationship she was already having with a man who was not her husband. More than that though, if Elvira regularly used cocaine as the letter accuses, it may be necessary to reconsider the meaning of the ‘face powder’ police found all over the floor, dressing table and chair of her bedroom, and in her bathroom cabinet. While this may not have been cocaine, Elvira was more widely suspected of abusing the substance after Barbara Graham committed suicide and the note she left was printed in newspapers: ‘Tom Chadbourne and Elvira Barney are responsible for this... please make [Sir John] Mullens pay the account.’<sup>232</sup> The *Daily Mirror* intimated at their interpretation that Elvira had been responsible for the dead woman’s long-term drug problem which was the cause of her suicide. Equally possible is that it was Barbara’s rejection in favour of Tom Chadbourne by Elvira that led her to name the pair in her suicide note. The additional context given by these documents shows the rich and varied details crime sources are able to offer. With only a basic reading of the trial transcript published in the *Great Trials* series, or use of only the CRIM 1 or DPP file on the case, it would be impossible to appreciate the extensive layering of evidence for Elvira’s behaviour and her home life that contributed to her eventual acquittal. Furthermore, the interventionist approach to these sources used here (and described in Chapter One) demonstrates the complex provenance, meanings and interpretations of the evidence and the ways they could be manipulated to favour an outcome that benefitted such an influential family.

After her acquittal Elvira Barney never went back to her home at 21 William Mews, instead returning to her family home at 6 Belgrave Square. She did not stay for more than a couple of weeks, and it seems she never set up a permanent home again. Within a month she was accused of being responsible for a car accident in Cannes where she was touring France with ‘a male companion’ (Tom Chadbourne) and had returned to

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<sup>232</sup> *Daily Mirror*, 31 August 1932, pp. 1, 5.

her previous 'fast' lifestyle, as described in Barbara Graham's letter.<sup>233</sup> On Christmas Day 1936, three and a half years after leaving 21 William Mews, 31-year-old Elvira was found dead in her hotel room in Paris, her cause of death was not revealed in the newspapers that reported it.<sup>234</sup> The privacy she had enjoyed at William Mews before Michael's death, and the privacy she had gone to France to continue to enjoy away from the British press, were largely maintained for her family after her death. It has since been speculated that drugs had a role in Elvira's early and sudden death but whatever the cause, her wealthy family managed to limit exposure in the press. Their reputation was safe. Mullens continued his career as high-profile banker, and sister Avril went on to marry divorcee Ernest Aldrich Simpson, ex-husband of Wallis before she married Edward VIII. It is not known what happened to 21 Williams Mews after Elvira left, but today the building has been demolished and replaced.

Of the murder case files I have examined, Elvira Barney's is typical in that it describes conflict (and not just on this occasion) in the bedroom as being related to arguments about sex and relationships. Elvira's bedroom was frequently a site of outpourings of emotion. They argued here about the other woman Elvira thought Michael was seeing, or about sex, and they usually did so in the early hours of the morning, after they had come home together from a party or nightclub. On the other hand, Elvira's home was unusual because it was so luxurious and was not used for cooking or preparing meals. In every case I have analysed it is possible to argue that the home was evidentially extremely important, and not only because it was the place in which the crime occurred. Police, newspapers and Crown counsel all looked for evidence in the home to discredit either the defendant or the victim, as well as to look for the cause of death, for the basis

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<sup>233</sup> *Daily Mirror*, 18 January 1935, p. 14.

<sup>234</sup> *Ibid.*, 28 December 1936, p. 3.

of a murder conviction over manslaughter, and evidence of the identity of the murderer. Elvira's home was no exception. Descriptions of it were used to paint her as extravagant, and neighbours observations of her behaviour at home used to highlight her indecent behaviour. However her failure to meet the standards expected of her were not framed in terms of her housewifery or domestic skill. Women of her class were not expected to perform this type of domestic labour. In this way she is unusual amongst the cases I have analysed. Much more typical is the case of John A. (defendant) who was charged with the murder of his wife, Lilian, at their home in Prebend Street, Camden, two years after Michael Stephen's death at Elvira's home in Knightsbridge. Even as the victim, rather than the defendant, the extent to which Lilian A.'s domestic roles and routines met expected standards were scrutinised, although admittedly to a much lesser degree than some of the other cases I have analysed, particularly those in wartime as the next chapter will show. The home and behaviour in the home were significant in the case, in the same way but to a lesser extent and for different reasons than in Elvira Barney's case. The two homes, read through the CCC files, can be compared to show, not simply the differences between the homes of men, women and families of greater and lesser economic means in the inter-war period, but also the ways those differences affected their lived experiences of private domestic life at home.

### **Prebend Street, Camden**

As far as I am aware, the case of John A. in 1934 has not been referenced in any published work. It received very little coverage in the press, particularly compared with the case of Elvira Barney. In the month after Michael's death, Elvira's name appeared in the *Daily Mirror* on 24 different pages, including three front-page items, on each occasion reporting covered between three and 20 column inches. John A.'s case, on the other hand, was mentioned only three times in the same newspaper, occupying a

combined total of seven column inches. Adrian Bingham argues that court reporting in this period prioritised cases which included sexual content, as well as those involving famous, wealthy or influential people. The contrast between the coverage of Michael Stephen's death and that of Lilian A. supports this view. The latter was unlikely to sell newspapers.<sup>235</sup> John and Lilian A.'s family were very ordinary in many ways, poor unskilled people who worked as market traders. They were of no special interest to contemporary journalists who preferred to report on sensational court cases. The element of the case which was highlighted in the very few newspaper articles that did comment on it, was that Mr and Mrs A. were celebrating their fifth wedding anniversary on the day Lilian died. A friend elaborated to the *Daily Mirror*:

Mr. and Mrs. A. had some relatives over from Woolwich. They seemed in high spirits, and were proudly showing their relations and friends a teaset they had just won in a raffle. The party went to a public house and then returned home. Soon after Mrs. A. was found dead.<sup>236</sup>

Newspapers may have highlighted the tragic circumstances of Lilian's death, allegedly at the hands of her husband (at this point he had been arrested for her murder), on their wedding anniversary but this fact is not mentioned in the depositions in the case file. That there was a celebration is mentioned, but the reason for it is not given. It is conspicuously absent in the defendant's statement. He does not take the opportunity, for example, to add the word 'today' when he states that 'we have been married five years'.<sup>237</sup> This missing piece of information could suggest that the police-recorded statement simply reflects the facts that police considered important. It seems unlikely that, were his statement a verbatim transcript of continuous speech giving the narrative of his and his wife's day leading up to her death, which is the way the document is constructed and

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<sup>235</sup> Bingham, *Family Newspapers?*, p. 128.

<sup>236</sup> *Daily Mirror*, 24 September 1934, p. 2.

<sup>237</sup> CRIM 1/742: Exhibit 3: Statement of defendant, 23 September 1934, pp.1–2.

presented, John A. would have omitted a detail that was so significant to the events of the day. More likely is that the statement in the file reflects a continuous narrative constructed by police from the answers given to their questions in an interview. It would thus reflect information police considered significant including that the cause of her death was hitting her head on the gas pipe which ran up the wall.

My wife was peeling potatoes in our back room which we use as a kitchen. In the room with us was my little sister ROSE and my baby. I sat down on the bed near the window and I said, "Isn't dinner ready?" and my wife said, "No, I am just putting the potatoes on". I said "We are going out to Aunt's at Woolwich at three o'clock [it was then 2.30pm]", and with that I jumped up, picked her up in my arms and swung her round, just like you'd give a kid a swing round. She pushed me and said "We're going to have our dinner before we go". I then sat on the bed. She put the potatoes on and started doing the greens. I picked up the paper and started to read when she said, "That's all you are fit for, reading, you can't help me so that we can get out quick." So I got up off the bed and swung my left arm at her in fun, not intending to hit her, she put her hands up to her face and I think I hit her hands or her chin. As I struck her she either slipped or tripped over the foot of the bed and fell against the gas pipe which runs down the wall almost beside the door. She laid still and I thought she was shamming. I picked her up and sat her in the arm chair and sprinkled some water over her. She didn't seem to come round and I started kissing and cuddling her. I then realised she was unconscious and put her on the bed and shouted for Mrs. M. downstairs. She came up and we sent for a doctor. I had no intention of hurting her. I wouldn't hurt her for the world. She often came with me to boxing shows and wrestling shows and we were always sparring about with one another. We have been married five years and have one baby age three years. During our married life we have had about six tiffs, nothing serious. She was one of the best wives in the world. Two weeks ago she was taken ill at the stall and complained to her father of pains under [her] heart and she went home. My wife has had two children, one is dead. About twelve months ago she had an operation for 'appendix' and since then she has not been her usual self.<sup>238</sup>

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<sup>238</sup> Ibid.



### **‘Isn’t dinner ready?’**

The room in which Lilian A. prepared meals was the family’s kitchen, living room, and bedroom.<sup>239</sup> Photographs show the broken chairs and the crowded room and work space. (See **Figure 12** and **Figure 13**.) The bowl she was using to wash the cabbage was atop an extendable table, accompanied by a jug, plate and potatoes. The gas pipe rose up from the floor along the full height of the door frame, at the top of which was attached a makeshift washing line which crossed to the opposite corner of the room. The room was messy, in that it was crowded with objects but, from what is visible from a black and white photograph, not dirty. The white sheets were stark white, there was a broom in the corner, and washing was drying all around. A photograph of a group scene hung on the wall over the head of the bed and lace curtains with a pelmet hung at the window. The wallpaper featured stripes of roses and ribbons with a matching border around the top, and the paper or cloth covering the mantelpiece also featured a large floral pattern. The overall impression is of a busy room, both in the aesthetic and the occupied sense. A painting or photograph of a building, perhaps a windmill, leaned on the mantelpiece next to an oriental vase or caddy and a tin tea caddy of the type seen in several other case file interiors. A much larger framed item, possibly a mirror or a painting, hung over the mantel. Though Mr and Mrs A. were clearly without much income, home-making was being performed here. The room was made homely and comfortable with decorative objects and personal items, soft furnishings and lace. The broken chairs were not equal to Elvira’s fitted wardrobes, and the floral wallpaper and net curtains did not come up to the standard of her contemporary patterned curtains and matching wallpaper in terms of design. But they represented an attempt at making a home comfortable and personal for the people living in it in a way that was acceptable to those investigating and interpreting

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<sup>239</sup> Ibid., Statement of Edith M. [neighbour], 9 October 1934.

it for the court and press. Elvira's home was shocking because of the extravagant lifestyle it represents, John and Lilian A.'s only because it was so small.<sup>240</sup>

According to the plan-maker's statement, the room was seven feet nine by eleven feet seven and photographs of the room show it to be very crowded with furniture, the plan-maker, photographer, and forensic expert all described it as such. Broken chairs, a sink, stove, bed with iron frame (a type seen in many homes in these files which could fold into a chair), and a collapsible table took up most of the floor space while a washing line strung across the room with clothes hanging from it and many bulky coats hung on the back of the door took up space higher up in the room. Mrs A. was working in very cramped conditions indeed. Measurements given on the plan demonstrate just how tiny the space was, overcrowded with furniture, and the limited clearance between items this afforded. It would have been difficult to move around in this space. (See **Figure 14**.)<sup>241</sup>

Faced with such evidence, of a cramped and overcrowded room, the jury found John not guilty of murder and he was acquitted. Their verdict was that Lilian's death had been an accident, and agreed with John that his wife had hit her head on the gas pipe when she tripped on the furniture while the couple were play-fighting. However, many of the cases I have examined similar to this one have featured, explicitly or implicitly, domestic violence. As Anette Ballinger's research shows, domestic violence has frequently been concealed in everyday routines, totally hidden from neighbours, ending in murder and culminating in an inappropriate sentence for the defendant who may be the victim or the perpetrator of long-term domestic violence.<sup>242</sup>

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<sup>240</sup> CRIM 1/742: Exhibit 2: 'Two photographs of back room at No. 12 Prebend Street' by DI James O'Brien, New Scotland Yard Photographic Section, taken 23 September 1934.

<sup>241</sup> Ibid., Exhibit 1: 'Plan of first floor back room of No 12 Prebend Street, Camden Town' by PC Sidney Bostock, Met Police, undated.

<sup>242</sup> Annette Ballinger, 'Masculinity in the Dock: Legal Responses To Male Violence and Female Retaliation in England and Wales, 1900 1965', *Social & Legal Studies*, 16.4 (2007), p. 461.

It is certainly possible that Lilian hit her head on the gas pipe when she fell following a deliberate punch from her husband which was not meant in jest, rather to punish her for her comment about his not helping her prepare the meal. At the post-mortem there were signs that Lilian had other bruises that had not been caused on the day of her death. Pathologist Bernard Spilsbury suggested that Lilian's fatal injury was caused by more than her simply falling. He pointed out that if she had fallen one might have expected her to put out her hands to stop her falling on her back and head. His opinion was that the blow John described may not have left a mark, there certainly was none visible, but that it may have been a considerable blow that contributed to the force with which Lilian hit the gas pipe and caused the injury that killed her. Despite this, it was ultimately the domestic evidence which was most compelling to the jury because the alternative scenario suggested by Spilsbury was not pursued in court. This further demonstrates the significance of my approach to these sources because this detail is barely mentioned in court. The closed questioning style of prosecution and defence counsels did not give Spilsbury an opportunity to elaborate on this aspect of his report which could have provided an alternative narrative of events and totally altered the outcome of the trial.<sup>243</sup>

Unlike the interior, no photographs of the exterior of the building were taken for John A.'s case because it was not significant and held no evidence. In contrast, Elvira Barney's home and street were photographed by the police in the days after Michael's death due to past conflict taking place there. It was significant that the court gained an impression of the context in which neighbours saw and heard heated exchanges between Elvira and her lover, with him on the street and her at the window. No such evidence was required in John A.'s case, neighbours had not heard any conflict between the couple

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<sup>243</sup> CRIM 1/742: Statement of Bernard Spilsbury, Special Pathologist, 2 October 1934, pp. 1–3.

indoors or out. This means that no record of the look of the building, its overall size, external architecture or condition, survives.

Maps and reports dating from 1936 archived by London County Council describe the condition and location of the buildings in Prebend Street, Camden, which was renamed around that time due to the existence of another street with the same name in Islington. Plans were underway to demolish and redevelop large areas of Camden by the late 1930s. In theory, the reason for this was the poor quality buildings. However, some streets were designated for demolition where adjoining streets with the same or similar buildings were left untouched. It has been argued that slum clearance programmes prioritised the areas inhabited by the lowest classes of people.<sup>244</sup> Certainly, 12 Prebend Street where John and Lilian A. lived was designated as a slum and marked for demolition, along with several neighbouring streets, within a few years of Lilian dying there.<sup>245</sup> When plans were interrupted by the war, the conditions were worsened by nearby bomb blasts and structural damage, not to mention the neglect that the buildings suffered having already been marked out for demolition and development. It was unlikely that anyone would invest in them if they were going to be knocked down. Reports from 1959 describe sloping and weak floors, damp, one WC for the whole building, one room on each floor contained a tap over a sink and a gas cooker, and there were no proper places for the storage or preparation of food.<sup>246</sup> It is worth noting that these were 1959 standards of housing, however, at a time when new-build council homes included fitted kitchen surfaces for preparing food, well-ventilated pantries and often two WCs. Despite these unacceptable standards, by the time the buildings were finally purchased by the London

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<sup>244</sup> Topalov, 'City as Terra Incognita', p. 11.

<sup>245</sup> LMA: GLC/MA/SC/03/0950: Baynes Street Area: Includes Compulsory Purchase Order, (1958).

<sup>246</sup> Ibid.

County Council in 1960, they were still almost fully inhabited, despite having officially been ‘slums’ and in poor condition for more than 24 years.<sup>247</sup>

Prebend Street was within sight of Camden Road train station. The North London Railway line crossed the street at the north-east end over a bridge, and at the south-west end of the street, at its junction with Great College Street, Prebend Street formed a bridge over the canal. Numerous wharfs and adjoining factories populated the opposite side of the canal to Prebend Street, with a towpath skirting the nearside. On the east side was the Coal Depot, linked to the railway sidings and the canal. It seems likely that this is where Lilian’s father worked, given that his occupation is given as Coal Porter and he lived just around the corner in Georgiana Street.<sup>248</sup> Directly between Lilian and her parents’ homes was the Prince Albert Public House where they all had a drink to celebrate Lilian and John’s wedding anniversary, according to statements. Family, work and leisure were likely all performed within a few hundred metres of the family’s home. The general feel of this area is much more ‘industrial’ than the area in which Elvira lived two years earlier.<sup>249</sup> Camden inhabitants, and certainly those in the streets frequented by John and Lilian and their extended family, were visibly working class and had their own local culture and identity.

### **‘Rooms’**

Though there is no evidence to suggest that John and Lilian A.’s home was a temporary one (on the contrary, in fact), the dwelling they inhabited was typical of lower income families including recent migrants to the capital. Leslie C., for example, enquired at a shop in Richmond Way, Shepherds Bush, in October 1938 about ‘rooms’ he had seen

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<sup>247</sup> Ibid.

<sup>248</sup> CRIM 1/742: Statement of Edward O., 9 October 1934.

<sup>249</sup> Ibid., Statement of Rose A., 2 October 1934.

advertised to rent. His wife joined him in the basement bed-sitting room a few days later. The couple had use of the scullery in the basement but so did other tenants in the building, the only privacy they enjoyed was in their own room, but even that was limited due to the landlady coming in every day to tidy up.<sup>250</sup> The plan shows very little floorspace and a lot of furniture, and that the room was used for cooking as well as sleeping, resting and eating, as with John and Lilian A.'s room, although Leslie C. and his wife had roughly twice as much space. (See **Figure 15**.)

In his article on interwar class, James Hinton found that Mass Observers described their own class identities as being linked to, but not necessarily originating with, cultural distinctions including housing type and tenure. Living in a 'big house' in the suburbs was associated with being upper-middle class, and having to let out rooms to boarders was a signifier of falling on hard times.<sup>251</sup> Letting out rooms seems to have been an important method of earning or supplementing income that many attempted in this period of high unemployment in the 1930s. With so much migration into London and so many people out of work and forced to live on reduced means, there were always people like Leslie C. looking for cheap accommodation in 'rooms'.

### **Torrington Square, Bloomsbury**

When twenty-one year-old Margaret W. moved to London from Scotland in December 1933 and lived in 'rooms', she first shared a room with another young woman, Dorothy, in Balham, and the two became friends. One day in January she and Dorothy were walking down Shaftesbury Avenue and struck up a conversation with Georgios Kalli G., a thirty-year-old Coppersmith from Cyprus. By the end of February Margaret had left

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<sup>250</sup> CRIM 1/1052: Statement of Esther F., 4 November 1938.

<sup>251</sup> J. Hinton, "'The 'Class' Complex": Mass-Observation and Cultural Distinction in Pre-War Britain', *Past & Present*, 199.1 (2008), p. 215.

her job and her friend and was living with Kalli (as she called him) ‘as man and wife’ in his room in lodgings in Lambs Conduit Street.<sup>252</sup> The Victorian terraced house was let and inhabited as single-room dwellings rather than by one family as was intended when it was built. This maximised the habitation capacity as one household, which could mean a single person, a couple, or a couple with children, lived in each room. Some of the other lodgers, at the time of Kalli’s living there, had also come from Mediterranean countries. The landlady was Italian, her husband out of work, and so she was earning money by letting out rooms.<sup>253</sup>

Another who attempted to earn money this way was Thomas J. He, his wife and adult son had been living at Bernard Street, Russell Square, when his correspondence school business failed in 1932. As a result the son joined the Navy and Mrs J. went to work in hotels where she ‘lived in’.<sup>254</sup> With the rest of his family in accommodation attached to their employment, Thomas J. obtained a sub-lease for a building in Torrington Square where he planned to rent out rooms and live there himself. The houses on Torrington Square were owned by the University of London, but several of them were being let, in whole or in part. Thomas took furniture in the house on a Hire Purchase Agreement to the value of £195 but by September 1934 he had only paid back £6.<sup>255</sup> In March, at least two rooms were let, one to a married couple and another to a single man, a Printers Overseer, who had a bedsitting room and paid for a daily breakfast but no other meals. He referred to the house as ‘the digs’.<sup>256</sup>

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<sup>252</sup> DPP 2/234 (1934), Trial transcript, p. 9: Cross-examination of Margaret W.

<sup>253</sup> DPP 2/234: Statement of Cecilia G., 24 September 1934.

<sup>254</sup> Ibid.: Statements of Mary J. and Aneurin J., 19 September 1934.

<sup>255</sup> Ibid.: ‘Police Report’, Divisional DI John Edwards, ‘C’ Division, Met. Police, to Superintendent A. Sawyer and DPP, 22 September 1934.

<sup>256</sup> Ibid., pt. Statement of William Y., 18 September 1934.

### **‘As man and wife’**

When Kalli moved Margaret into his room he gave her a wedding ring to wear. They shared a bed and told their landlady that they had married by special license.<sup>257</sup> Pretending to be married so as to share the cost of accommodation is a frequent strategy found in the case files. In fact, I would go so far as to say that the majority of cases included a victim or defendant (or both) who was living outside of a first marriage, whether that be single, separated, divorced, or remarried. This is a strategy repeated throughout the mid-century, as later chapters of this thesis will show. Other examples from the 1930s include Juliet M. (victim in the case of Eric R.), Leslie C. and his wife had been separated, and Mary F. was living with Thomas H. as man and wife.<sup>258</sup> Only three of the nine cases of murder in domestic dwellings I have looked at from the 1930s have included a defendant who is married and living exclusively with their legal spouse. However, as Katherine Holden has argued, even those living in couples without the sanctification of their union by church or state were living *as* man and wife, often in their own words. It can be argued that though they were rejecting the actuality of marriage they were still living in a domestic framework that imitated it. However the widespread practice of pretending to be married and living together suggests that these relationships did not personally require the stamp of official approval and that, in most cases, a ring or a ‘Mrs’ would do well enough.<sup>259</sup>

In court, a key factor in determining whether a couple were living together ‘as man and wife’ was whether they were supporting each other financially, often to a greater extent than whether or not they were sharing a bed. Kalli G. claimed he had been

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<sup>257</sup> Ibid., Statement of Margaret W., 16 September 1934, p.3.

<sup>258</sup> CRIM 1/1052; CRIM 1/711: (CCC, 1934); CRIM 1/610.

<sup>259</sup> Katherine Holden, *The Shadow of Marriage Singleness in England, 1914-60* (Manchester: Manchester University Press, 2007), p. 2.



giving Margaret £7 per week (though he earned only £3 per week) to pay for their rent, food, housekeeping, and put some money in a post office savings account in his name. This was to pay for their wedding which they hoped to be able to afford in about two years.<sup>260</sup> Margaret later recalled a different version of the story. They were arguing so much about money, she said, that she attempted to leave Kalli but ‘he threatened to do all sorts of things, and he cost me my job [in a tearoom] and [so] I had to go back to him.’<sup>261</sup> According to this and other case files it was not unusual for economic difficulty and the potential threat of homelessness to force women to stay in abusive relationships, or to go to live with a partner in the first place because sharing the cost of lodgings saved considerable money. Kalli, however, claimed that he could, and did, ‘keep’ Margaret (meaning he earned enough so that she did not need to work) but that she got bored at home on her own with only light domestic tasks to attend to, and that this was the reason she got a job as daily housekeeper to Thomas J. at Torrington Square.<sup>262</sup>

The land surrounding Torrington Square in Bloomsbury was at that time being developed for the University of London, with Senate House in construction on the next street. Just beyond the building site to the south was the British Museum, and to the west the shops and cafes at Tottenham Court Road. The ‘boarding house’ Margaret corrected counsel who referred to it as a ‘lodging house’, though he was unclear what the difference was,<sup>263</sup> was well-situated for a variety of businesses and purposes. The dining room where some of the residents ate was furnished with rugs, a divan that could be used as a sofa or a bed, armchairs, flocked wallpaper and matching curtains, a marble fireplace and a fancy clock on the mantel. In the hallway which led from the front door were more

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<sup>260</sup> DPP 2/234: Statement of Georgios Kalli G., 19 September 1934.

<sup>261</sup> Ibid.: Statement of Margaret W., 16 September 1934.

<sup>262</sup> Ibid.: Statement of Georgios Kalli G., 19 September 1934.

<sup>263</sup> Ibid.: Trial transcript [Examination of Margaret W], p. 5

oriental-looking rugs, a small table, a mirror in an ornate frame, and a tiger-skin mounted on the wall. (See **Figure 16**, **Figure 17** and **Figure 18**.)<sup>264</sup> These surroundings were superior to those Margaret had been living in at Lamb's Conduit Street, and her job was also superior, being a Housekeeper meant more responsibility and cleaner work than a kitchen-hand. A maid was employed to do the heavier and dirtier work. The most menial task Margaret was employed in was preparing meals for the guests who took them (not all did).<sup>265</sup>

The kitchen where Margaret prepared meals was on the basement level of the building and on this level was also a bedroom. It was here that Margaret slept when she was offered an increase in her wages to 'live in' by her employer Thomas J. She willingly accepted but Kalli was unhappy about it. As Housekeeper and Manager of the house, she told him, she could take him on as a tenant, and there was a room becoming available that he could rent. She would prepare his meals for him, as always, and with both of them working and earning they would be able to save up for their wedding that little bit sooner. But Margaret was not wearing her wedding ring. She did not want her employer to know about her relationship with Kalli, so he would have to be discreet at Torrington Square. They stopped sleeping together, and Kalli became enraged. He was suspicious and jealous of Margaret's relationship with her employer. Thomas J. had more money than he, he thought, which was reason enough for Margaret to leave Kalli for him, he believed. Kalli suspected Thomas J. was not sleeping in the dining room on the divan as he claimed, but in Margaret's bed in the basement.<sup>266</sup> Margaret denied the accusations, Tom (Thomas J.) was like a father to her, she said, 'nothing improper ever took place' between them.

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<sup>264</sup> CRIM 1/743: (CCC, 1934), Exhibit 9: Book of photographs [undated, photographer unknown].

<sup>265</sup> DPP 2/234: Statement of Margaret W., 19 September 1934.

<sup>266</sup> Ibid., Statement of Georgios Kalli G., 19 September 1934.

However, Kalli felt his suspicions were confirmed when Thomas J. took Margaret (in her deposition)

down to Brighton for the day... we had our photograph taken together while we were there. I wrote on the back of one of the photos 'with fondest love, Margaret' and gave it to him. I knew he was a married man and did this for fun. We both treated it as a joke and laughed about it.<sup>267</sup>

The next day Thomas J. signed an agreement to make Margaret a business partner with a share of the profits from the lettings, and they went to look at another house on the square, with a view to letting rooms there too.<sup>268</sup>

Kalli may never have seen the photograph (see **Figure 19**), but he knew about the trip to Brighton and the business plans and his suspicions were aroused. He further threatened Margaret, who insisted she was doing nothing wrong. Kalli demanded that she go out with him a couple of times a week or he would kill her.<sup>269</sup> Margaret was scared and confessed to her employer that she had previously had a relationship with Kalli and that he had threatened her. Thomas J. called Margaret 'a little fool' and gave Kalli notice to quit his room.<sup>270</sup> Kalli had been watching Margaret at nights and claimed that shortly after her trip to Brighton he went to the basement to her bedroom and found her in bed with Thomas J.<sup>271</sup> Margaret denied this, she always kept her bedroom door locked, she said, and in any case, 'Tom' had not been there.<sup>272</sup> Kalli claimed that he had seen Thomas J. in bed with Margaret, that he had seen him there in his red pyjamas, that he called Kalli a 'fucking Greek bastard' and told him to get out.<sup>273</sup> The next evening Kalli was still in

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<sup>267</sup> Ibid., Additional statement of Margaret W., 20 September 1934.

<sup>268</sup> Ibid.

<sup>269</sup> Ibid.: Statement of Doris F., 20 September 1934.

<sup>270</sup> Ibid.: Statement of Margaret W.

<sup>271</sup> Ibid.: Statement of Georgios Kalli G.

<sup>272</sup> Ibid.: Additional statement of Margaret W.

<sup>273</sup> Ibid.: Statement of Georgios Kalli G.

the house, and Margaret served his dinner in the dining room.<sup>274</sup> He confronted her while she was setting the table: ‘You don’t love me anymore?’ he asked, ‘you’re not coming with me to Cyprus?’ ‘No’ she answered. There was a struggle, Thomas J. came into the room and attacked Kalli but was fatally injured himself. In court, Kalli did not plead self-defence, but that he was provoked by Thomas J.’s words and (allegedly) deeds with ‘his girl’.<sup>275</sup> Though provocation was yet to be codified in law, the evidence police gathered could have been used at their own discretion, as well as that of the court, to interpret Kalli’s version of events as manslaughter rather than murder.

However, when Thomas J. died and the police entered the house they focused their investigation on the dining room and hallway where the violence had occurred. Margaret’s bedroom was not investigated, and did not feature on plans police made of the building for use in court. After they had concluded their investigation and gathered their evidence, Mrs H-L., lessee of the house at Torrington Square, went there with her maid to start cleaning up. In Margaret’s bedroom, she found a novelette which bore the title *She Wore No Ring*.<sup>276</sup> (See **Figure 20**.) The little book, forming part of the documentary evidence in the case, was filed and archived with the depositions. It tells a story about a young woman who had been duped into marrying a criminal and was almost prevented from marrying the man she truly loved, who also happened to be her boss at her new employ, because she was still married to the first. In this booklet, notes had been written carefully in the margins in two handwritings, one in improving English, another in what turned out to be Margaret’s writing. The notes were suggestive of a romantic relationship with passages such as ‘I will show you my bedroom’ (see **Figure 21**).<sup>277</sup>

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<sup>274</sup> Ibid.: ‘Police Report.’

<sup>275</sup> Ibid.: Additional statement of Margaret W.

<sup>276</sup> Maureen Lancing, *She Wore No Ring* (Girls’ Friend Library, 1934).

<sup>277</sup> DPP 2/234: Transcript [cross examination of Margaret W], p. 13.

Mrs H-L. felt compelled to give evidence at the CCC trial, she later claimed, to save Kalli's life because she knew Margaret had been lying about her relationship with Thomas J. when she gave her statement at the magistrates court. When asked how she knew that Margaret had been lying, Mrs H-L. claimed it was 'the state I found the bed linen in'.<sup>278</sup> Margaret's bed somehow betrayed that she and Thomas had been sleeping together, just as Elvira Barney's bed clothes were not unusually disarranged (see earlier in this chapter). In addition, his clothes were mixed up together with hers in the chest of drawers in her room and on the back of her door. Margaret claimed that the clothes were merely being stored there because there was nowhere else for them but this seemed to the court to be another signifier of a sexual relationship between them. Defence counsel asked Margaret challenging questions about her living circumstances at Torrington Square.<sup>279</sup> In answer to judge Goddard's reminder to counsel that 'we are not trying Margaret W., we are trying the prisoner [Kalli] for murder', Paterson claimed he was trying to show the court that Margaret was 'of undesirable character' and that he was attempting to deal with

the credibility of this witness with regard to what happened on the night. I want to see if she is telling us the truth in every respect. I want to find out how far her evidence can be trusted according to the answers which she gives to my questions.<sup>280</sup>

He asked her about 'Going to Brighton' which was implied to be something one only does with a person one is 'having relations with' despite her denials.<sup>281</sup> That this was widely understood is clear from Kalli's response to Margaret going there, and supported by Claire Langhamer's research on adultery. Going to Brighton was one way to procure a divorce, given that it meant sex.<sup>282</sup>

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<sup>278</sup> Ibid.: [examination of Thayle H.L. by Mr Paterson for the defence] pp. 59–60.

<sup>279</sup> Ibid.: [cross examination of Margaret W] p. 11.

<sup>280</sup> Ibid., p. 13.

<sup>281</sup> Ibid.: Transcript [cross examination of Georgios Kalli G.], p. 42.

<sup>282</sup> Claire Langhamer, 'Adultery in Post-War England', *History Workshop Journal*, 62.1 (2006), p. 100.

Most damning, however, were the handwritten notes in the book, particularly ‘I will show you my bedroom’. The respondent, however, was not Kalli, but another ‘foreigner’ who had been staying in the same lodging house as Margaret since she had known Kalli.<sup>283</sup> Such damning evidence against Margaret, though in this case not enough to lessen Kalli’s charge to manslaughter, was sufficient to add a strong recommendation for mercy to the guilty verdict the jury quickly returned due to the provocation of remarks by Thomas J.<sup>284</sup> ‘The Cypriot Murderer’ as press referred to him, was sentenced to death but commuted to life imprisonment a few days before the scheduled execution.<sup>285</sup> The police report suggests that there was little sympathy for Kalli at the evidence-gathering stage because of his being so ‘foreign’ and his having been ‘known to have habitually associated with undesirable characters who frequent low class cafes in the Tottenham Court Road District.’<sup>286</sup> The police report, not part of official evidence or the CRIM 1 or trial transcripts, shows how the defendant was perceived and treated differently by police by virtue of his nationality, and how the police interpretation of events shaped the evidence that was gathered at the scene. Using the trial transcripts and police reports it is possible to show that the CRIM 1 file on the case, though rich in detailed and fascinating evidence on the domestic circumstances and everyday lives of these three individuals and their families and friends, was the result of significant shaping and filtering by those who made them. And further, that class, nationality, gender and sexuality were significant factors used by police and counsel to depict the greater or lesser culpability and truthfulness of individuals.

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<sup>283</sup> DPP 2/234: Transcript [cross examination of Margaret W.], p. 13.

<sup>284</sup> Ibid., Transcript, p. 84.

<sup>285</sup> *Daily Mirror*, 20 November 1934, p. 7; MEPO 3/1695: (1934), From A. Maxwell, Under Secretary of State to The Commissioner of Police for the Metropolis, 1 December 1934.

<sup>286</sup> MEPO 3/1695: Note to Superintendent from Divisional DI Edwards, 22 November 1934.

## Conclusions

The above case narratives show that migrants to London in the 1930s (whether from elsewhere in the UK or from Europe) frequently had to take the lowest cost housing which was almost invariably ‘lodgings’ or ‘rooms’ in shared houses. The exception was people who had sufficient economic or social capital to stay in hotels and purchase a home on mortgage soon after they arrived. The cheapest way of living in rooms, which we might now call bedsits (although they were not as private and self-contained as modern one-room-dwellings), was to share with a partner or spouse. By splitting the rent, or at least the domestic tasks, one could live in more comfort, albeit in more overcrowded conditions. My cases show numerous examples of couples living in homes such as these and claiming to be married to each other, or at least appearing to be so. The reality, however, was much more likely to be that they were not married at all, or that one or both was divorced or more likely permanently separated.

These and the cases of Elvira Barney and John A. show that when it came to housing in London, higher capital could buy sexual freedom, increased privacy, and greater space, including rooms or spaces dedicated to specific and discreet purposes, such as separate rooms for preparing food and for sleeping. Elvira Barney’s case shows that, even in a home that was modest in size compared to what she could afford to live in, improved amenities, more modern design, newer furnishings, and more fashionable decorations could be purchased, but these were not the most influential factors on everyday life and experience at home. For people living in multiple-occupation buildings in London in the 1930s, space and privacy had the most significant impact on their everyday lives. Multi-function living spaces rather than rooms for distinct purposes, and overcrowded rooms or otherwise shared areas placed serious limits on what they were able to do in their homes, and also how their homes might be interpreted in the context of

police investigation. Following a domicile, police gathering evidence could significantly shape a case against a defendant if they identified a home as unhomely, whatever that might mean. In the context of 1930s London, space and privacy were what made a home and, as the next chapter will show, events of the 1940s would further enhance the meaning and desirability of these factors.



## Chapter three: the home front

This chapter explores individual homes during the Second World War and the wider meaning of home in this period. It argues that the war acted as an accelerant for already-developing ideals of home behaviour and feeling that had impact into the following decades.<sup>287</sup> Feelings about home became increasingly more potent and private due to the specific circumstances of homes in wartime, feelings that were largely determined by gender and wartime experience. The chapter argues that the specific context of personal and national events during wartime, demobilisation and reconstruction helped to prioritise notions of privacy, comfort and gendered roles at home for individuals as well as the nation.

Home was of particular personal, local and national significance during the war years and informed governmental planning for reconstruction of the nation for many years afterward. Continuity in home and family life was seen as particularly central to the success of reconstruction.<sup>288</sup> And yet the emotional meanings and everyday experiences of home during the war years have not been explicitly addressed by historians. In particular, Geoffrey Field has identified a lack of scholarship on the experiences of living in billets by members of forces stationed in Britain; a facet of life during the war which this chapter will address.<sup>289</sup>

The majority of the files used in this chapter relate to cases in which men were accused of murdering their wives toward the end of the war or in the period of

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<sup>287</sup> Claire Langhamer, 'The Meanings of Home in Postwar Britain', *Journal of Contemporary History*, 40.2 (2005), pp. 342–3.

<sup>288</sup> Janet Finch and Penny Summerfield, 'Social Reconstruction and the Emergence of Companionate Marriage, 1945–59', in Graham Allan (ed.), *The Sociology of the Family: A Reader*, (Malden: Blackwell, 1999), p. 12.

<sup>289</sup> Geoffrey Field, *Blood, Sweat, and Toil: Remaking the British Working Class, 1939–1945* (Oxford: Oxford University Press, 2011), p. 7.

demobilisation immediately after. It therefore focuses on the experiences of married men and women who experienced conflict or difficulty at home either separately or together, during and/or immediately following the war. Cases of returning soldiers murdering their wives are particularly useful because of the nature of the tension between murder and manslaughter as described in Chapter One of this thesis. When attempting to construct a narrative or adapt it to fit a definition of manslaughter rather than murder, a defendant or his defence counsel would highlight aspects of the case that fitted the formula for manslaughter; usually a description of long-term build-up of negative factors over years, followed by a recent deepening of problems or tension over months or weeks, perhaps days, and then a final catalyst or singular event that caused the defendant to ‘snap’ and kill his wife suddenly. Though constructed in a way that biases the account against the deceased wife, these cases therefore describe marriage and family life over the long-term, perhaps describing how a couple met, how long they had lived together, where each had been working or living during the war, and how these things differed to expectations because of the specific circumstances of the war. Files include letters between the couples, and depositions from friends and neighbours regarding their marriage and home life together and separately. These are obviously rich and valuable sources for historians. However, these cases are not used in this chapter to evaluate the success or failure of individual marriages and homes, or of demobilisation and reconstruction plans generally. Rather, where families failed to reconstruct their pre-war homes, individuals’ frustrated expectations are explored in an effort to examine exactly what it was that they found missing from home, and what they imagined they would find. In what ways did these women commit crimes against their homes that justified (even partially) their husbands killing them? And what experiences did men have during the war that shaped their expectations of what their home should be like when they returned to it? These themes

are important since they help to give context to post-war housing policies and aspirations, and issues in the historiography of home in the second half of the twentieth century, such as the privatisation of family life.<sup>290</sup>

The interventionist method of analysing different types of documents within the case files and their creation and interpretation described in Chapter One of this thesis facilitates a deeper understanding of the many different types of documents preserved in the files. That the narratives about marriage and home life upon which the case depends were constructed by the defendant in a way that supported a manslaughter-over-murder defence would not be fully appreciated without the thorough research into the documents creation and provenance. Another example is understanding the selection of private correspondence between partners and family members. Police would likely select and prioritise letters that contained details about marital conflict and possible inappropriate behaviour, highlighting personal feelings about home and how conceptualisations of home differed between the genders. These sources also illuminate wider social values about home and expected gendered roles and behaviour there. These feelings and values are then echoed, reinforced and, in some cases, challenged in newspaper reporting of murder cases. Through examination of the cultural circuit betrayed by the sources relating to the murders, it is revealed that a powerful contemporary construct existed of a cheating wife who had cuckolded her serving husband and failed to maintain home while he was away. This construct was recognised by contemporary press, public, judiciary and jury, and so defendants and their counsel could shape their narratives, selection of evidence and performance in court to speak to this familiar trope. Rather than saying that the deceased women were actually guilty of what they were accused before they were killed

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<sup>290</sup> Langhamer, 'Meanings of Home', p. 341; Graham Allan and Graham Crow (eds), *Home and Family: Creating the Domestic Sphere*, (Basingstoke: Macmillan, 1989), p. 10.

by their husbands, this chapter asserts that the existence of the construct itself speaks of primary expectations of married women during the war years. Ruled by a double standard of gendered behaviour, and one which represented very specific hardships both during the war and in the period of homecoming and reconstruction, it shows that reconstruction of the family was not always smooth-running or successful, but was considered the responsibility of the wife in a marriage. What she did at home during the war was central to the success of her marriage after it.

In the cases I explore in this chapter, marriages were unsuccessful, but ended in murder rather than in divorce, and the story of a soldier coming home to find things were or had not been how he imagined, hoped or expected, is a common one. Records kept of evidence and investigation into the long- and short-term circumstances surrounding each death allow the marital home during and immediately after the war to be examined. Using an approach that considers the construction and filtering processes of the different types of material in the files and in newspaper coverage of the cases, the ways home was imagined during wartime are illuminated, by husbands, wives, police, the judiciary and the press. This chapter considers the specific ways women in particular were perceived to have failed to meet the expectations of their spouses, and the extent to which their behaviour or action was judged to make them more or less deserving of murder. It can be argued that, though resorting to murder was uncommon, similar reasons for frustration and conflict may have been much more widespread, and with a critical perspective on the cases it is possible to consider the specific nature of the different expectations married men and women had of home during wartime that contributed to them coming into conflict.

### **‘Keep the Home Fires Burning’**

The meaning of home in popular culture in wartime and the period of post-war reconstruction was preoccupied with ‘coming home’ and with nostalgic memories of one’s own home as a place, along with the people who belonged in it. As illustrated in the popular song *Keep the Home Fires Burning*,<sup>291</sup> which was written and performed in the 1914-18 war but returned to popularity in the 1939-45 war, these were significant themes in public and private life due to the widespread separation of people from their pre-war way of living. The song also identifies the significance of gender to the meaning of home during wartime; more men than women were conscripted and serving away from home and it was women who were expected to ‘keep the home fires burning... till the boys come home.’<sup>292</sup> Far fewer married women than married men were living away from home and domestic responsibility in wartime, and so experienced much fewer opportunities and only limited freedoms compared to their husbands, not simply because of where they were living, but because of society’s expectations of the genders generally, and more particularly in wartime.<sup>293</sup>

Men were popularly portrayed as eager to step back into their old roles as head of household, breadwinner and family disciplinarian when they were demobbed, but it was not always possible to reconstruct these things immediately.<sup>294</sup> Women had performed different roles during the war and it was difficult, practically and emotionally,

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<sup>291</sup> *Keep the Home-Fires Burning* (*Till the Boys Come Home*) (New York: Chappell & Co. Ltd, 1915).

<sup>292</sup> Full lyrics: ‘They were summoned from the hillside / They were called in from the glen / And the country found them ready / At the stirring call for men. / Let no tears add to their hardships / As the soldiers pass along, / And although your heart is breaking, / Make it sing this cheery song: / Keep the Home Fires Burning, / While your hearts are yearning. / Though your lads are far away / They dream of home. / There’s a silver lining / Through the dark clouds shining, / Turn the dark cloud inside out / Till the boys come home.’ *Keep the Home-Fires Burning* (*Till the Boys Come Home*).

<sup>293</sup> Gail Braybon, *Out of the Cage: Women’s Experiences in Two World Wars*, (London: Pandora Press, 1987), pp. 158–9; Pat Thane, ‘Family Life and “Normality” in Postwar British Culture’, in R Bessel and D Schumann (eds) *Life After Death: Approaches to a Cultural and Social History of Europe during the 1940s and 1950s* (Cambridge: Cambridge University Press, 2003), p. 193.

<sup>294</sup> Braybon, pp. 270–271; See also: Alan Allport, *Demobbed: Coming Home after the Second World War* (New Haven: Yale University Press, 2009); Barry Turner and Tony Rennell, *When Daddy Came Home: How Family Life Changed Forever in 1945* (London: Hutchinson, 1995); Julie Summers, *Stranger in the House: Women’s Stories of Men Returning from the Second World War* (London: Pocket, 2009).

to relinquish them. Many women did serve in the forces and in war-related industry, as conscripts, workers or volunteers, billeted or living in barracks, however they tended to be unmarried and were significantly fewer in number than their male contemporaries away from home. War was a disrupting influence on home for both genders, however, and for people of all ages and marital statuses. Those away from home longed to return there, deprived of personal space, privacy and comfort by life in barracks or billets. Children were separated from parents and friends by evacuation, although many returned at some point during the war. Those who remained at home, generally married women, struggled with wartime austerity, rationing and personal economic hardship. The threat of losing one's home from aerial attack, the suspension of plans to set up home due to the disruption of war, and the temporary accommodation necessitated by evacuation, billets, barracks and camps, made home and its reconstruction a topic that pervaded all aspects of life and culture. Where space, modernity, standards of hygiene, or convenient location might have been previously prioritised attributes in selecting and making a home, security, comfort and familiarity were now more longed-for. Such themes influenced private plans and public policy in the reconstruction and post-war periods.

Home also featured in contemporary rhetoric as a place that was being defended by the war. The threat of invasion on land, of enemies coming right up to one's doorstep, was one that, though never realised, many people feared daily.<sup>295</sup> Wartime propaganda had it that the collective struggle was about defending the national identity of the British, which included the domestic, as well as defending 'home' as Britain, and 'home' as one's own family and dwelling. There also existed a sense that the focus of the war was London, as the nation's capital under threat, Brits were united by a responsibility

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<sup>295</sup> Amy Bell, 'Landscapes of Fear: Wartime London, 1939–1945', *Journal of British Studies*, 48.01 (2009), p. 158.

to preserve it. In popular memory London has been remembered as the main site of the Blitz, despite national aerial bombing campaigns and damage to many cities and rural areas all over the British Isles.<sup>296</sup> Significantly for this thesis, however, the case files and cultural circuits considered demonstrate that many experiences of home in London were common to many parts of Britain. They were certainly understood nationally, as demonstrated by newspaper reporting of cases of domestic murder, particularly reports that linked London cases with those outside of the capital, identifying common themes and concerns. It is also important to note that newspapers and other national communications that tended to highlight events in London were available to men wherever they were serving. Londoners and other Britons away from home would have been influenced by the messages they were reading about the capital during wartime and as they were coming home. Men who had spent most of the war abroad were surprised, on arriving in London after being demobbed, by the extent of the devastation caused by aerial bombing because newspapers they had received while away did not report the full impact of bombs out of fears for morale. Newsreels had also censored the extent of the damage out of fear for morale and providing information useful to enemies.

### **‘Let no tears add to their hardships’**

Letters in the case files and reactions to them by men show that women were unable to communicate the full extent of the hardships they faced at home to their husbands on the front, which helped to maintain mythical ideals of home amongst those fighting overseas. Newspaper and magazine advice columns, advertising and propaganda specifically discouraged women and men alike from communicating to each other the full extent of the horrors they faced.<sup>297</sup> As Margaretta Jolly found, self-censorship was

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<sup>296</sup> Ibid.

<sup>297</sup> Allport, p. 59.

particularly common in wartime letter-writing by wives at home (as echoed in the lyric ‘Let no tears add to their hardships’) to their serving husbands.<sup>298</sup> Newspaper censorship was echoed by letters from wives and family, who had similarly not fully described their experiences at home.<sup>299</sup>

Despite censorship and limits on what people were able and willing to write to one another about, letters bore great significance. As well as communicating that the other party was still alive, they showed that wives in particular were thinking of their husbands and writing to them in the evenings rather than going out and having a good time while they were away. The absence of letters, or of warmth in their writing, could cause serving men great consternation and worry about what might be going on at home.

As Fred B. described:

Whilst I was abroad [in the Army in India] I noticed the mail from my wife getting less and less and of a much cooler nature, I was only receiving mail perhaps one per month or maybe 2 in six weeks or so. I wrote and asked her to try to do better, in fact I pleaded with her for more mail... Things went better again for a while but only a little while, a matter of a few weeks, and then my mail disappeared again to only a very small amount... It struck me that my wife was taking advantage of my being abroad and having a good time. I mentioned my thoughts in some of my letters to Ivy my wife, but she always seemed to avoid my questions and her letters always remained very cool. This trouble and continued worry seemed to affect my nerves a great deal...<sup>300</sup>

Irregular or infrequent letters were a source of great jealousy and paranoia for serving men in several murder cases, although there was more often than not no proof of any wrongdoing on the part of the non-letter-writer. She might just be busy, or waiting for a letter from him. Fred’s wife Ivy, for example, felt that there had been a miscommunication;

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<sup>298</sup> Margaretta Jolly, *Dear Laughing Motorbyke: Letters from Women Welders of the Second World War* (London: Scarlet Press, 1997), p. 43.

<sup>299</sup> Allport, pp. 110–111.

<sup>300</sup> ASSI 84/33: 1945, Exhibit 1: Statement of defendant, 12 November 1945, pp. 1–2.



‘Dear Fred, I’ve been waiting for a letter, but it seems you’re waiting for me, I really don’t know what to say now, as we seem to have said it all...’ Sometimes she simply did not have anything to write about, apart from to tell him when their daughter lost a tooth or knocked her knee, or their son ‘went spud picking from school’.<sup>301</sup>

But it was the receipt of the letters and what the fact of them being sent communicated rather than their actual content that was important. Cyril P. expected two letters a week plus newspapers and cigarettes;

In your last letter you mention your love for me... you have a funny [way of showing it]. I have been out here three years now and I haven’t had the pleasure of smoking an English cigarette except what one of the boys had him sent to him, and then the [news]papers stopped. At least they reminded me that I was on your mind at all times. You see it used to give me a proud feeling when the boys used to get around my bed and tear at one another for the *News of the World* and it was always ‘thanks Kathleen for the week’s scandle [sic]’. Yes dear those boys thought a lot of you then and a lot of them are dead now.<sup>302</sup>

Men serving in Burma, like Cyril, were thought to be more worried than most about their wives’ fidelity because, unlike those billeted closer to home, they were abroad for years at a time.<sup>303</sup> Reg K., not from London but from Nottinghamshire, also complained of his wife’s on-and-off letter writing, to the extent that he asked his Army chaplain to contact Peggy’s local vicar to see what the problem was. This interference kick-started the letters again, but Peggy’s coldness in her correspondence seemed to confirm Reg’s suspicions that she was going out and having a good time with her girl friends in the Land Army when she should have been staying at home, waiting for him.<sup>304</sup> Reporting on the case later, newspapers highlighted the lack of letters, confirming that it was expected that

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<sup>301</sup> ASSI 84/33: Exhibit 2: Letters [undated] from Ivy to Fred B.

<sup>302</sup> CRIM 1/1698: (CCC, 1945), Exhibit 3: Copy of letter from Fusilier P. to his wife, undated. Some punctuation added for clarity of meaning.

<sup>303</sup> Ibid., Statement of May C., 20th August 1945, p. 2.; See also *News of the World*, 11 November 1945, quoted in: Turner and Rennell, p. 149 in all likelihood this refers to the same case.

<sup>304</sup> DPP 2/1354: (1945), Copy of voluntary statement by Reginald K., 6 April 1945, p. 1.

women should not be too busy to write to their serving husbands, no matter what other domestic or employment responsibilities might be demanding their time.<sup>305</sup> Letters and gifts meant being thought of, as Cyril described, and that a wife's spare time was being occupied, as described by Fred and Reg. Despite their very rarely communicating the realities of life at home such as bombs, rationing difficulties and work, the act of letter-writing represented intimacy. When letters from other men were found in Peggy K.'s handbag, suggesting that she had been writing to them too, she was condemned by the press who highlighted the deposition of a police officer.

In her handbag, which I took possession of at the home, were a number of letters from men, not her husband, written in endearing terms. Some of these letters bear the date 1941 and 1942, and there are two letters from a man named Robert P., of the United States Army, dated March and May, 1944 respectively. This man appears to be a coloured soldier of the United States Forces... From the tone of this letter it would appear that [Peggy K.] and Robert P. were very familiar with one another. The other two letters, one dated November 1944, and the other undated, are from a man signing himself 'Eddie'... Both are in endearing terms and it is obvious that the deceased has not been leading a creditable life whilst her husband has been in the Forces.<sup>306</sup>

The fact that one of the men who was writing 'familiar' letters to her was a black GI, would likely have contributed to the discredit attributed to Peggy K. Sonya Rose has argued that English women who dated American soldiers were considered a problem, sexually and morally deviant, and even more so if the GIs were black.<sup>307</sup> Unlike many other letters used as evidence in these cases, Peggy's letters are not extant in the file, and so it is not clear exactly what constituted familiarity and endearing terms sufficient to discredit her and what she was doing at home. What is clear is that letters generally were supposed to be received by husbands from wives, and that the mere existence of letters

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<sup>305</sup> Ibid., clipping from *Nottingham Evening Post*, 3 May 1945 [page number unknown].

<sup>306</sup> DPP 2/1354: 'Nottingham City Police General Report' DS Ellington to the Chief Constable, 11 April 1945, pp. 3–4.

<sup>307</sup> Sonya Rose, 'Girls and GIs: Race, Sex, and Diplomacy in Second World War Britain', *International History Review*, 19.1 (1997), pp. 152–3.

from another soldier was sufficient to suggest intimacy between him and a married woman. Encouraged to write to each other, but not to tell the truth about their hardships, married couples could only guess what their spouses were up to while one was away from home.

### **‘Although your heart is breaking’**

In a letter to her husband during the war, Kathleen P. wrote that the film she had just seen at the pictures, *Since You Went Away*,<sup>308</sup> ‘was like hundreds [sic] of homes in England today.’<sup>309</sup> In this film, made in the US for audiences on both sides of the Atlantic, Anne Hilton is struggling to keep her home going, both financially and emotionally, but prioritises strategies for making money go further at home that are within the law, as opposed to her wealthy and selfish neighbour who cheats rationing, uses the black market to obtain luxury goods, and is snobby about taking in lodgers. The film and Kathleen’s comments on it are illustrative of themes in other letters and in contemporary newspapers that show that the expectation was that married women would be at home, maintaining it, or waiting for plans to set up home to recommence. She might be working in essential war-related employment but her marital home was her central priority and her main responsibility, whether or not she had children, and this idea was reinforced by rhetoric from the state on reconstruction and women’s roles post-war.<sup>310</sup> Domestic thrift, financial frugality and prudence at home were considered to contribute to the war effort and to have national as well as more private, personal significance. Though this was posited as choice rather than necessity, many women found it difficult to cope with the

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<sup>308</sup> John Cromwell, *Since You Went Away*, 1944.

<sup>309</sup> CRIM 1/1698: Exhibit No. 2: Letter from Kathleen P. to her husband, Cyril, undated but bears the postmark 13 April 1945.

<sup>310</sup> Penny Summerfield, *Reconstructing Women’s Wartime Lives: Discourse and Subjectivity in Oral Histories of the Second World War* (Manchester: Manchester University Press, 1998), pp. 202, 207.

demands of rationing and shopping, feeding themselves and their families with the cost of food increasing and its availability restricted.

Patrick H.'s wife Lilian was typical of women described in histories of the period who struggled to keep themselves and their home without going to work while their husband was away. Separation Allowances received by wives for their husbands away in the forces were insufficient and so they had to work to pay their rent and keep themselves and their families.<sup>311</sup> For example Lilian H. received £2 15s 0d a week for Patrick. The bedsitting room she rented on East India Dock Road cost 25 shillings a week which represented just under half of this income.<sup>312</sup> Despite this, Lilian's husband still felt she should be able to manage without having to go out to work, or perhaps he felt ashamed that he could not provide enough for them to live on. 'I used to give her more money when she wanted it for housekeeping' [when he was on leave and staying with her] he said, but 'she was not able to manage well and always seemed short of money, and I had words with her over her carelessness with money.'<sup>313</sup> Lilian H. had numerous jobs during the war, including bed-maker, kitchen-maid, electrical welder (at three different factories), and undescribed roles at a canning factory and at 'the Sanitas company'. Wherever possible she attempted to find work near Patrick's postings, first in Chatham and then in Lowestoft after they were married. But Patrick went to the Labour Exchange to obtain his wife's release from her job in the canning factory because he felt it was damaging her health (whether she asked him to do so or had any say in the matter is unclear). It seems that she was lonely and bored while unemployed and living in Lowestoft, so she moved back in with her parents in Chatham. Later she found a job in London, and when her husband also 'caused her to leave' this employment she found

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<sup>311</sup> Braybon, *Out of the Cage*, pp. 146, 187.

<sup>312</sup> CRIM 1/1754: (CCC, 1946), Statement of Patrick H., 6th August, 1945, pp. 6–7 and 12.

<sup>313</sup> *Ibid.*

herself a job as a counter assistant in a chain of grocers where she earned ‘about £2. 10. 0d a week for the job’.<sup>314</sup> As Patrick was posted in England she was able to visit him when she was between jobs and could afford the fare, and he stayed with her wherever she was living when he was on leave.<sup>315</sup>

Women who owned property had other opportunities for income thanks to the peculiarities of wartime. Women like Lilian H.’s landlady were able to profit from the movement of people in and out of the capital. The scarcity of habitable homes due to the suspension of new building schemes, the creation of new relationships during the war like Patrick and Lilian H.’s, and the need for some people to move into the capital to find work, all increased the demand for housing, living in ‘rooms’ or boarding houses being the cheapest and most temporary arrangement. Given that Lilian H. was paying her landlady 25 shillings a week for her room, and there were ten people living in the house in six flats, keeping a lodging house must have been quite profitable. The landlady herself had two rooms and a scullery.<sup>316</sup> However, as it became clear that the war was coming to a close many people who had let out their homes wanted to return to London now that the risk of bombing was over. Kathleen P. was living in a house rented out as rooms ‘but the original landlady want[ed] the house back’ she told her husband Cyril, ‘we all [she and her neighbours] have to get out of this house as the owner wants to move in now the war is over’.<sup>317</sup> She was concerned that there would be no home for her to reunite her family. The war being over did not mean that she could immediately bring her family back

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<sup>314</sup> Ibid.

<sup>315</sup> Ibid.

<sup>316</sup> Ibid.: Statement of Sarah K., 9 January 1946, p. 1.

<sup>317</sup> MEPO 3/2302: Exhibit 2: Copies of letters from Kathleen P. to her husband dated 25 June 1945 and 2 July 1945, p. 5.

together under one roof. Even if Cyril was demobbed straight away he would be 'homeless', even if Kathleen was not, he complained.<sup>318</sup>

Despite the documents being biased toward a negative reading of the marriages depicted in the case files, they show that women missed their husbands and worried about them while they were billeted away from home. They were lonely, whether they had children with them or not. Kathleen P. missed her husband and her children during the war, and Lilian HK. missed male company. Though the latter had all her younger children with her by the end of the war, her husband was away for years and she missed him. Though women's war-work is often depicted as emancipatory, letting women 'out of the cage' of the boredom and drudgery of home, in many instances it added pressure to married women's already difficult war. The challenges of rationing were complicated by working shifts and having limited time to queue for food, for example.<sup>319</sup> Ultimately, whatever work women were required to perform in service of their country in terms of employment or volunteer work, it was on the home front that their national duty was expected to be universally exercised, to the extent that failure to meet the expectations of their domestic duties was deemed a betrayal of their country as well as of their family or spouse. Wartime propaganda aimed at women highlighted patriotic activities they could engage in at home by referring to the 'Kitchen Front' and how to make rations go further without resorting to the black market, 'Make Do and Mend', 'Dig for Victory', and other home-based pursuits.<sup>320</sup> However, the absolute primary duty of a wife on the Home Front was to maintain her home as it had been left. The ideal her husband remembered or imagined while he was away must be waiting on his return and

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<sup>318</sup> Ibid.: Exhibit 5: Statement of defendant, p. 12.

<sup>319</sup> Mass Observation, *The Journey Home: Advertising Service Guild's Report on the Problem of Demobilisation Conducted by Mass-Observation*, Change, 5 (London: John Murray, 1944), p. 58; see also Field, p. 208.

<sup>320</sup> Braybon, *Out of the Cage*, p. 235.

it was her job to keep it. Married women's primary duty was to their home and family, and then to their employment, the war offered no exceptions to the traditional gendered roles in marriage, a continuation of inter-war codes which dictated that women were expected to give up their jobs, if they had one, when they married and make marriage and housework their full-time occupation.<sup>321</sup> This perspective can be seen to be reflected in the views of members of the forces in the case files. Royal Navy Stoker Patrick H., for example, explained that he had 'caused [his wife] to leave her employment' three times because 'it was not my wish she went to work.'<sup>322</sup> His and other attitudes shown in the case files towards married women's participation in the labour market during wartime demonstrate not only the prevalence and significance of ongoing gendered values about paid labour for men and home spaces for women, but also shows a tension between individual values and the expectations of the state who were demanding women's participation in war work.

Kathleen P. was without her children during the war, a fact which gave her the freedom to go to the pictures and to dances with her friends, but also brought its own difficulties and deprivations. She and Cyril P. and their children had lived in Randolph Avenue, Maida Vale, before the war. Cyril's friend, Frank, had lived there with them and Kathleen found him unbearable when Cyril went away to service because of his constant surveillance of her and his stealing. 'I had to report him to the police three times... I don't know which was the worst - him or the buzzbombs' she wrote of Frank to Cyril.<sup>323</sup> Their five children (the eldest of whom was Kathleen's son from her first marriage), were evacuated out of London, safe from the buzzbombs, but moved around during the war, the eldest ones sometimes living with their mother when she had room for them. For most

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<sup>321</sup> Summerfield, pp. 202, 207.

<sup>322</sup> CRIM 1/1754: Exhibit 12: Statement of witness Patrick H., 6 August 1945, pp.2-4.

<sup>323</sup> MEPO 3/2302: Exhibit 2: Copy of letter from Kathleen P. to her husband dated 25 June 1945, p. 4.

of the war, however, the family were separated, Cyril in service in Burma, the children living with Kathleen's sister or mother near Oxford, and Kathleen herself living variously at different addresses in London and Oxfordshire.<sup>324</sup> Economic and personal circumstances prevented Kathleen having her five children live with her but she had no doubt that that was where they belonged; 'Of course my greatest wish is to have my own place with my children with me, God knows how much I miss them... I've struggled through the war years to look after them.'<sup>325</sup> Twelve-year-old Chrissie was 'a little mother' to her two youngest siblings, four-year-old Noreen and three-year-old Kitty (Kathleen Junior), 'so Rose [their aunt] doesn't do much for her money'.<sup>326</sup> Presumably Kathleen senior refers here to the allowance her sister would have claimed for taking evacuees into her home, despite the children being related to the people they were living with. Kathleen herself could not live there with them because of long-standing ill-feeling between her and her sister. Not all children were lucky enough to be evacuated to live in the homes of relatives or kin, but Kathleen and Cyril's children still found life difficult. They missed their parents and were rarely treated by their extended family as kindly as their mother and father would have wished.<sup>327</sup> 'They've had a rough time since I've been away', Cyril said.<sup>328</sup> For some women evacuation temporarily relieved them of their child-care responsibilities and allowed them some freedom. Women like Kathleen who were wives and mothers could enjoy a certain amount of economic independence if they were engaged in war-related employment and earning, and their children were being cared for by someone else. Without her children, Kathleen was able to go out to the pub, and also to watch films at the pictures.<sup>329</sup> However, evacuation was most often only

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<sup>324</sup> MEPO 3/2302: Defendant's statement pp. 11–12.

<sup>325</sup> Ibid: Copy of letter from Kathleen P. to her husband dated 2 July 1945.

<sup>326</sup> Ibid.

<sup>327</sup> Ibid: Defendant's statement, p. 14.

<sup>328</sup> Ibid., p. 15.

<sup>329</sup> MEPO 3/2302: Exhibit 2: Copy of letter from Kathleen P. to her husband dated 25 June 1945, p. 4.



temporary, and government and society still prioritised a woman's domestic responsibility and identity, even if she did not have children, or did not have children with her.<sup>330</sup> However, if she were to compromise that role, to be perceived to have betrayed her husband and her home, she was perceived to have also betrayed her national wartime duty. These links were reinforced in newspaper reports of wife-murders which prominently highlighted the wartime occupation of a husband in the forces and the failure of a wife to welcome him home in the way films and letters made him come to expect.

It is important to note, however, that homes were changing during the war years, and would in many instances not have been the same when returning soldiers were demobbed. Fred and Lilian HK.'s flat at Teale Street Dwellings, Shoreditch, for example, was becoming increasingly overcrowded as the war ended. The block of flats and similar ones nearby had been deemed unsafe by the Medical Board in the 1930s and slum clearance planned, partly because of overcrowding and poor sanitation. However, plans were halted by the outbreak of war and families continued to grow. At the same time that Fred HK. was being demobbed in July 1945 his son was also returning from the army, and eight of their eleven other children were living at home.<sup>331</sup> The two youngest children had grown up in the war years from toddlers to needing their own beds, though they still did not have them, and their other children had gradually migrated back home from being evacuated, some on more than one occasion. Fred HK. said of his family 'We were poor, but we got on O.K. We have eleven children and the missus was a good mother.'<sup>332</sup> But she was not a good wife, he said, and he suspected her of having an affair with a soldier called John while he was away in the Army. After Fred HK. killed his wife, police tracked down the soldier and interviewed him, not about the murder, but about his relationship

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<sup>330</sup> Braybon, *Out of the Cage*, p. 159.

<sup>331</sup> CRIM 1/1703: (CCC, 1945), Statement of defendant, 11 August 1945.

<sup>332</sup> Ibid.

with Lilian HK. It seems that the dead woman was on trial for extra-marital sex as much as her husband was for her murder. John described their long relationship which included sex, regular visits and dates, exchanging letters and intimate thoughts.

Despite John's admission in a police interview that he had been having an affair with Lilian HK., her Teale Street flat was examined in the first instance for evidence that she had not been maintaining it for her husband while he was away serving. Police looked for evidence there that Lilian had been cheating on her husband Fred. As far as they were concerned, such evidence had been found. The most significant item of evidence in favour of Fred's manslaughter rather than murder of Lilian was not the deposition by John, her lover, but a deposition by one of Fred and Lilian's daughters that showed that Lilian's male house-guest, John, had not slept in the bedroom in which she, the daughter, slept, nor in the kitchen-living room where her brother slept on fold-up chairs. There was only one other room in the flat and that was slept in by her mother (and the two youngest children), thus her adultery was proven.<sup>333</sup> Her betrayal of the home was seen as provocative to her returning husband. Furthermore, on the day he stabbed her, Fred had had a conversation with Lilian about the fact that the family had outgrown the home they lived in and that it was no longer appropriate for them since Fred and one of their sons had been demobbed. 'This place is getting too small for both of us, if you don't go, I will' Fred said Lilian told him. This exchange was highlighted as being significant in causing him to stab her to death.<sup>334</sup>

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<sup>333</sup> CRIM 1/1703: Deposition of Dorothy H., 28 August 1945.

<sup>334</sup> Ibid: Statement of defendant, p. 2.

### **‘Your lads are far away’**

New leisure opportunities, friendships at work or in service, camaraderie with co-workers from different walks of life, and new sexual encounters were made possible by wartime work for both genders. Both men and women also shared fear for their lives in the Blitz and in action, and also likely felt lonely separated from each other for long periods and over long distances. Although concessions were made for men, as will be explored below, women were expected to live with their loneliness. A married woman was expected to be sleeping alone if her husband was away, and not going out at night or having a good time without him. He, on the other hand was allowed a certain amount of understanding if he chose to indulge in opportunities for leisure and sexual freedom, because he might die tomorrow and he was lonely and far from home.

A further significant difference between expected behaviours of the genders at home during wartime was the contrast between women’s desire to move forward, for things to change, and for men to go back to the way things had been before the war. This latter perspective is evident in cases that highlight husbands in the forces who came home temporarily on leave and were disappointed by what they found there. Statements and the way they were commented on and used show that husbands expected their wives to put aside their usual routines and give all their time and attention to their spouses when they were on leave. Good food and familiar home comforts were expected. Further, when he was demobbed to come home permanently the husband often expected an emotional and warm reunion with his wife, that she would step away from her roles in employment and as head of the household to allow him to take over again, and that the home place, space, and family dynamic would be exactly the same as they had always been before the war, including the expectation that their romantic and sexual relationships would be renewed. Some recent scholarship has explored the difficult transition families experienced in the

period of reconstruction, particularly with husbands and fathers attempting to re-integrate into a home that they had been absent from for so long. Julie Summers' *Stranger in the House*, Barry Turner and Tony Rennell's *When Daddy Came Home* and Alan Allport's *Demobbed*, each describe the difficulties families faced, though they tend to focus on male presence and difficulties with reintegration of men into the home and family.<sup>335</sup> Government policy and communication seemed to anticipate some difficulties men would have returning to their former jobs, and families with finding places to live, however little provision was made to smooth the emotional transition back into the home for couples. Building schemes, for example, tried and failed to meet the increased demand for housing, but more significant was the emotional distance between partners that had been created by the war.<sup>336</sup> Cases of domicide particularly show that married men and women were ill-prepared to cope with the reality, as starkly different from the myth perpetuated in letters, of what home had been like while people were away during the war, and the impact the war had on people's psychological well-being, the problems they brought home. The different expectations of married men compared to married women with regard to home shown in the case files provides possible explanations for these difficulties.

### **'They dream of home'**

Though letters cannot accurately reconstruct wartime experiences due to problems of self-censorship, the murder case files with their numerous sources and depositions go further towards reconstructing wartime experiences and behaviours from various angles. Most highlight sexual double standards as well as women's double burden of work and home as shown above. Part of the reality of home for men in wartime was that serving in the forces and living away from home allowed them a certain amount of

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<sup>335</sup> Summers; Turner and Rennell; Allport.

<sup>336</sup> Allport, pp. 136–8; Summers, p. 13; Thane, p. 194.

freedom from their families and marriages. Not only could married men staying away from home in billets act as though they were not married, they could construct entirely fictional identities for themselves. Though some men may have joined neighbours, friends or co-workers in the same regiments by joining up together, entering the forces could also be an opportunity for personal reinvention; to go by a different name, or invent a back-story that made one appear grander and command greater respect from colleagues. For example in a famous murder case, Neville George Cleveley Heath gave himself a back-narrative of education, affiliation, decoration and reputation that he did not possess when he joined the RAF and later the South African Air Force. His debts, marriage, and criminal record did not catch up with him properly until he was arrested on suspicion of murder.<sup>337</sup> Gordon Cummins, ‘The Blackout Ripper’, similarly threw his stolen money, self-given nicknames like ‘The Duke’, and well-spoken voice around in a way that made his colleagues and superiors believe he came from a much higher social background than he likely did.<sup>338</sup> US Army Private Karl Hulten, alias Lieutenant Ricky Allen, painted himself as a Chicago gangster and criminal mastermind in order to endear himself to those he wished to impress. Unknown to him, his co-defendant Elizabeth Jones did the same thing, pretending to be an aspiring film star in order to play the ‘moll’ to Ricky’s gangster.<sup>339</sup> Each of the men in these cases used the identity he had constructed for himself, away from his wife and, in two cases, children, to engage in extra-marital affairs or sexual activity, and gain the trust of people they killed. Unlike other cases used in this thesis, these were not domestic murders per se, but they still have much to say about home in wartime in other ways. Of course, simply moving to another city or country might also provide such an opportunity, but the forces provided the travel, accommodation,

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<sup>337</sup> Sean O’Connor, *Handsome Brute: The Story of a Ladykiller* (London: Simon & Schuster, 2013).

<sup>338</sup> Simon Read, *In the Dark: The True Story of the Blackout Ripper* (New York: Berkley Books, 2006).

<sup>339</sup> DPP 2/1286: JONES and HULTEN: Murder (1944).

camaraderie and leisure opportunities, whilst the war itself provided an attitude towards members of the armed forces that permitted them to indulge in behaviours (for examples drinking, gambling, spending money, and pre-marital or extra-marital sex) that otherwise would have been treated much more harshly.

Loneliness, being far from home and wives or girlfriends, and being close to possible death, were reasons given for wider society's turning a blind eye to extra-marital sexual activity on the part of serving men. Their status as heroes and the danger in which they placed themselves when on duty was seen as an excuse for their behaviour at night.<sup>340</sup> Similar views may also have influenced the lack of discipline and security in the living arrangements of some of the British servicemen. Given that London restaurants and public houses were, at least anecdotally, full of uniformed personnel every night, and that most billets operated a curfew (at least in theory), many blind eyes must have been turned. Examples of the way these attitudes affected servicemen's experiences away from home during the war can be found in the case files relating to Gordon Cummins.<sup>341</sup> The case shows that logistics as well as attitudes allowed RAF, Army and Royal Navy men to do as they liked in urban and rural camps and billets, with many superiors turning a blind eye to minor indiscretions, sexual activity, curfew-breaking and drinking after hours, even if rules were broken. By examining this experience we can see why privacy and comfort were prioritised as post-war home ideals by men.

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<sup>340</sup> Edward Smithies, *Crime in Wartime: A Social History of Crime in World War II* (Allen and Unwin, 1982), pp. 140, 155–6; Jolly, p. 24; Braybon, *Out of the Cage*, p. 206.

<sup>341</sup> CRIM 1/1397: CUMMINS, Gordon Frederick. Murder and Attempted Murder (CCC, 1942), DPP 2/952: CUMMINS: Murder 4 Cases. Attempted Murder 2 Cases, 1942; DPP 2/989: CUMMINS: Appeal - Murder', 1942; MEPO 3/2206: Murder of Four Women and Attempted Murder of Two Others by Gordon Frederick Cummins in the West End of London between 8 and 13 February, 1942, PCOM 9/919: CUMMINS Gordon Frederick: Convicted at CCC 15 April 1942 of Murder and Sentenced to Death, 1942, HO 144/21659: CRIMINAL CASES: CUMMINS, Gordon Frederick Convicted at CCC on 28 April 1942 for Murder and Sentenced to Death, 1942.

Though much provision was made for them, billeted men lacked the kind of comfort they were used to at home. St James' Close, a red-brick Art Deco style block of purpose-built luxury flats overlooking Regents Park, was one of many similar buildings requisitioned by the RAF during the Second World War as living quarters for staff passing through the Air Crew Receiving Centre at Lords Cricket Ground. Numerous buildings in the area around Regents Park formed the complex where new RAF recruits came in, took their medical examinations and fitness tests, were sorted into flights, received their kits, and were assigned to other parts of the country before moving on. Existing flights moving from one posting to another or attending training courses also stayed here temporarily. The park itself was used for marching and drills, the restaurant at the zoo as a canteen, and the pavilion at Lords as a hospital and dispensary. A nearby YMCA was used as a resting place for evenings off and time between duties where men could drink tea, read, and chat. Men were also able to avail themselves of every opportunity provided by London nightlife being so close by. Very few individuals spent more than a few weeks staying at the ACRC and, as one Airman said 'the men [are] in and out and are in a constant state of flux.'<sup>342</sup> This movement meant men could not easily be traced by debtors, police, or sexual partners they wanted to leave behind when they left the camp and London.

Different ranks and established flights received slightly different living conditions and privileges from brand new recruits, though at Abbey Lodge in London (the name given in the collective to the residential buildings because this was the main one in which mail was received) the differences were less pronounced than at other RAF bases and postings. At RAF Colerne in the Cotswolds, for example, more mature members of staff and especially those of higher rank, were allowed to choose to live in

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<sup>342</sup> CRIM 1/1397: Statement of Kenneth Moon, pp. 11–12.

private billets in nearby villages or on farms, sometimes up to a few miles from the main Camp where they ‘could more or less do as [they] liked when off duty’ and their activities would not be known.<sup>343</sup> This also says much about the supposedly socially equalising impact of war. In fact everyday experiences were still stratified by social class and other factors, even in the forces. However Colerne had much less to offer than London in the way of evening activities. A local village pub and a dance or two did not compare to the variety of entertainments offered by the capital. The lack of security and surveillance existed in many postings and was not just limited to RAF or British forces but also extended to members of allied forces from overseas. With millions of uniformed personnel from various forces and countries, stationed all over the UK in various billets and camps, some working, some on leave, others off-duty, it was impossible to keep track of every individual and where they should be.

St James’ Close was converted to a billet housing 300 men by removing furniture and fittings, bricking up the bay-fronted windows and removing all interior doors except the ones to bathrooms and fire escapes. In flat 27, for example, all habitable spaces, including former living and dining rooms, were fitted with three-tier bunks to maximise sleeping capacity. Rooms A and B had previously been the living and dining rooms with an archway separating the two areas. Room B was, in February 1942, home to eight men though it could accommodate more.<sup>344</sup> Privacy was minimal, and there was little or no storage space for personal or valuable possessions, each man kept his belongings in his kit bag on his bed or hung on the bunk, risking theft.<sup>345</sup> Superior officers could search bunks and rooms at any time without notice and in theory each man should

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<sup>343</sup> MEPO 3/2206, Central Officers Special Report, Met Police, 30 June 1942, p. 10.

<sup>344</sup> CRIM 1/1397: Statement of Kenneth Moon, p. 11; DPP 2/989: Opening speech by Justice Humphreys on behalf of the Prosecution, 27 April 1942, pp. 3–4; Transcript [examination of PC Thomas McIndoe, plan-maker], pp. 2–5.

<sup>345</sup> See CRIM 1/1698: Exhibit 3: Copy of letter from Fusilier Cyril P. to his wife [undated], p. 8.



have slept in his bunk every night unless he was on overnight leave, even if he had family living within commuting distance.<sup>346</sup> Leading Aircraftman Gordon Cummins had a wife living at Barnes in London which he could reach in an hour and a half by bus and train, but was only able to visit her if he had leave on a Sunday, after attending Church Parade which was compulsory. In Barnes Mrs Cummins rented a two bedroomed flat with her sister, but this was a temporary wartime arrangement as she and her husband, both in their mid-twenties, talked of settling somewhere bigger in a more central, more upmarket area of London at the end of the war.<sup>347</sup> Despite rules on curfew, travelling, and sleeping outside of the billet overnight, Cummins and many of his colleagues constantly broke the rules during their stay in London, although he did not break the rules to spend nights with his wife. An orderly on duty in the ground floor hallway of St James' Close was supposed to book residents in and out of the building by entering 'in a book the name, number and rank of the person going out, and when he enters the name in the book he gives it to the orderly who checks one in'.<sup>348</sup> However in practice the 'checking in' was not properly checked or monitored and it was the practice of residents of the building to come in at all hours (3.30am, 6am, 4.30am, 11.30pm on specific occasions) using the fire escape at the rear of the building. Their official curfew was 10.30pm, lights out at 11pm, and the men were supposed to be in bed until Reveille just before 6am.<sup>349</sup>

The Cummins files tell us exactly where these men were and what they were doing during the hours they should have been in bed in their billet home at St James' Close, the activities that the fire escape access and poor surveillance allowed them to

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<sup>346</sup> CRIM 1/1397: Statement of Kenneth Moon, p. 11.

<sup>347</sup> Ibid., Statement of Gordon Cummins, 18 February 1942, pp. 1–2; PCOM 9/919: Copy of letter from Cummins [prisoner] to his wife, 12 May 1942.

<sup>348</sup> CRIM 1/1397: Statement of Cummins, p. 2.

<sup>349</sup> CRIM 1/1397: deposition of Felix Johnson, pp. 8–9; deposition of Kenneth Moon, p. 11; deposition of John Cavendish, p. 8; Statement of Cummins (14 February 1942), p. 2; DPP 2/989: Opening speech by Justice Humphreys on behalf of the Prosecution, pp. 3–4.

indulge in. Even where Cummins lied to place himself away from the scenes of the murders he was later judged to have committed, his colleagues describe their exploits with him in detail. They corroborate the notion of the West End of London as a pleasure ground for members of the forces from Britain and abroad during the years of the war to indulge in food, drink, dancing and sex, as described by Judith Walkowitz.<sup>350</sup> Cummins himself knew London well having lived there before, but colleagues who did not would have at least known the West End by reputation, and any member of the forces was expected to know that sex could be bought from women in the streets (even in the Blackout), or in the many pubs, bars and restaurants.<sup>351</sup> It was well and widely known that Piccadilly was the place to go for casual sex, as shown in a letter by 'Blackie', a member of the Women's Royal Army Corps, to her husband telling him that she did not love him and so could not consummate or continue their new marriage. She could not have sex with someone she had no feelings for, she said, 'I am not as well made as those in Piccadilly'.<sup>352</sup>

During the few weeks they spent in St James' Close, Cummins and other members of his flight visited Café Monico and Oddenino's Restaurant on Regent Street, Princes Bar, Chandos Restaurant, the various beverage-specific bars and restaurant at The Trocadero, Brasserie Universelle, Martinez's Spanish Restaurant on Swallow Street, all within a few hundred yards of Piccadilly Circus in the West End, all described as 'well-known' places by prosecution counsel, and as being filled with members of British, American, Canadian, and West African forces. This volume and movement of people contributed to the opportunity for self-re-invention and allowed Cummins to flash his

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<sup>350</sup> Judith Walkowitz, *Nights out: Life in Cosmopolitan London* (New Haven: Yale University Press, 2012), pp. 9, 11, 300 for examples.

<sup>351</sup> Smithies, p. 143.

<sup>352</sup> CRIM 1/2009: (CCC, 1949), Exhibit 5: Letter from 'Blackie' [Mrs W.] to her husband 'Slim', undated, p. 2.

cash around, paying for drinks and meals for his colleagues and friends to further cultivate an identity as a man of means.<sup>353</sup> Eating and drinking, dancing and talking went on in these places, by women as well as men. Women such as Margery Gardner in the Heath case met men there to take home for casual sex, for company, for a night out or a free meal, as well as men meeting women for casual sex, but the business of sex for money was also arranged here.<sup>354</sup> Women working as prostitutes met regular clients by appointment in these establishments, or made new acquaintances, or just went out drinking themselves. Other women worked on the streets in the area, where it was known that a man could meet a woman and go home with her for about a pound.<sup>355</sup>

Though the lack of security and willingness to ‘turn a blind eye’ undoubtedly permitted men staying away from home in billets and barracks a certain amount of sexual freedom, they still missed the comforts of home. Arguably the most significant aspect of home life that they missed was privacy. As described above in the case of Cummins, living in camps and barracks afforded little personal comfort, expression of identity or privacy. Cummins spoke emotively of going home with a woman working as a prostitute and describes how comfortable he felt sitting in an armchair by the fire in her sitting room.<sup>356</sup> It is this setting, often with an addition of a newspaper and slippers, which features in idealised dreams about home by men during wartime.<sup>357</sup> It is a motif that also features in popular films of the period. Tim Hilton’s armchair by the fire is waiting for him, empty, with his dog in front of it, for the day he returns home in *Since You Went Away*.<sup>358</sup> Megan Doolittle and Julie-Marie Strange have shown that the armchair occupied

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<sup>353</sup> CRIM 1/1397: Statement of Cummins (18 February 1942), pp. 2 & 6; Deposition of Felix Johnson, p. 9.

<sup>354</sup> O’Connor, pp. 45–6, 64.

<sup>355</sup> Various depositions including, for example CRIM 1/1397: deposition of Katherine Mulcahy otherwise Kathleen King, pp. 2–3.

<sup>356</sup> CRIM 1/1397: Cummins statement p. 3.

<sup>357</sup> Also mentioned in Langhamer, ‘Meanings of Home’, p. 344.

<sup>358</sup> Cromwell.

a symbolic and literal central place in the living space of the home, representing masculinity, authority and prioritised comfort.<sup>359</sup> Returning to this position in the centre of the household also symbolised regaining control over one's living space and surroundings, whereas in camps and barracks men had little control over the look or feel or atmosphere of their temporary dwellings. However it seems that few working class families were living in the same dwelling at the end of the war as at the beginning.<sup>360</sup> Men were unlikely to be coming back to the same home, and they were also to find that their wives had changed. Though they did not write about the new experiences they were having in employment, domestic economy, housing, aerial attack and wartime austerity, these things had changed them, and there was little official provision for the emotional adjustments that would be necessary for both spouses to live together again.

### **‘The boys come home’**

The expected warm and happy reunion, and expectation that the wife would give up her usual routine when her husband returned home or was on leave, is illustrated particularly in the case of the murder of Ivy B. In newspaper reports on the case, her husband is described explicitly in terms of his occupation (*‘Private Frederick B...’*) in the Army, and highlights that it was August of 1945 in which he was coming home and the incident took place. Although he had yet to be properly demobbed, the newspaper strongly implies the link between the date (the end of the war) and Fred's coming home, even though he was only on temporary leave. Newspaper reports describe that Fred B., on coming home, found that his wife was alleged to have been associating with other men, specifically ‘with other soldiers’ and that though she refused to go out to the pub

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<sup>359</sup> Megan Doolittle, ‘Time, Space, and Memories: The Father's Chair and Grandfather Clocks in Victorian Working-Class Domestic Lives’, *Home Cultures*, 8.3 (2011), p. 252; Julie-Marie Strange, ‘Fatherhood, Furniture and the Inter-Personal Dynamics of Working-Class Homes, C. 1870–1914’, *Urban History*, 40.02 (2013), p. 279.

<sup>360</sup> Braybon, *Out of the Cage*, pp. 263–4.

with her husband he ‘found her with a man named Charlie in a public house.’ In bold letters, readers are told ‘His wife... laughed in his face when he said he had come [home on leave] to see the one he loved.’<sup>361</sup> The article says the ‘one’ but his statement describes the same event and refers to ‘ones’ plural, meaning his wife and their two children, who are not mentioned in the article.<sup>362</sup> Finally, the following passage is given significance:

**Refused to Kiss**

When, on November 12, he pleaded with her for the last time, she refused his efforts to embrace and kiss her, struck him, and made a certain remark.<sup>363</sup>

It is really only possible to speculate about what actually happened in Ivy B.’s bedroom and whether Fred was telling the truth or not, but much of the evidence points to his attempted rape of his wife and that he strangled her when she fought him off. But what is particularly striking is the change Fred expected Ivy to make to her routine, and that he expected her to let him get away with treating her badly because he was on leave from the forces.

Despite the highly London-centric nature of crime reporting by the *Daily Mirror*, this comparatively rural crime (a village near Congleton, Cheshire) was likely selected for reporting because of the perceived betrayal of a returning soldier. It had much in common with other wife-murders by returning soldiers that were taking place in London and all over the country, which is why it has been selected for this thesis, despite it not having taken place in London. Elements of Ivy’s behaviour that were capitalised upon were her alleged relationships with other soldiers, despite the fact that the only evidence for this was that her letter-writing had been erratic during one period, that she had had friends among the men billeted nearby and had been seen at the local public house

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<sup>361</sup> *Daily Mirror*, 4 December 1945, p. 8.

<sup>362</sup> ASSI 84/33: Statement of defendant, p. 3.

<sup>363</sup> *Daily Mirror*, 4 December 1945, p. 8.

with them.<sup>364</sup> In her letters, Ivy admitted to going out drinking, and to having friends including an American, but she worried about Fred's jealous behaviour when he came home permanently (see above) and warned him that she did not want to go back to staying at home all the time as she had done before the war:

I just can't stick the kind of life you expect me to lead, I see others happy, yet I must always be beaten down and miserable, I'm sorry, I just can't do it, I've tried, God knows how hard I've tried to go your way but its no use, I'm not shutting myself away from everyone [again], please don't be nasty when you read this, just look at it my way, and write and tell me what you intend to do.<sup>365</sup>

Her letters and his statement strongly suggest that his visits home when he was stationed in England were last-minute, even surprises, as he tried to catch her up to something. His paranoia distressed her, and she refused to change her plans to go out and socialise at the last minute. During the war years her children had become old enough to be left on their own in the evenings, and their Aunt lived a few doors away and was happy to take care of them when their mother was out while their father was away. This case is just one example of married men wanting to return to the way home had been, and married women wanting to start afresh or at least embracing change.

Newspaper articles and police reports highlight, not only Ivy B.'s unwillingness to change her plans and spend every moment of her husband's leave at home with him, they also highlight her lack of warmth and greeting, as well as her absences from home while he was away being evidence of her associations with men other than her husband.<sup>366</sup> '[T]here was no warm embrace or a loving kiss to welcome me home' Fred complained, although he had found that she had not received his telegram informing her of the day and time he was coming.<sup>367</sup> There is an implication that the

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<sup>364</sup> *Daily Mirror*, 16 February 1946, pp. 1, 8; 4 December 1945, p. 8

<sup>365</sup> ASSI 84/33: Exhibit 2: Copy of letter from Ivy B. to her husband, Fred [undated].

<sup>366</sup> *Daily Mirror*, 16 February 1946, pp. 1, 8; 4 December 1945, p. 8.

<sup>367</sup> CRIM 1/1754: Defendant's statement, p.4.

‘certain remark’ in the newspaper article refers to sex but it is not clear. As Adrian Bingham describes, court reporting in this period was still highly euphemistic and censored any sexual details.<sup>368</sup> In the police report, however, the implication is that Ivy B. should have been having sex with her husband, and her refusal was evidence of her having sex with someone else. Police found no evidence of her actually having sex with other men, nor did she make any confessions about this in her letters to her husband. Her socialising with men may have been perfectly innocent, after all it was conducted in public places like the local pub, and with the full knowledge of her husband. Ivy may have simply been enjoying flirtatious behaviour, or she may have been having sex while her husband was away. Whatever the truth of this situation, the intervention used to analyse the documents in this thesis illustrates the sexual double standard in operation at this time, and that suspicion of infidelity on the part of the female victim was enough to assume motivation for her husband or partner to murder her, despite the fact that in divorce cases where adultery was the cause, the act of adulterous sex was very difficult to prove. It is also possible that the letters were staged; an arrangement between the couple to allow Fred to obtain a divorce free of charge with the help of his Army Welfare Officer. This kind of collaboration was not unknown, was a much easier method of obtaining a divorce than without the assistance of the forces, and may have skewed wartime and reconstruction-time divorce figures to make it appear that women’s adultery while men were away from home was a major cause.<sup>369</sup>

Fred and Lilian HK.’s case is also illustrative of different expectations between married men and married women. On their last meeting, John, Lilian’s lover, described how ‘She had made a suggestion about our setting up house together, but I

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<sup>368</sup> Bingham, *Family Newspapers?*, pp. 128–9.

<sup>369</sup> Langhamer, ‘Adultery in Post-War England’, p. 94.

didn't agree to this as I am quite happy at home.'<sup>370</sup> His 'home' included a wife and three children in Belfast, and it is clear that John considered the affair only a temporary one for the duration of the war, at the end of which he would return to his 'happy home'. Lilian HK., on the other hand, did not want to resume her marriage with her husband. She was scared of him, and sought a court order against him when he was violent with her, punching and slapping her in the face and threatening to stab her. When Lilian sought help from her lover John, he advised her to withdraw the court order and to try to patch things up. He was about to be demobbed himself and intended to go straight home to his wife.<sup>371</sup> Lilian's husband Fred, however, believed that his wife was going to leave him for John, and when he confronted her about the affair, she refused to give him an explanation, saying only 'This place is getting too small for both of us, if you don't go, I will.'<sup>372</sup> He described her as being cold to him since he had been demobbed, further evidence for her affair being the lack of a warm welcome home, as in the cases described above of wife-murder by returning soldiers. She did not want to spend time with him as before the war, she had previously followed him everywhere, he said. Lilian HK. refused to go out with her husband after the war as she had done so before it, in the same way that Ivy B. did when her husband was home on leave. 'I don't want to blacken her, but she drove me to it' Fred HK. said of his wife.<sup>373</sup> The court and the *Daily Mirror* both accepted the view of him as cuckolded but loving husband and father, just back from the war. His status and identity as a soldier was a key feature of newspaper reports on the subject.<sup>374</sup>

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<sup>370</sup> MEPO 3/2305: Murder of Lilian H. by Frederick H. at Teal Street Buildings, Shoreditch on 11 August, 1945 (1945), Statement of John.

<sup>371</sup> Ibid.

<sup>372</sup> CRIM 1/1703: Statement of defendant, 11 August 1945, p. 2

<sup>373</sup> Ibid.

<sup>374</sup> *Daily Mirror*, 22 September 1945, p. 3; 14 August 1945, p. 3.



In the case of the murder of Peggy K., too, the wife's unwillingness to return to the way her home and marriage had been before the war was highlighted in court and in newspapers as sufficient provocation for her husband to kill her. It was not the fact that she had had an affair, become pregnant, and confessed to her husband that her unborn child could not be his because he had been away at war when it was conceived. She wanted to remain married to her husband but, unlike Kathleen P., was not willing to give the baby up. Her husband Reg considered Peggy's desire to keep the baby 'think[ing] more of the father of the baby than she did of me'.<sup>375</sup> Again, he highlighted Peggy's cold reception toward him as exacerbating the betrayal and her unwillingness to return to pre-war married life:

'I was upset and her coldness towards me after so long away made me more so... She did not want to lose me. I told her she must have the baby adopted and come back to me or she was finished. We had an argument over that, but it was no use, so I strangled her.' Accused in his statement added that he loved his wife very much, and it would not have happened [her being strangled] if she had remained faithful to him.<sup>376</sup>

In this case the prosecution counsel, like the judge in Fred and Lilian HK's case, attempted to highlight the legal and cultural implications of the verdict, showing that the cuckolded serving husband was a trope the public would be familiar with:

Mr Robey commented that there would be a lot of sympathy for the prisoner. He had been fighting for his country and whilst he was away from home his wife had been unfaithful to him, [and] as one knew that was all too common.<sup>377</sup>

On the other hand, Robey commented that 'the remedy was the divorce court and not for the injured husband to take the law into his own hands.' Despite this:

Reginald Arthur K., soldier, was found not guilty of murder but guilty of manslaughter... Mr Justice Macnaghten said [he] had

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<sup>375</sup> DPP 2/1354: Copy of voluntary statement by Reginald K., 6th April 1945, p. 1.

<sup>376</sup> Ibid: clipping from *Nottingham Evening Post*, 3rd May 1945 [page number unknown].

<sup>377</sup> Ibid.

been in prison for three months, which, in the circumstances was punishment enough, and he was discharged.<sup>378</sup>

In each case, and in other similar ones, the obviousness of what the verdict of the jury should be is alluded to in the article, the implication being that the jury's verdict was reasonable and just:

In his summing up [of the Fred and Ivy B. case] the Judge told the jury that 'guilty' or 'not guilty' was the only verdict they could give - they must rule out manslaughter.

They returned their verdict after being absent seven minutes.

*As he walked out of the court a free man with his father, two brothers and uncle, [Fred B.] told the Daily Mirror that he would be reporting back to his unit from which he hoped to be demobbed shortly. [italics as per original]*

Then he went home to see his children, red-headed Barry and Barbara, who have not seen him for three months.<sup>379</sup>

Similarly, Patrick H. was described as a family man, having the sympathy of his dead wife's parents who said 'He was 'perfect husband'' which features as an emboldened headline on the continuation of the article later in the newspaper.<sup>380</sup> The positive and patriotic attributes of the husbands are highlighted, while the actions of their wives are described in highly negative terms. For example, newspapers described how Reg K.'s jury took only 15 minutes to return their verdict that, though guilty of the manslaughter of his wife, he had 'acted under the strongest provocation' when he killed her.<sup>381</sup>

The final *Daily Mirror* news report in the case of Ivy B. links her murder with that of Lilian H. with the main, front page headline '**2 HUSBANDS ARE CLEARED OF WIFE MURDER**'. In each case both are described as good husbands who are

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<sup>378</sup> Ibid., *Nottingham Guardian*, 3rd July 1945 [page number unknown].

<sup>379</sup> *Daily Mirror*, 16 February 1946, pp. 1, 8.

<sup>380</sup> Ibid., p. 8.

<sup>381</sup> ASSI 84/33: Letter from A.F. Parker, Assize Courts, Nottingham, to G.R. Paling Esq. 2nd July 1945; Clipping from *Nottingham Guardian*, 3rd July 1945.

committed to, and supported by, their families, but primarily identified by their roles in the war. The sub-heading immediately below the headline reads

**TWO Servicemen, one recently back from the Far East, the other discharged from the Navy with tuberculosis, yesterday stepped from the dock free men, acquitted of the murders of their wives** [emphasis as per original].<sup>382</sup>

Their dead wives, on the other hand, are described euphemistically as ‘passionate’ (Lilian H.) and going ‘out with other men’ (Ivy B.). Despite the geographical distance and significant differences between the two cases in actuality, they are reported together with much in common in the newspaper. Ivy’s ‘certain remark’ is paralleled by Lilian’s telling her husband he was ‘no good to her [sexually] and taunt[ing] him because he was deteriorating physically’ (he was suffering from suspected TB).<sup>383</sup> ‘I was unable to have sexual connections with her in consequence of my health [and] she told me I was no good to her’ Patrick H.’s statement explains. But ‘So far as I know she has no association with any [other] man.’<sup>384</sup> Despite this, police and press attempted to paint Lilian as an adulteress, the latter by comparing her case with that of Ivy B. But in contrast to later descriptions of her, initial newspaper reporting of Lilian H.’s death portrayed her as an innocent, blameless victim of some sinister, unknown killer. At the time this initial article was written and published on 7 August, 1945, her husband had yet to be arrested on suspicion of her murder.<sup>385</sup> As soon as he was, police began scrutinising not only their home for evidence of how Lilian H. had died, but also for evidence of her infidelity, and most particularly, for her failure as a wife. It is unclear to what extent Patrick H.’s statement has been shaped by police questions, but he repeatedly refers to having no knowledge or suspicion of her being with other men, as though he is being directly

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<sup>382</sup> *Daily Mirror*, 16 February 1946, pp. 1, 8.

<sup>383</sup> *Ibid.*

<sup>384</sup> CRIM 1/1754: Exhibit 12: Statement of defendant, 6th August 1945, p. 5.

<sup>385</sup> *Daily Mirror*, 7 August 1945, p. 3.

questioned on the subject.<sup>386</sup> On the other hand, he had plenty of evidence for her failing in other expectations as a wife: ‘you can see by the state of this room how she has behaved, and not looked after me’ he told police,<sup>387</sup> who also interviewed the landlady. She had come into the couple’s room one evening and told Lilian off for not having dinner ready for her husband.<sup>388</sup> This information bears very little significance to the charge of murder against him, other than to consider the behaviour of his wife toward him before he allegedly killed her.

Before the jury retired in the case of Fred and Lilian HK., Mr. Justice Tucker is quoted by the *Daily Mirror* as saying:

It remains the law, subject to certain aspects of provocation, that no man or woman is allowed to take the law into his or her own hands and kill an unfaithful wife or an unfaithful husband. That should be known by everybody. If Parliament thinks fit to pass an Act that returning soldiers, finding their wives unfaithful, may kill them, and, if they do, it will be manslaughter [rather than murder], it will be the law. Until that is done it is not the law.<sup>389</sup>

This view by the judge was not shared by the jury or the newspapers. Despite the judge’s explanation, the jury found Fred HK guilty of manslaughter but not murder. He was sentenced to five years, an unusually long time compared to other returning soldiers who had killed their wives. In contrast, others were told by judges ‘while you were serving your country you were betrayed and humiliated in circumstances which can be described as quite revolting... your home broken up...’<sup>390</sup> illustrating the link between betrayal of home, husband and country.

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<sup>386</sup> CRIM 1/1754: defendant's statement.

<sup>387</sup> Ibid., Statement of DI. Jack Robinson, 9 January 1946, p. 2.

<sup>388</sup> Ibid., Statement of Sarah K., 9 January 1946, p. 1.

<sup>389</sup> *Daily Mirror*, 22 September 1945, p. 3.

<sup>390</sup> Smithies, pp. 162–4.

## Conclusion

In each of the cases described above, the wife's activities in the home, or failure to meet expected behaviour there, were seen as evidence of her sexual and domestic transgressions. In the additional context of war, 'breaking up a home' and not 'keeping the home fires burning' represented a failure of national as well as spousal duty for women, and so the evidence of home features in judgements about her culpability as victim as well as a husband's guilt as defendant. This aspect can be best seen in newspaper reporting on the cases and in police reports compiled for the prosecution where the intervention of the legal system in the construction of the sources is most obvious, and where wider society's views of women and their responsibilities can be seen to be transmitted through the newspaper commentaries on the case and the comments and judgements by judge and jury. It is not the intention here to make direct links between trial outcomes and sentencing and the evidence of the home and the perceived misdeeds of wives, rather to show that the way the women were portrayed by police and media, the evidence that was selected and prioritised, highlights the specific expectations of women's roles in relation to the home in wartime.

The meaning of home in wartime and in the immediate post-war period was characterised by a sense of absence. Firstly, the people who belonged at home were absent from it, themselves missing the comfort and privacy of home that they were denied while working and living away from it, most often symbolised by quiet relaxation in an armchair by the fire. But also those who stayed 'at home' (whether that be in the actual dwelling or just in Britain) did not feel 'at home' in the sense of safety and familiarity. Staying in the same building with the same household throughout the war years was unlikely, especially in London, and feelings of security were replaced by the fear of invasion and bombing raids, economic hardship and increased housework and domestic responsibility.

The pressure to maintain home successfully in wartime was stronger than ever before, exhausting, and highly gendered, placing the sole responsibility for ‘keeping the home fires burning’ with the woman of the household and, arguably, justifying extreme action against her if she was perceived to have failed.

## Chapter four: ‘race’

The last chapter described how war affected people’s experiences of home, and how those experiences owed much to gender and marital status. It also considered how homes could be interrogated and interpreted in ways that impacted the perceived culpability or guilt of murder victims and defendants. By fitting married men and women into a familiar narrative, police adapted their collection of evidence in the home-crime-scene. Another major factor that influenced the investigation and treatment of a domestic murder case, as well as experiences of home, in the period 1930-1970 was ‘race’. By fitting men and women whom police defined by their ‘race’ into stereotypes of culture and behaviour, police adapted their collection of evidence in the home-crime-scene. This is significant because it speaks to the differences in relationships between black Londoners and police and white Londoners and police that caused tensions throughout and beyond the period.<sup>391</sup> It also challenges some of the contemporary rhetoric on black homes and relationships with neighbours,<sup>392</sup> and offers alternative explanations for some of the interpretations of social surveyors who described living conditions as the result of racial and cultural differences.

In this chapter, ‘race’ and racial differences are defined by the differential treatment applied by the police and criminal justice system. Definitions of racial difference changed over the period 1930-1970 and, although self-identity and colour cannot be read from the case files, police commentaries and newspaper reporting make it clear that they were treating people differently because of the racial identity they were reading from the people they questioned.

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<sup>391</sup> See for example James Whitfield, *Unhappy Dialogue: The Metropolitan Police and Black Londoners in Post-War Britain* (Cullompton: Willan Pub, 2004).

<sup>392</sup> See Enoch Powell’s ‘Rivers of Blood’ speech as described in Wendy Webster, *Imagining Home: Gender, ‘Race,’ and National Identity, 1945-64*, (London: UCL Press, 1998), pp. 184–5.

I want to acknowledge that London in the mid-twentieth century was populated by people who had been born elsewhere and migrated from various distances.<sup>393</sup> A common theme in the case files is some kind of migration history, always highlighted by police as part of the identity of defendant or victim. There are examples of individuals from Scotland, towns in Northern England, Ireland, Jamaica, Cyprus, Nigeria, India, and from various other parts of London. This poses difficulties around how one defines ‘migrant’, ‘race’ or ‘foreigner’. However, this chapter is primarily about ‘race’ in terms of colour, because ‘migrant’ could refer to the majority of the London population, and with the expansion of the African and Afro-Caribbean communities in London and the rest of Britain, ‘foreigners’ arguably became increasingly identified by the colour of their skin in the period after the Second World War.<sup>394</sup> Black men and women were treated differently by the criminal justice system than white Europeans, for example, as were the white women who were in relationships with them. Police reports and other documents that described defendants, witnesses and victims to other police officials or members of the judiciary that could not *see* them, explicitly described people by the colour of their skin if they were not white. Indicators like ‘coloured’, ‘half-caste’, and ‘negro’ were used to identify people of colour. As explained in Chapter One, statements and depositions were the result of closed questioning by police, answers written into prose that was then signed as true by the person who had answered the questions. For people police identified as racially different or ‘foreign’, the first and most significant part of the statement after the person’s name was their country of origin and the length of time they had been resident in Britain. In comparison, white women were first asked if they were married, and white men what their occupation was. Rights to

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<sup>393</sup> Cook, p. 150; White, *London in the Twentieth Century*, p. 95.

<sup>394</sup> McDowell, p. 58.



belonging to a place were, and even now are, explicitly linked to length of residence.<sup>395</sup> Apart from these indicators, police and judicial system very clearly treated people of colour or ‘foreigners’ and their homes differently than people further up the racial hierarchy, as this chapter will show.

The cases used in this chapter focus on those in which police make it clear they are dealing with someone they perceive to be racially ‘other’, as implied by the first questions they ask in a statement or deposition. This illustrates the impact of the method used in this thesis: understanding that depositions were the result of closed questioning and formulaic police interviews shows that ‘race’ was a police- and judiciary-constructed identifier rather than a self-identification. The differences between depositions and the same witnesses or defendants speaking in court, shown by comparing statements to transcripts, highlights some of the racist attitudes toward ‘foreigners’ exhibited by police and judiciary, and suggests that these attitudes operated from the top down. Further, the case-study approach and attention to the construction of evidence used in this thesis shows that the court looked for and failed to find, in most cases, racist attitudes by white neighbours and landlords who deposed. Difficulties with accessing housing and strategies to address them were shared by migrants from former Commonwealth countries and white Europe alike, and systems of mutual support and assistance that crossed police-perceived boundaries of racial identity are visible when trial transcripts and depositions for the same cases are compared.

### **‘No better than they ought to be’**

The approach taken in this thesis reveals the different ways people were treated by the criminal justice system based on perceptions of their ‘race’ by comparing

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<sup>395</sup> Ben Rogaly, ‘Disrupting Migration Stories: Reading Life Histories through the Lens of Mobility and Fixity’, *Environment and Planning D: Society and Space*, 33 (2015).

different sources for the same individuals. For example Backary M. and his alleged victim, Joseph A. were described by police correspondence as ‘West African Negroes’ and Backary was described as speaking poor English.<sup>396</sup> Counsel repeatedly tried to lead witnesses in questioning them in court, implying that neither the African Backary, nor his landlord ‘a Pole’, could speak or read English: ‘Of course, you sometimes find it difficult to understand people, do not you, and Backary does not speak very good English, does he?’<sup>397</sup> ‘The Pole’ replied in English. He did not need the assistance of the interpreter provided to understand questions or make himself understood, and he regularly read two English newspapers, which further implies he was fully literate in English.<sup>398</sup> Backary’s speech, according to police, was understood by them but was childlike and grammatically poor. He spoke in the third person: ‘Backary no lie’, they said he told them.<sup>399</sup> His statement, however, shows better English, and the transcript of his speech in court, which was more likely to be closer to his actual spoken words, uses a standard of English that matches any other defendant, as well as appropriate grammar.<sup>400</sup> Police, court and press each attempted to make Backary and his alleged victim Joseph A. even more ‘other’ by referring to racialized characteristics of their homes and their clothing. Backary was written about in newspapers as wearing a cloak, although it was likely that he was simply wearing his coat around his shoulders because he was unable to get his swollen and bandaged hand into the sleeve.<sup>401</sup> Joseph’s home was described as a ‘den’, connecting it with animals as well as with drugs. In comparison to Elvira Barney’s euphemistic ‘face powder’ (see Chapter Two) any evidence in Joseph A.’s home was immediately and

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<sup>396</sup> CRIM 1/2206: (CCC, 1952); DPP 2/2130: (1952) Transcript, p. 2: opening statements, Christmas Humphreys for the prosecution, 24 March, 1952.

<sup>397</sup> DPP 2/2130: Transcript [Mr Sarch to Joseph Andrejak], p. 63.

<sup>398</sup> Ibid., Joseph Andrejak, pp. 59–64.

<sup>399</sup> Ibid., opening statements, Christmas Humphreys for the prosecution, 24 March, 1952, p. 15.

<sup>400</sup> CRIM 1/2206: Statement of witness Backari [sic] M., 12 January 1952.

<sup>401</sup> *Daily Mirror*, 15 January 1952, p. 7.

explicitly interrogated for evidence of drug-taking. The expert witness whose book features in the case file posited the British drug problem as being the fault of Caribbean or African migrants like Joseph, adding to interpretations of his home as both a place from which drugs were dealt, and a place where drugs were consumed.<sup>402</sup>

Prosecution counsel pointedly opened the case against Backary by warning the jury that

You are going to hear many witnesses from the underworld of London. Many of them will be West African Negroes, not men of education or with much command of English, and you will make allowances for all that; and you will make allowances that you are not here concerned with morals: some of the girls called will be no better than they ought to be, and some of the witnesses living together are not husband and wife, and it may well be that some of the witnesses called before you have been in trouble with the police before. You will bear all that in mind, and you will consider whether each witness is telling you the truth and whether evidence of all those witnesses put together satisfies you of the guilt of the accused.<sup>403</sup>

It is striking how Christmas Humphreys managed to attempt to influence the jury in his describing how they ought not to be influenced. The message here, and in other parts of trial transcripts, was that those whose lifestyles did not appear to fit within a ‘respectable’ heteronormative married norm, could not be trusted to speak the truth in court. Women seemed to be particularly vulnerable to personal attack by prosecution and defence counsels in an effort to make the jury disregard their evidence by casting doubt on their truthfulness. Making direct reference to their living circumstances was a common way of doing this in many of the cases.

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<sup>402</sup> DPP 2/2130: Transcript.

<sup>403</sup> Ibid., pp. 2–3: opening statement by Christmas Humphreys for the prosecution, 24 March 1952.

**‘...immigrants living in revolting slums...’**

An approach that identifies the different treatment of ‘foreigners’ but experiences they shared with people assigned more local identities is particularly important because it helps to challenge racially-attributed home behaviours. Social scientists and commentators of the period explicitly linked housing conditions and racial characteristics in this period. For example, Elspeth Huxley described ‘the Blacks Next Door’ in the following way:

I have seen immigrants living in revolting slums in Stepney, Balsall Heath in Birmingham and elsewhere, but far more in substantial Victorian houses, with names like Blenheim Villas and Cadogan Mansions, in Leeds, Bradford, Birmingham and Southall, as well as in London. These are the sort of houses that would once have had a maid-of-all-work in the attic, a mistress in her decent bombazine mending pinafores in the parlour, and the master in his striped trousers, black coat and wing collar going off to his city office every morning on the dot. Almost everywhere, the pattern's been the same: into these middle-class, nineteenth-century houses, maybe with a little front garden and a yard at the back, go the immigrants, often with broods as ample as their predecessors had ... To live hugger-mugger with one room for each family, and plenty of communal life within the larger inter-related group - the extended family - is just what they were used to back home and what many of them like.<sup>404</sup>

Interpretations such as this one place the ‘blame’ for what is interpreted as poor living standards firmly with the cultural characteristics of the inhabitants and demonstrate that by the 1960s home’s ideal meaning had transformed to incorporate only middle-class values and meanings. The good home should now be entirely private, indistinct from its neighbours, quiet, clean and tidy on the outside. It should preferably be self-contained, or only attached to one other dwelling, but should enjoy separate entrances, front gardens and back gardens. It should have net curtains to keep what went on inside private, and so

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<sup>404</sup> Quoted in Webster, p. 45.

that other neighbours did not feel overlooked. This ideal of home became associated with national identity, as this second quote from Elspeth Huxley shows:

Caribbean domestic habits and customs collide with our own. Most West Indians... like loud music, noise in general, conviviality, visiting each other, keeping late hours at week-ends, dancing and jiving... Most English prefer to keep themselves to themselves and guard their privacy. Ours is a land of the wall, the high fence, the privet hedge – all descendants of the moated grange.<sup>405</sup>

The reference to the moated grange further promotes the idea that the English home is middle class, private and white.

It can be argued, however, that those characteristics or behaviours attributed to race such as noise and overcrowding, appeared more significant in the 1950s and 60s because of rising standards of contemporary living which were increasingly private, middle-class, and suburban after the Second World War. Rather than taking the ‘outside-in’ approach that social surveyors took, observing the homes as outsiders, the case files used in this thesis allow us to view them inside as well. Thus we see that, rather than residents wilfully overcrowding or being messy in their homes, they were experiencing their interiors as multi-functional spaces (for example bedrooms that were also sitting rooms and kitchens). Multiple occupancy dwellings often suffered poor security from the outside or from other people living in the building, and lack of privacy, either from neighbours or landlords/landladies for examples. These are all issues that were also prominent in Chapter Two of this thesis in working class homes of the 1930s, showing that conditions in the 1950s and 1960s had more in common with earlier ways of living than has often been suggested. Furthermore, the ‘substantial Victorian houses’ split into

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<sup>405</sup> Quoted in Webster, p. 65.

single-room dwellings that Huxley described (above), were precisely the same types of buildings inhabited in the 1930s like the family of John and Lilian A. Despite many of these being designated as '[revolting] slums', very few had actually been cleared by the 1950s and 60s and thus were still being inhabited by the poorest inhabitants at the bottom of the housing hierarchy. Only by this time, those at the bottom of the housing hierarchy were more likely to be black Londoners.

People of colour were given less access to suburban council homes, borrowing for mortgages, and also encountered the now-familiar signs of 'no blacks, no dogs, no Irish' in rooming house windows.<sup>406</sup> These restrictions in access to housing combined with lower average wages, compared to those who could claim a white and more local identity, made strategies like renting the lowest cost housing, sub-letting, and thus enjoying less space and privacy, more necessary. However, within a context of rising contemporary standards those living in the least spacious and least up-to-date homes - the Victorian 'slums' and similar shared dwellings - appeared to be living in dramatically worse conditions than some of their contemporaries. Because failing to keep a good home was linked to personal attributes such as respectability, especially for women, these poor quality homes were perceived to be linked to poor personal standards of cleanliness and chaotic domestic behaviours.

In domestic murder cases neighbours were interviewed and apparently asked about the habits of the black family next door. Were they noisy? Did they keep late hours? Did they play loud music and hang around in large numbers outside? Wendy Webster has identified how contemporary discussions of people of colour as neighbours highlighted their 'otherness', focussing on characteristics such as dirtiness, rowdy behaviour, and

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<sup>406</sup> Webster, p. x.

failing to keep communal areas clean and tidy, which were attributed to their being ‘foreign’ and African or Afro-Caribbean.<sup>407</sup> The good black home, on the other hand, was one which looked like all the white ones. Indeed, Webster has argued that ‘the distinction between public and private is raced.’<sup>408</sup> This is borne out in the case files where men and women of colour, and to a lesser extent white male European migrants, were subjected to a higher degree of scrutiny in their public behaviour and movement around the city and neighbourhood than men attributed a white, English, or other ‘local’ identity. Similarly, their homes were more thoroughly investigated for examples of illegal acts, indicators of violence, or what modern policing might refer to as ‘antisocial behaviour’. Victims, defendants and witnesses who were described as being from African or Caribbean countries were more likely to be questioned about the public aspects of their private behaviour, demonstrating the impact of the increasing significance of privacy in post-war housing. For examples both defendant and victim in the case of Backary M. were scrutinised in their public and private behaviour, accused of being involved in drug dealing or taking or both, and the evidence of their domestic lives, relationships, and experiences of comfort in their homes significantly marginalised in comparison. This fits with Webster’s argument that black families and single people were denied, at least in the popular imagination, homes with privacy and comfort.<sup>409</sup> While cases of domestic murder, including that of Joseph A. by Backary M., illustrate the lack of security and privacy and potential for danger that these types of multiple occupancy dwellings could create, there is a great deal to suggest that comfort could be negotiated or created in the

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<sup>407</sup> See for examples, Enoch Powell’s speech, Pearl Jephcott and Elspeth Huxley in Webster, pp. 45, 62, 64–65, 102.

<sup>408</sup> Webster, p. ix.

<sup>409</sup> Webster, p. 149.

home-making practices of people living in multiple occupation homes in London at this time.

Comfortable bedding, armchairs, and other accoutrements one might associate with a comfortable place to live can be found in post-war migrants homes in flats that came furnished or unfurnished. In the photographs of Joseph A.'s room these things are all present, and in addition what might be considered one of the ultimate signifiers of comfort and homeliness appears on the bed; a cat. (See **Figure 22** and **Figure 23**.) Here its presence suggests not only homeliness but an investment in the animal and in the home. This is not just a temporary lodging.

It is possible that the cat did not belong to Joseph A. himself but to someone else who lived in the house. Neighbours described doors being left open, and people coming in and out. They were not surprised to hear talking coming from the room late at night, they said. One aspect of this that was not highlighted in court was the fact that voices may have been commonly heard there because Joseph's girlfriend usually lived with him, not necessarily because he had constant visitors to whom he dealt drugs, as was implied.<sup>410</sup> This illustrates the biased racialized framing of Joseph's home identity as one that was less private and quiet. Like Joseph A.'s, Cleveland R. and Frances T.'s flat was also denied a homely domestic feel in the evidence collected from it and descriptions by police, compared to other working class homes at the time. Yet photographs show Cleveland and Frances's home contained a Christmas tree and was beautifully furnished and lived in by them. There was an oil heater to keep the room cosy, and decorative but not absolutely necessary items in the room that showed their identities.<sup>411</sup>

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<sup>410</sup> DPP 2/2130: Transcript [examination of Ivan D., neighbour], p. 36.

<sup>411</sup> 'CRIM 1/3351 (CCC, 1960).



That the cat and the comfortable room are shown in photographs to be different than the descriptions in the case file would have one believe, demonstrates the effectiveness of the method of prioritising cases with photographs. They have much to communicate about the way police were interpreting what they saw in people's homes for the benefit of the court. Consciously or sub-consciously, police photographers were responding to, or perhaps creating (according to some scholars) a specific genre of photograph that communicated death, crime, and dirty, uncomfortable, unhomely homes in poverty to the viewer. Though different regional police forces were likely using different techniques, technologies and approaches to framing and taking their crime scene photographs, Scotland Yard photographers who worked on murder cases for the Metropolitan Police used roughly consistent methods of representing crime scenes. The case of Vincent S. is an example of this. The point of view of the camera is much lower than the height at which a photographer might ordinarily hold a view-finder. The camera has been positioned low down, lower than the dado rail and the letter box in the front door. This has the effect of making the front door and the left hand wall look looming, large, the top of the stairs looks a long way away, in shadow, forbidding.<sup>412</sup> It is on this staircase that much of the action described in the depositions took place, from Vincent creeping up the stairs to the bedsit, to the exchange of objects the victims and assailant threw at each other. It was out of this door that Vincent and his former partner's mother, Maud M., came tumbling into the street in the physical fight that ended in her death (see **Figure 26**). Photo three (see **Figure 27**), also seems to be deliberately attempting to communicate something other than a neutral message. Again, the camera has been positioned low down in comparison to the door, and again from the interior, making the outside mysterious and forbidding. The door is slightly ajar, making long and dark

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<sup>412</sup> CRIM 1/4474: (CCC, 1965), Exhibit No. 1: Album of photographs, photo' 1.

shadows (it is after dark outside). The angle of the photograph makes the most of a patch of badly worn and peeling paint on the left of the door. The fourth photograph in the series centralises the spot in the room where Vincent stabbed his former partner Viona W. (see **Figure 28**). This suggests that the photographer was briefed by officers at the scene, or at least they were directed to take photographs of specific scenes (see also **Figure 29**). Present-day forensic photography technologies allow scenes-of-crime officers to take a limitless number of images of the whole house and surrounding area, a virtual digital tour of the rooms and close-ups of an unlimited range of objects, details, and potentially significant items in situ, preserving a crime scene in its entirety before items or areas of significance are sometimes even determined.<sup>413</sup> In cases of mid-century domestic murders before digital photographic technology was used, police took only a small number of photographs (rarely more than nine) and most often used all the photographs they took.

The sixth photograph in the series shows the landing kitchen with the sink on the turn of the stairs in the distance (see **Figure 30**). This image was likely significant to the jury for setting the scene; it is difficult to imagine how a cooker, sink and cooking implements could fit on the landing of a two-bedroomed house. Such a thing would be unlikely to be within the experience of most people in the courtroom, particularly the judge and legal counsel, if not also the jury members. The cooker on the landing features in other accounts of Jamaican's experiences of home in the first years of living in England.<sup>414</sup> Such conditions must have contributed to the sense of shared Victorian terraces as being dangerous and dirty. However, if we compare the rooms of John and Lilian A. (see **Figure 12** and **Figure 13**) and Maud M. and her husband, we see that the rooms are more crowded than dirty. There are a lot of things in them, and very little space,

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<sup>413</sup> Edward Robinson, *Crime Scene Photography*, (Amsterdam: 2<sup>nd</sup> ed., Academic Press/Elsevier, 2010).

<sup>414</sup> J. Stanley, 'Mangoes to Moss Side: Caribbean Migration to Manchester in the 1950s and 1960s', *Manchester Region History Review*, 16 (2003), 40–50; Webster, pp. 178–9.

but they feature attempts at ordering the clutter and evidence is visible of cleaning, housework and home-making.

The landing cooker was not necessarily specific to homes because they were inhabited by exploited people of colour, rather the cooker replaces the former practice of using the fireplace in each individual room to heat meals or cook food, a practice ended by blocking up of fireplaces when portable paraffin heaters, central heating, and gas replaced them. Further, it was arguably cheaper for a landlord to supply a gas cooker for communal use in an area accessible to all residents than to supply each room with coal. Landlords were unlikely to fit out a scullery as a complete fitted kitchen, bringing it totally up to date, and a free-standing cooker may not fit in that room without being totally refitted at considerable cost. This further illustrates themes significant to the changing experience of home post war. Ruth Schwartz Cowan and Christina Hardyment have argued that the availability and desirability of new appliances like efficient gas cookers increased culinary expectations and demands in the 1950s and 60s.<sup>415</sup> This fits with my findings from the case files that in earlier working class dwellings, light suppers could be prepared on coal fires or grates, which meant that fully fitted and kitted-out kitchens as we know them today were not required by bedsit-dwellers. Later, however, foods and mealtimes and preparation methods changed, and this combined with the blocking up of fireplaces (see **Figure 28** for example) due to the increased cost and reduced availability of solid fuels, changed the necessity for finding space for appliances.

The last photograph also makes clear what is meant by the makeshift shelf on the bannisters, which is where the second knife, used to stab Mrs M., was picked up from by the fleeing Vincent. The minimal space on the landing is highlighted and enhanced by

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<sup>415</sup> Ruth Cowan, *More Work for Mother* (New York, 1983); Christina Hardyment, *From Mangle to Microwave* (Cambridge: Polity, 1988).

situating the camera within the doorway of Mr and Mrs M.'s bedsit room looking out onto the landing, with the wooden frame and wall surrounding the doorway framing the edges of the photograph. It must be noted that it was Mr M. who had installed the makeshift shelf, attempting to make the most of the small space. This demonstrates that the family were using tactics and resources to make the most of their spaces and improve the convenience and useability of their home.<sup>416</sup>

### **‘Living hugger-mugger’**

Another characteristic of African and Afro-Caribbean life identified in discourses on their homes was living ‘hugger-mugger’ meaning chaotically and crowded, another characteristic posited as a choice rather than a necessity, and one which deviated from white British habits. As the case of Maud M.’s murder shows, and Lilian A.’s in the 1930s, these homes were overcrowded because of the conditions of the building and the necessity of multi-function spaces and several people living in a small space. However, it was not only in the Victorian houses that this way of living was necessary. Using a comparative approach to the files that uses the photographs and plans to identify similar dwellings, we can compare contemporary flats that were lived in by couples on different incomes and with different housing needs.

The strategy of letting and sub-letting seen in the case of Lurline and Hermann D. was made possible by the new flats which were supposed to be for single-household-dwellings only. In older Victorian dwellings it was the landlord that made the money from letting each room in a large building as a single dwelling. In comparison, white locals Claire and Bernard J. lived in a similar purpose built flat at a similar time but as a single-family dwelling. They had the financial and social support of both their families, they

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<sup>416</sup> CRIM 1/4474: Statement of Michael M., 14 December 1965, p. 2.

were both working in white-collar jobs which would have been unavailable to Hermann and Lurline, and Claire and Bernard had access to hire purchase schemes that Hermann and Lurline would have been less likely to afford. Claire and Bernard's flat was only slightly larger, overall, than Hermann and Lurline's, except the latter shared their bedroom with their four children and their living room and kitchen with their subtenants (see **Figure 25** and **Figure 26**). Eight people sharing what should have been a one-family flat, led to the kind of multi-functional living spaces seen at John and Lilian A.'s home in the 1930s in Chapter Two. Lurline D. used the bedroom to sleep four children and two adults and also to do her ironing. She did the washing in the bath in the bathroom, and slept in the living room when she was trying to escape her husband's violence. She had little privacy here, however, because this was also where Roy M. spent his leisure time, listening to the wireless and watching *Bonanza*.<sup>417</sup>

In the case of Maud M.'s murder too, housing conditions increased inhabitants vulnerability to domestic violence. Vincent S. had broken into his mother-in-law Maud's home before. He had also been there to visit the children so he knew which room was Viona's and that if she was not in her own room she was likely to be in her parents' room upstairs. After he forced his way through a locked door that he had previously smashed in order to gain access to the house, he went directly to Viona's room and searched for her passport and the childrens' savings books. He took these with him upstairs and threw them on the bed. Viona was upset. How had he got in, and where had he got the books, she demanded to know. The latter was a rhetorical question, they had been hidden in a satchel under her wardrobe so she knew that he had been in her room and looked through her private things.<sup>418</sup> This illustrates one of the major points about

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<sup>417</sup> CRIM 1/4261: (CCC, 1964).

<sup>418</sup> CRIM 1/4474: Statement of Viona W., 10 December 1965.

living in homes converted to multiple dwellings, and particularly about homes that were shared occupancy. The lack of security and privacy, compared to self-contained family or spousal dwellings is striking.

Lurline D's sleeping in the living room did not allow her safety from her abusive husband: 'He got up to go to work and came and sat on my head. I pushed him off and he said as he went through the door, "I want to kill you. I don't want to leave you here alive".'<sup>419</sup> Hermann threatened to kill his wife repeatedly, chased her all over the flat, removing keys from doors so that she could not get away from him, and pushing his way into the bedroom when she attempted to barricade it with furniture instead. He punched her in the face, chest and shoulders, beat her about the head, and used small china ornaments of hers, a lamp, and the cord of the iron to hit her, wound her, and strangle her.<sup>420</sup> Despite her calls for help, sub-tenants Roy and his wife did not intervene in the 'rows'. Hermann was also able to abuse Lurline by encouraging their children to be disobedient, by using his position as patriarchal family head to make them obey him rather than her, insisting that they cease to perform their chores, like taking their own clothes to the bathroom to be washed.<sup>421</sup> Additional domestic demands on her time and energies must have added to Lurline's feelings of defeat, while her children's loyalty to their father rather than her made her feel that (she told Roy) 'they didn't like her so much as the father because being the mother she had to scold them when they did wrong.'<sup>422</sup>

One can only imagine that Lurline must have felt very alone and frustrated. However, it seems that her appeals for help left a record with authorities that could support her descriptions of her husband's cruelty without her having to ask her children

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<sup>419</sup> CRIM 1/4261: (CCC, 1964), Statement of Lurline D., 31 May 1964.

<sup>420</sup> Ibid.

<sup>421</sup> Ibid.

<sup>422</sup> CRIM 1/4261: Statement of Roy M. [undated].

to testify as witnesses to their father's violence, something she had worried about when speaking to a magistrate to grant a separation order that might protect her from him by forcing him to leave the house.<sup>423</sup> Thus, when she was arrested for his murder, she was able to justify her actions as self-defence and win the sympathy of the judicial system. I would argue that the parts of the police report that describe Lurline as keeping a good home are significant in portraying her as an undeserving recipient of her husband's violence, if not quite going so far as to paint her as an ideal wife and mother in the same way that a white, middle class suburban housewife of this time might. The last sentence of the report is significant in contributing to this view of her: 'Mrs D. does not appear to have associated with any one outside the circle of her own family.'<sup>424</sup>

An unknown person involved in the judicial process noted on the standard 'Instructions for Indictment' form: 'Domestic Strife. Wife stabs husband with a knife during struggle. / ? Self defence - the victim only got what he deserved.'<sup>425</sup> Lurline's experience of home can be described as being dominated by the physical and emotional abuse, violence and control of her husband. He was failing to perform his defined role of protecting and providing financially for his family, at least in the eyes of the court, but in Hermann's eyes Lurline was failing to balance the demands of her full-time job and her gendered domestic role as mother, carer and cook to him and their children. As a woman, a woman of colour, and a woman of colour with children, Lurline had few resources available to her in order to get away from her husband's domestic violence. She attempted to use as many official channels as she could, but ultimately she did not have the social and economic capital to move out on her own.

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<sup>423</sup> Ibid., Statement of Lurline D., 31 May 1964.

<sup>424</sup> Ibid., Report for the information of the Governor, H.M. Prison, by DS [signature illegible], 'Z' Division, 19 June 1964.

<sup>425</sup> Ibid.: Instructions for indictment.

Hermann's resentment was expressed in domestic violence which Lurline attempted to defend herself from using official channels. Her experiences illustrate the limited options available to women suffering domestic violence at that time. Ultimately, however, the fact that she had children to care for and no other place to live meant that she had to repeatedly return to the danger of the flat they shared.<sup>426</sup> Having another married couple sharing their home did not protect Lurline, and she was denied security as well as privacy. In many contexts one of the primary idealised emotional meanings of home is as a place of safety and security.<sup>427</sup> In this way it can be argued that Lurline's home was unmade for her by her husband's withdrawal of the money she needed to feed herself and her children, and by his violence. She did not have access to enough capital to pay the milkman, or pay for the children's school lunch. She could not feel safe in her own home. She had no escape.

In contrast, Una P. was able to raise some money to move out from the home she shared with her violent husband, although she had to leave her daughters behind. She was working two jobs, as a waitress in a café and as an agent for Freeman's catalogue, thus allowing her the financial resources she needed to get away. Una's 'racial' identity is not mentioned in the files, she was a Londoner according to police, having lived there since a child. However, her grandmother was Anglo-Indian, and though Una had a darker skin tone, she was to all intents and purposes, a white woman.<sup>428</sup> Even being 'read' as Anglo-Indian would have been unlikely to have made a difference to how she was seen by newspaper reporters, police and court officials. In the case against John L., the victim, his mother-in-law Stephanie S., was described in newspapers (which include photographs) as "a really beautiful woman, with that rare Anglo-Indian complexion and

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<sup>426</sup> CRIM 1/4261: Exhibit no. 10: Statement of Lurline D., 31 May 1964, pp. 3–4.

<sup>427</sup> Blunt and Dowling, p. 26.

<sup>428</sup> CRIM 1/4199 (CCC, 1963).



poise.”<sup>429</sup> Here, ‘race’ intersects with class. Not only was Stephanie Anglo-Indian, she was married to an ex-Army husband and they lived in a very respectable, modern London County Council flat. Thus a hierarchy of ‘race’ as linked to class and supported by housing is revealed.<sup>430</sup>

### **‘Caribbean domestic habits and customs collide with our own’**

Parties attended by people of colour in London in the 50s and 60s were characterised by police and social observers as specifically part of Caribbean culture and loud, noisy, late, and associated with criminal or immoral activity such as drug-taking or alcohol.<sup>431</sup> The party husband and wife Cecil and Tasita R. attended, separately, challenges this assumption with witnesses resisting any alcohol-fuelled characterisation of the party. They were repeatedly asked (the questions were implied rather than stated – see Chapter One) about the alcohol on offer or being consumed at the party, but answered ‘there was not much drink at this party’, and talked about the dancing and music instead.<sup>432</sup> No interviews with neighbours revealed anti-social behaviour or disturbances, which stands in contrast to the neighbours of Elvira Barney (see Chapter Two) who complained on numerous occasions, before and after the death at her mews home, that parties were noisy and both the resident and her guests a nuisance.

Thus racisms affected experiences of home, but the case files do not show racisms operating at a neighbourhood level to the extent that social surveys and other contemporary sources might have us expect. Though New Commonwealth migrants undoubtedly experienced racist attitudes, discrimination and even violence in their homes and neighbourhoods, the case files also show that they likely had good relationships with

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<sup>429</sup> CRIM 1/2240: (CCC, 1952), Clipping from *Daily Herald*, 6 July 1952, p.1.

<sup>430</sup> McDowell, p. 212 also describes a hierarchy of race influenced by skill and eligibility to citizenship.

<sup>431</sup> Webster, p. 65; Whitfield, p. 143.

<sup>432</sup> CRIM 1/3238: (CCC, 1959), Statements of Bertman D., May M., and Pearl S. given at South Western Magistrates Court, 1–2 July 1959.

their immediate neighbours. People who lived upstairs or next door, for example, could be called on for help in times of need in some circumstances, and at the very least do not appear to have harboured resentments to their neighbours based on differences of 'race' when given the opportunity to express them by police. There is little evidence of the type of neurosis, fear and accusations of harassment described by Enoch Powell's anonymous constituent in his 'Rivers of Blood' speech, for example.<sup>433</sup> Rather, the ways in which racisms operated in these case files can be described as 'top-down'. Police looked for differences in people's homes because of inhabitants' 'race' or national identity. They were interested in 'foreign' decorative articles, in the amount of alcohol in the home of a person they called an 'Irishman', in the cash secreted about the home of a Jewish family, and the noise and drink and sexual deviance that was going on (or rather, found not to be going on) at the house parties held by Caribbean people. Noise, overcrowding, poor sanitation and decoration, and other signifiers of living in poor quality housing were also highlighted in investigations of families who were perceived to be racially 'other' as well as working class. These racisms were most pronounced and most clearly articulated in court, where counsel sought to deny people of colour the right to comfort or domestic privacy, and highlighted any perceived moral or sexual deviance that might be suggested on the part of women who were in relationships with men of colour, particularly if they were white.

The white neighbours of Frances T. and Cleveland R. for example, when interviewed, showed no racist bias against them, describing them in the same ways that other neighbours in other cases describe defendants and victims of any background. Neighbour Robert McN. described how he helped Frances leave the building by the back

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<sup>433</sup> Webster, p. 184.

way so as to go unnoticed by Cleveland.<sup>434</sup> Cleveland knew the neighbours well enough to go to their doors and ask if they had seen Frances. Some had, but refused to betray their neighbour, showing solidarity with her.<sup>435</sup> All this despite the press describing the woman as a drug-dealer and as having cars coming and going all the time, behaviours that might now be described as anti-social. Frances' characterisation in the press as a 'dope queen' further demonstrates some of the ways gender and race could intersect for women of colour in this period. Described in the *Daily Mirror* as a 'half caste' and 'hunchback', the dead woman was criticised for having left her husband and son.<sup>436</sup> She and other women of colour in the 1950s and 60s were denied the same kind of public life and mobility that was attributed to black men. What made a black woman respectable was 'not associating with anyone outside of her family' and 'keeping a good home', as in the case of Lurline D.<sup>437</sup>

That is not to say that black people in London were not experiencing racist attitudes from fellow-Londoners. A further significant theme in the documents relating to black Londoners accused of murder, is the construction of narratives. Chapter Three of this thesis describes how returning soldiers were able to construct a narrative of cheating wives provoking them to murder that the judiciary and press came to recognise as familiar. Similarly, when attempting to supply alibies or explanations for their minor injuries or defensive behaviour, several defendants described experiences of racism that, whether they were actually true or not, they expected that police would find believable. As previously described, following the approach of this thesis, it is not important whether or not these narratives were true, but that they would have been familiar or believable to

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<sup>434</sup> CRIM 1/3351: (CCC, 1960), Statement of Robert McN., 10 February 1960.

<sup>435</sup> Ibid., Statements of Janet McN., Robert McN. and Christine S. [neighbours in the same building], 10 February 1960.

<sup>436</sup> *Daily Mirror*, 12 January 1960, p. 1.

<sup>437</sup> CRIM 1/4261: Report for the information of the Governor, H.M. Prison, by DS [signature illegible], 'Z' Division, 19 June 1964.

police and that is why they were told to them. Key themes that reappear in numerous depositions, for examples, are the struggle to find housing due to racist attitudes by landlords, and racism also features as a possible explanation for experiencing violence. Backary M., for example, explained an injury to his hand as being, not the result of the altercation he was later deemed to have had with the victim, but a violent attack by teddy boys in Tottenham Court Road who had set upon him and tried to mug him because he was black. This signifies that such an occurrence was believable, or even common.<sup>438</sup>

My files are not able to tell me how far these kinds of experiences affected those individuals' senses of feeling at home. Geographers such as Blunt and Dowling have described how international migrants' experiences of homes are profoundly impacted by their multiple meanings of home, not least 'back home' in the sense that they do not feel entirely welcomed or belonging in their new home country and so 'home' is where they migrated from.<sup>439</sup> This is an area which my case files fail to illuminate compared to other sources such as oral histories. Statements and depositions usually describe 'what happened' rather than how events made people feel, and they concentrate on the immediate surroundings of home, the building, the street, rather than a broader sense of how 'at home' a person might feel in a country, for example. This further supports my method of comparing within and between the files rather than generalising from them. On the other hand, documents in the case files provide a great deal of information about mobility, in-migration, living circumstances and conditions, who people have lived with, what has forced them or encouraged them to move, how they have changed their living situations with their income or relationships or employment or family circumstances. These are details that can contribute to a richer understanding of

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<sup>438</sup> DPP 2/2130: Transcript, p. 13.

<sup>439</sup> Blunt and Dowling, pp. 202–207; see also Webster, p. 40.

the meaning of home and the meaning of London for people in the mid twentieth century. They also allow us to challenge the classed and racialized descriptions of homes by white middle- and upper-class Establishment organisations that would deny belonging, 'home' or comfort, and the racisms with which individuals and their homes were treated.

### **'A fresh start'**

One of the primary meanings of a new home to many migrants seems to be the possibility of a new start. Cleveland R., for example, described how he was desperate to retrieve some photographs from his partner Frances that would cause him shame if his family or friends saw them. This case also further highlights the increased significance of home under the impact of intersecting issues of race and gender. As a woman of colour on a low income, Frances was willing to go to extraordinary lengths, Cleveland claimed, to make him continue to live with her. I am less concerned here with whether the narrative he told is actually true, though police found it hard to believe, and more with the fact that Cleveland thought that this was a conceivable story of what she was willing to do to make him stay. It may have been that sexual blackmail resulting in murder was a theme Cleveland had read in newspapers in the past, it was certainly not uncommon (see Chapter Five). Whatever the origin of the story or the degree of truth in it, Cleveland imbued it with potent and dramatic meaning.

In his first statement to police, Cleveland R. described how he had met Frances T. in 1958 when she was living in rooms at Plant Street, separated from her husband. Cleveland went to live with her after they had known each other for a few weeks, but she very soon suggested they move.

She told me that she knew where some rooms were going at Brick Lane [Stepney], E.1. and the landlord wanted £15 key money and £3 rent in advance. At that time I did not have such money. She

said that she could borrow it from her place of work if I would pay it back. I agreed and she got the money. I paid her back in two sums of £8 and £7. She said that other three pounds was out of her wages. We agreed to put our money together and be the joint owners [sic: tenants]. I earned £12 per week and I gave her £10 a week for rent, food and towards buying furniture.<sup>440</sup>

It is not clear what caused the separation between Frances T. and her husband but that she set up home with Cleveland R., with whom she also lived as husband and wife, shows that notions of marriage and coupling were fluid in the post-war years, as well as in the interwar period as Joanne Klein has described.<sup>441</sup> Though she herself was working full-time, Frances needed Cleveland's income to set up a new home, and to maintain it. When he went to prison for fifteen months she struggled to make ends meet without his income and pawned some of his suits as a coping strategy. After all, he was not wearing them in prison, and she needed their value to support herself and pay their rent until he came home.<sup>442</sup> Elizabeth Roberts describes pawning as a common strategy for working class women managing their household economies in difficulty during the interwar period.<sup>443</sup>

Cleveland's narrative in his first statement continues, placing him away from the scene of Frances' death at the time she died. He knew nothing about it, he was not at home, he said. Police took this statement, which he signed, and then handed him a copy of that day's *Daily Mirror*.<sup>444</sup> The front page main headline read 'IT WAS MURDER... QUEEN OF DOPE DIES IN FIRE' and included a dramatic photograph of the rescue of upstairs tenants from the building, as well as a snapshot of Frances when she was alive.<sup>445</sup>

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<sup>440</sup> CRIM 1/3351: Exhibit No. 18: [First] statement of Cleveland R., Commercial Street Police Station, 12 January 1960, pp. 6–7.

<sup>441</sup> Klein, 'Irregular Marriages'.

<sup>442</sup> CRIM 1/3351: [First] statement of Cleveland R., p. 1.

<sup>443</sup> Elizabeth Roberts, 'Women's Strategies, 1890-1940', in Jane Lewis (ed.), *Labour and Love: Women's Experience of Home and Family 1850-1940*, (Blackwell, 1986), pp. 242–3.

<sup>444</sup> Ibid., Statement of DI William McMillan [undated], p. 2.

<sup>445</sup> *Daily Mirror*, 12 January 1960, p. 1.

Police described how Cleveland read the page carefully a couple of times and then asked to make a further statement. This second statement is dramatic in its telling of an emotional narrative that Cleveland described as ‘shocking’ and ‘terrible’. It is clear that he hoped the story would make police officers sympathetic to his version of events.

[One day] ...she and I were sitting up in the flat opposite each other. All of a sudden she say to me ‘You can never leave me because all the men have lived with her before have left her but you will not leave me because I have something holding on me that would make me stay with her.’ She took out a small photograph... She held the photograph in her hand Like I show you now. This photograph showed me stripped naked lying on the bed and she stripped naked too with her private part near my mouth with a dirty diaper [sanitary towel] in my mouth and I had all shit on my face and she was leaning sideways with her private part on my face...<sup>446</sup>

Police seemed doubtful about whether the story was true or not. There was no evidence that Cleveland had been ‘doped’ as he claimed, and no syringe had been found in their home. It was possible, they seemed to think according to pencil notes on a copy of the statement, that the photograph had existed, that Frances may have taken it when Cleveland was asleep. But it was never found, nor was any trace of it. Whether the photograph ever existed or not, Cleveland hoped that police would believe that such an image and the threat of its use against him was sufficient provocation so as to reduce a charge of murder to manslaughter. The connection between the photograph of an incapacitated Cleveland, with an explicitly sexualised Frances, was that this was a desperate, and believable, act by a woman in order to persuade a man to stay living with her. It was not merely the existence of the image that would keep Cleveland living with Frances, he claimed she thought, but it was also the threat of what she would do with it.

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<sup>446</sup> CRIM 1/3351: Exhibit No. 15: [Second] statement of defendant, p. 1.

She said she would show it to my sister who is a good woman and my friends who would laugh at me and it would hurt my sister terribly. It so shocked me I went to grab it from her but she put it in her mouth and chewed it and swallowed it. But she said she had plenty more like that to show... my sister and friends... I hunted the flat and pulled it to pieces but I could never find those other dirty pictures of me. I begged and begged of her to give them to me but she only laughed at me.<sup>447</sup>

He describes his desperation, real, imagined, or fabricated, to get the photographs back. If she would not give them to him, Cleveland pleaded with Frances to let him move home, to get away from London to escape the shame.

I begged of her to let me go out of the country or to Glasgow or somewhere I was not known but she laughed and said I would not get rid of her so easy. And she said she would show the bad photographs to my sister. I begged of her not to do this thing for my sister's sake, but she only laughed.<sup>448</sup>

The power that the shame of these images, allegedly of a sexual nature, had over Cleveland, the corruption they would cause to his sister who was respectable, in contrast to Frances, held great sway. 'I can always make you come back [home] any time I want to' Cleveland claimed Frances told him.<sup>449</sup> The image Cleveland paints of himself is of a deferential, emasculated man at the mercy of the clever 'terrible' scheming woman who was blackmailing him. Whether he was telling the truth or not, police seemed less than sympathetic, especially when he described the altercation that followed between the couple becoming physical. Whether police felt that the shame threatened by this photograph was sufficient to understand Frances' murder as provocation and thus manslaughter is unclear, although it should be noted that he was indicted for the more serious crime, indicating that they believed there to be sufficient evidence that he was not

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<sup>447</sup> Ibid., pp. 1-2.

<sup>448</sup> Ibid., p. 2.

<sup>449</sup> Ibid., p. 1.



reasonably provoked. Cleveland certainly spoke about the threat of the image very strongly, and seemed more concerned with the photograph being seen by his sister than the punishment he might receive for the death of his former partner.

I pray God nothing will be done to bring shame to my sister about the photographs. I pray God you will find them and destroy them to save my family shame. That is the whole truth. Everything I have told you before [prior to arrest] was true except that I did not tell you what happened at the flat last night between me and Francis [sic] when Francis died... I have read this statement and is Gods trouth. [pencil note points to this last sentence: 'In own hand writing'] Cleveland Red [sic] (Sgd.)<sup>450</sup>

He had good reason to attempt to convince his interviewers that he was provoked into killing his partner (to avoid a longer prison sentence for murder than for manslaughter, capital murder being restricted by the Homicide Act 1957) but the precise framing of it is interesting. In his narrative, Frances went to extraordinary lengths to ensure Cleveland would remain living with her. The method used to interpret the file documents in this thesis is significant here. Understanding the impact of evidence on the indictment, for example, the influence of the Homicide Act on gathering documentary evidence, police interviews, and classifying provocation, and taking into account the pencil notes annotating the documents, for examples, all contribute to a deeper understanding of each type of document and its relative significance in the courtroom. In particular, it helps to explain the significance of biographical narratives such as that given by Cleveland R., and demonstrates the contemporary meaning of emotions like shame and fear, which could motivate someone to move home.

Similarly, the narrative constructed for Lurline D. by police understood her move to England as representing a fresh start and a better life for her family. Lurline

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<sup>450</sup> Ibid., p. 2.

...persuaded her husband to come to England, thinking that her husband might drink less and so might bring home more money and also that the life would be better for her children... She says he gambled more, though he drank less [in England], and the economic position was still unsatisfactory.<sup>451</sup>

Hermann arrived in England in September 1960 and shortly after met Roy M., who had at that time been in England a year having migrated from 'British Guiana'. His and other witness depositions in the case files show links between their previous and current addresses and Hermann and Lurline's past addresses. They describe relationships with the couple that demonstrate examples of many migrants, local and international, who found homes through networks of contacts. In the case of Hermann and Lurline, as in others, these contacts included friends made before and after moving to England, family connections (though not exclusively) and mutual assistance that crossed continental identities.<sup>452</sup> After a year of living in London during which 'he sent little money to support her and the children',<sup>453</sup> Herman sent Lurline the fare to join him. After seven months they arranged for the children to join them. The family lived first at Oswald Road, Balham, then Brandreth Road, Balham. (Chapter Two shows Margaret W. living in rooms in Balham when she arrived in London from Scotland in the 1930s.) Roy M. then helped Hermann get a flat at Christchurch Road in Streatham where he and his family had been living for 12 months by the time of Hermann's death there. He sublet one of the bedrooms in the Christchurch Road flat to Roy M. and his wife. Roy explained

because he [Hermann] got so many children he couldn't afford to run it [the flat] on his own and the people he used to share with [sublet to] moved out a little over two months ago. My wife and I

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<sup>451</sup> CRIM 1/4261: Mental Health Report by C. Saville, Medical Officer, Holloway Prison, for CCC, 1 July 1964.

<sup>452</sup> Ibid., Statements of Roy M., Hyacinth M., and Vincent G., 18 June 1964.

<sup>453</sup> Ibid., Metropolitan Police Report, p. 2.

moved in to share the rent and expenses about five or six weeks ago.<sup>454</sup>

Arguably, women who were the victims of domestic violence who had recently migrated to England were further disadvantaged if they had not yet established social capital in their new home. Hermann was the one with the network of contacts he had built up at the rooming houses he had lived in before he sent his wife the fare to join him.

### **Gender and coupling**

Most significant in the case of Frances T.'s murder was that Cleveland R. clearly thought that he had constructed a believable narrative about what a woman was willing to do to make a man continue to live with her. The case of the murder of Tasita R. highlights how 'race', class and gender could intersect to impact meanings of home from the point of view of *men* of colour, and why *they* needed to use what I have described as 'coupling' as a strategy for accessing better housing. In 1959 Tasita R. was scared of her husband Cecil and had refused to live with him for some months.<sup>455</sup> She had arrived from the West Indies after her husband had, he said, sent her the fare to join him. She spent a short time living with him when she first arrived, he claimed, and then left suddenly, moving into a room on her own in another shared house.<sup>456</sup> As the deceased victim, Tasita had no opportunity to describe her marriage or her husband's behaviour toward her to police, as he did as the defendant. Cecil's view was that his wife was 'associating with other men', although he failed to mention his own infidelities.<sup>457</sup> Evidence of his extra-marital relationship with another woman was suppressed at the trial, defence counsel objected to evidence relating to it on the grounds that it was '...highly

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<sup>454</sup> Ibid., Statement of Roy M.; See also Webster, p. 126 for the particular difficulties experienced by black families with children looking for homes.

<sup>455</sup> CRIM 1/3238: Statement of May M.

<sup>456</sup> Ibid., Defendant's statement, 14 June 1959, p. 1.

<sup>457</sup> Ibid., Mental Health Report on Cecil R. by F.H. Frisby, Principal Medical Officer, H.M. Prison, Brixton, to CCC, 28 August 1959.

prejudicial.’<sup>458</sup> But no such consideration was made for his dead wife. Rather than showing that post-war men and women were more equal in marriage, it shows much in common with the sexual double standard shown during wartime in Chapter Three. Tasita R.’s friends suggested that she was scared of her husband who had threatened her on numerous occasions. She did not want to be alone with him, even at the house party they both attended as guests of other Caribbean men and women in Bromfelde Road, Clapham.

This lack of security may have been another reason why coupling up or pretending to be married was better than living as a single person in a shared house. As Joanna Klein’s article on the period up to 1939 has described, police were flexible in their approaches to such unions, it seemed to be perfectly normal for unmarried people to cohabit, and landlords (see the Backary M. case above) did not seem to care much either. However, the relationships of people of colour were subjected to more scrutiny than those of white people, as shown in the case of the murder of Emily C. Emily let the upstairs rooms of their family home to one single man from Jamaica and what she thought was a married couple. Berresford M., the ‘husband’ was called back to the police station when it was suspected that he was not married to the witness he described as his wife because she gave a different surname when she was interviewed. The recalling and the evidence of their marriage was completely irrelevant to the case. Berresford revises no other part of his statement. He was asked to explain:

The reason I told you I was married when I made a statement to Police on the 22<sup>nd</sup> October, 1952, is because Rebecca M. and myself could not find a place to live unless we told the people we were married. We did not tell her so but Mrs. C. assumed we were man and wife. I intend marrying Rebecca M. very shortly.<sup>459</sup>

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<sup>458</sup> Ibid., Statement of Perdesie S., 2 July 1959.

<sup>459</sup> DPP 2/2209: (1952), Additional statement of Berresford M., Lavender Hill Police Station, 24 October 1952.

This is the only instance where a couple other than the defendant and/or victim are found to be living as married but not legally so. One wonders how often witnesses gave statements and claimed to be living as married couples but were not found out. Given that this is considered to be the ‘golden age of marriage’ it would be interesting to know how many people were living with other spouses or partners, whose neighbours and landlords assumed them to be married, but who were not in fact their legal husband or wife.<sup>460</sup>

### **‘He wasn’t going to wash his own clothes and look after himself’**

Cecil R. described his wife Tasita in sexualised terms; how she was ‘wag[ging] her tail’ when she was refusing to go back to him.<sup>461</sup> This behaviour is interpreted in the mental health report on Cecil for the white, middle class court officials as ‘she was obdurate, if not indeed, rather brazen, in asserting her rights to lead her own life...’<sup>462</sup> In this way, Tasita is denied autonomy and movement through urban space because she was a black woman who was not living with a spouse or partner. She may have been obdurate and brazen but she was certainly frightened. A witness who lived in the same shared house as Cecil described a conversation she had had with him;

He said he had sent for her [Tasita] to come to this Country and he wasn't going to wash his own clothes and look after himself. He said he would leave a knife in her [if she didn't come back].<sup>463</sup>

Cecil’s extreme reaction to Tasita’s refusal to come back to him further highlights the way in which gendered meanings of home could be of increased significance to New Commonwealth migrants. Not because they brought more traditional notions of gender with them from their previous homes but because they needed each other financially and

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<sup>460</sup> Klein; see also Olivia Crockett in Claire Langhamer, *The English in Love: The Intimate Story of an Emotional Revolution*, 2013, p. 189; Cook also argues that some landladies and neighbours showed solidarity rather than discrimination against queer male couples, who could not pretend to be married by virtue of their gender: pp. 159–60.

<sup>461</sup> CRIM 1/3238: Defendant’s statement, p. 1.

<sup>462</sup> Ibid., Mental Health Report.

<sup>463</sup> Ibid., Statement of May M.

domestically. Such was the difference between what two people on low working incomes could afford and what one could afford on their own that couples preferred to live together. In Cecil and Tasita's case, as in others, couples had married before coming to England and the man had migrated first, saving his wages to eventually find a home where they both could live and send the fare for his wife to join him. She then had to work to contribute to their combined income, and her domestic support in running and budgeting the home was an important part of the marriage partnership. In the case of Hermann D., he resented having to do the work he considered his wife Lurline's roles while she was working evening shifts. He told his sub-tenant and friend "My real job is a cook now", because he had to cook for the children while his wife was at work...<sup>464</sup> Marc Matera has described sexual politics between African and Afro-Caribbean men and women in London as largely reflecting a conventional gendered hierarchy, although he describes the essential contributions of black women to important social and political movements.<sup>465</sup> I would argue on the basis of the evidence in the case files of both wife-murders and husband-murders (usually as a result of self-defence from domestic violence) that the importance of gendered roles at home was sharpened for African and Afro-Caribbean men in particular because of the additional pressures associated with low wages and poor housing conditions. However, many of these issues, including strategies for dealing with them including coupling or pretending to be married, were common to local, national and international migrants in earlier periods as Chapter Two has already shown.

In contrast, perspectives on relationships between black men and white women by police and judiciary completely denied them the traditional domestic gendered

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<sup>464</sup> CRIM 1/4261: Statement of Roy M., 18 June 1964, p. 1.

<sup>465</sup> Marc Matera, *Black London: The Imperial Metropolis and Decolonization in the Twentieth Century*, (Oakland: University of California Press, 2015), pp. 19–20.

roles. Both Backary M. and Joseph A., for example, were in relationships with white women, whose capacity for domesticity and entitlement to comfort also seems to have been diminished by their perceived relationships with black men. This fits with Webster's findings that white women who had relationships with black men were perceived as the victims of their 'incapacity for family and domestic life.' Men of colour in the case files and in media coverage are portrayed as 'rootless and adrift.'<sup>466</sup> Mica Nava has countered this by looking at white women's relationships with black men as *antiracism*, and challenges the notion that such relationships were almost universally condemned.<sup>467</sup> They were certainly condemned by the judiciary, however, who took a view of white women in relationships with black men as being particularly immoral, and subjected them to closer questioning about private aspects of their lives and relationships that were less likely to be applied to white couples.

For his part, Backary is deemed incapable of having a platonic or benevolent relationship with a homeless white woman whom he allows to stay overnight in his room while his girlfriend is away. He insists that he took pity on her and gave her some clothes to wear because she was cold and poor, and she was accused of paying for the stay with sex.<sup>468</sup> As James Whitfield has pointed out, white women who slept with black men were invariably cast as prostitutes by police.<sup>469</sup> An alternative narrative given by Backary and partially validated by the woman, describes how he gave her some of his girlfriend's cast-off clothes in order to get rid of her. He had given her a bed for the night because she had nowhere else to go and he felt sorry for her, but he was worried she would be found by his girlfriend who would think they had slept together. The court resisted this

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<sup>466</sup> Webster, pp. 48–9.

<sup>467</sup> Mica Nava, *Visceral Cosmopolitanism: Gender, Culture and the Normalisation of Difference* (Oxford: Berg, 2007), pp. 75–8.

<sup>468</sup> DPP 2/2130: Transcript [cross examination of Phyllis B. by Mr Sarch], p. 104–9.

<sup>469</sup> Whitfield, p. 149.

interpretation, finding it impossible to imagine that this man would be willing to give a white woman a place to stay and some clothes to wear out of pity or concern.

Backary's case, and particularly the opening statement at the Central Criminal Court, illustrates another way racism operated against domestic interpretations in this period: that the white women who were in relationships with black men were somehow the victims of abnormal sexual desire. Despite the photographs, Backary M.'s home was not characterised as a respectable dwelling lived in by a working class couple but as a drug den where women came and went in pursuit of sex from black men. That this was the court's view and not one shared by landlords and fellow-residents is illustrated in the testimony of Joe A.J., Backary's landlord. He was asked about the comings and goings of Backary's girlfriend, in a way that attempted to suggest a transitory and uncommitted relationship. The landlord, himself a European migrant, refused to engage in such a characterisation: 'Q Do you remember when she [Margaret] left? A No, because I do not control her.'<sup>470</sup> This extended exchange indicates a more committed bias on the part of court officials to gendered roles and restrictions than by the people who witnessed in these cases. Joe A.J. did not care whether Backary and his partner were married or not but questioning seemed to invite ordinary working people to share in their biases concerning 'race' and the condemnation of 'immoral' sexual behaviour. Their closed and leading questions gave witnesses little opportunity to challenge the views embedded in their questioning, though some did so.

## Conclusion

Discourses on the raced home in the 1950s and particularly the 60s demonstrate that the dominant cultural meaning of home was one that had changed to

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<sup>470</sup> DPP 2/2130: Transcript p. 62.



reflect only white, middle-class, familial, suburban experiences. This was a meaning from which people of colour were particularly excluded, but which anyone at the bottom of the housing hierarchy could not afford to meet. In various ways, people with limited economic capital across the mid-century found it difficult to access housing at all, let alone the contemporary ideal of home. For people assigned an 'other' identity attributed to their 'race', skin colour or country of origin, racist landlords, public housing policies, and low wages made superior housing inaccessible. The experience of home for people in the older dwellings was characterised by overcrowded and multi-functional spaces, lack of privacy and limited security, in the same ways that working class white people and previous waves of migrants had been living in the same types of homes decades earlier. In addition, however, racist structures increased the scrutiny and biased the interpretation of Establishment organisations like police. Far from being as dirty, public, noisy, and racially different as Huxley argued, my case files show that people's experiences of home and interpretations of them were shaped by structural disadvantage and institutional racism, more than by personal behaviours or nationally different home cultures. Though police attempted to look for evidence that Jamaican people, for example, lived differently in their homes from their neighbours or themselves, they found instead very little difference between people's habits at home and the ways that they themselves lived. Just as white working class people were doing, so people of colour were able to develop strategies for dealing with some of the conditions in which they were living. By developing networks of contacts and sharing information on housing through word of mouth, subletting to friends, renting alongside extended family, and obtaining the mutual assistance of white European migrant landlords, they were able to resist some of the restricted access to housing that the white establishment was attempting to apply. Better conditions were obtained by coupling and/or pretending to be married. This was a risky

practice but one that had been widely used by working class white people for decades before. Even in the 'permissive' sixties, this shows that the ideal of the young or elderly married couple or the nuclear family as the only units permitted in homes, was largely a myth. People resisted the need for state-sanctioning of their relationships, and were able to live with whomever they wanted, long before improved access to divorce. Just as with white working class people, the experience of home for people of colour was shaped by income, social class, family structure and relationships, and the expectations of gendered roles.

## Chapter five: gender and sexuality

Chapters Two, Three and Four of this thesis have shown how experiences and expected roles at home were gendered, and how those expectations and experiences were also impacted by economic and social capital, class, ‘race’ and war. The relationships and marriages in the case files show the ongoing impact of these factors and do not reflect the notion of the repressive 1950s becoming more modern and progressive into the ‘permissive’ 1960s. In this way they support recent historiography that revises ‘permissiveness’, for example Adrian Bingham has rejected a linear progressing public sexual morality, and Frank Mort has argued that it was part of longer cultural transformations.<sup>471</sup> The following chapter adds nuance to this work by using the narratives offered in the case files and reflected in the press to argue that gendered roles at home in the 1960s were just as powerful as thirty years earlier, but there had been some minor shifts. Paid work by married women was more widely tolerated, and vital for many families, but they were still expected to take the main responsibility for the domestic labour.<sup>472</sup> In most marriages or domestic partnerships, even those recently formed, between young couples who both worked, men only ‘helped’ with domestic tasks. Labour saving devices, where they existed, served only to increase expectations of domestic standards.<sup>473</sup> There was no fair or equal division of paid or unpaid labour. Case files also show that domestic violence by men was less tolerated than in earlier decades and men were expected to earn their place at the head of a household as women were expected to earn the respect of their families through housework and homemaking in theirs. A poor standard of housewifery was universally condemned, but so too was poor husbanding.

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<sup>471</sup> Bingham, “‘An Era of Domesticity’?”; Mort.

<sup>472</sup> Ina Zweiniger-Bargielowska, *Women in Twentieth-Century Britain: Social, Cultural and Political Change* (Longman, 2001), pp. 160–2, 279.

<sup>473</sup> *Ibid.*, p. 160; see also Hardyment; Cowan; Christine Zmroczek, ‘Dirty Linen: Women, Class, and Washing Machines, 1920s–1960s’, *Women’s Studies International Forum*, 15.2 (1992), 173–85.

Married or partnered men were expected to be providers, breadwinners, perform heavy domestic chores in terms of home maintenance, including DIY,<sup>474</sup> and were expected to respect their wives if they earned it by performing their own expected, gendered roles.<sup>475</sup> In cases of domestic murder this is acutely apparent because the key to understanding the culpability or innocence of both victim and defendant was the comparative success of their performance of their gendered roles at home.

Economic and social capital was perhaps more divisive than ever before for the experience of home in the 1960s. Slum clearance and accompanying policies had not yet succeeded in elevating the standard of living for the poorest people in London. Homes designated 'slums' appeared worse than ever before because standards of housing and facilities for new buildings were rising rapidly in comparison, and landlords refused to invest in homes that were designated for clearance, even though in some cases this took thirty years or more to implement.<sup>476</sup> The demand for housing was increasing, as were the demands on housing. In postwar Britain people wanted more space per person, and the new communications and affluence that the 1950s and 60s brought, increased people's expectations of what a home should look like. Ideal homes were bigger, brighter, more technological, more expensive and, most crucially for those who could not afford them, more private. The suburbs were now the ideal places of home, with semi-detached houses separated by fences and/or hedges, long gardens front and back, and wide streets.<sup>477</sup>

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<sup>474</sup> Jen Browne, 'Decisions in DIY: Women, Home Improvements and Advertising in Post-War Britain', in Margaret Andrews and Mary Talbot (eds), *All the World and Her Husband: Women in Twentieth-Century Consumer Culture*, (London; Cassell, 2000), pp. 131–45; Judy Attfield and Pat Kirkham (eds), *A View from the Interior: Feminism, Women, and Design*, (London: Women's Press, 1989).

<sup>475</sup> Laura King, *Family Men: Fatherhood and Masculinity in Britain, c.1914-1960*, (Oxford: Oxford University Press, 2015), pp. 193–4.

<sup>476</sup> Ben Jones, *The Working Class in Mid Twentieth-Century England: Community, Identity and Social Memory* (Manchester: Manchester University Press, 2012), p. 99.

<sup>477</sup> Ravetz, pp. 29–30.

Furthermore, people whose private lives could be considered deviant or un-domestic were in the public eye as never before. Though relationships following but not adhering to the married hetero-normative framework remained invisible, and where they existed were often overlooked, domestic identities were not considered in interpretations of queer men's lives in the few cases of domestic murder that feature them from the 1950s and 60s. Queer men and women were identified by police by their homes but the latter were understood in a framework of stereotypical heteronormative domestic roles. Sources for both wife-murders and husband-murders describe frustrated expectations of both genders and how they were understood in comparison to each other by police in this period. Cases of murder where a queer relationship between women was suspected, saw the police questioning and investigating the performances of gender and sexuality by both women. Through the questioning of the surviving member of the couple regarding domestic habits and roles, police felt able to identify one of the women as 'masculine' (usually the defendant) and her partner as 'feminine'.<sup>478</sup> In cases of domestic murder between queer men, on the other hand, the home-crime-scene was analysed for evidence of the queerness of the couple. Queer men and queer women were affected by police and judiciary ideas about what a queer couple behaved like at home, or what their home looked like. These ideas have much to say about expected performances of gender at home, for both same-sex and opposite-sex couples. Furthermore, this chapter also considers cases where failed performances of gender are considered to have played a part in the domicile.

These issues are particularly revealed by cases from the 1950s and 60s, reflecting in part the impact of legal change on the treatment of murder. Provocation and diminished responsibility were codified into law by the Homicide Act (1957) and

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<sup>478</sup> Lizzie Seal, *Women, Murder and Femininity*, pp. 24–30.

influenced the ways people narrativised their home experiences if they were accused of murder.<sup>479</sup> Linked to mental health issues, provocation and diminished responsibility could be argued by the defendant and their counsel by reference to behaviours at home on the part of the victim. ‘Malice aforethought’, a concept linked to the most serious murders and considered incompatible with the sudden snap that characterised cases where provocation could be argued, had to be more closely defined and proven in each case by the DPP. Police gathering evidence could do so by highlighting domestic evidence such as cleaning up and keeping weapons or knives in rooms they did not usually belong, for examples. Through legal and bureaucratic changes, cultural concepts emerged which could help describe people’s deviant behaviour at home, thus sharpening the significance of the temporal place of the home as evidence, despite more scientific methods being applied to the home-crime-scene, such as trace analysis and new forensic techniques such as blood-grouping.

### **Gendered roles: ‘Not going out’ versus ‘the breadwinner’**

John A. who we met in Chapter Two did not assist his wife in her domestic tasks, nor was he expected to do so. When she mentioned his helping her instead of reading the newspaper he at best laughed and made a joke of it or at worst punched her in the face. Little was said in the case about his role in the household or how much money he did or did not contribute to his family’s domestic lives. In the war years and immediately afterwards, male heads of household like Fred HK. whose case was analysed in Chapter Three were expected and expected to put their feet up when they came home. Their domestic lives were characterised by the armchair and slippers, a warm fire, and

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<sup>479</sup> Christopher Hollis, *The Homicide Act: The First Thorough Examination of How the Homicide Act Has Been Working in Practice* (London: Victor Gollancz); Sidney Prevezer, ‘The English Homicide Act: A New Attempt to Revise the Law of Murder’, *Columbia Law Review*, 57.5 (1957), 624; Terence Morris and Louis Blom-Cooper, *A Calendar of Murder: Criminal Homicide In England Since 1957* (Michael Joseph, 1964), the latter includes full text of the act as an appendix.

unlimited leisure in the living area. Similarly, Fred and May C. played gendered domestic roles in the LCC flat they lived in with May's son in Battersea in 1969. The block was a fairly recent build, modern, with up to date fitted kitchens and a communal lift to reach its dozen or so floors.<sup>480</sup> Fred, May and Michael lived in an affluent flat compared to the poor, privately rented houses of the time: their single-household dwelling enjoyed modern comforts and privacy associated with contemporary standards. Fred had a wing-backed armchair in the living room and the family owned a television. Their formica-countered kitchen was very small, and probably not intended for eating family meals in by the designers, but there was a matching table and chairs that could be pulled out and this was where evening meals were consumed by the family, though rarely all at the same time. The flat was clean and tidy, accessorised with comfortable and homely decorations, and bounded by the locked flat door. In this case, as in many others preceding it, Fred's personality and perceived innocence were linked to his reputation as a worker. He had no recorded convictions, and had served for several years at each manual job (he was a Fitter at firms that made machines for mass-producing goods) since leaving school, with good reasons for leaving each. He had performed military service, and though he had seen no action he had served abroad and was demobbed 'with a good character [reference]', although it should be said that the police report containing this information relied only on Fred himself as the source of this information.<sup>481</sup>

His wife's character, on the other hand, was not in any way associated with her paid employment, although she did work. Rather, her son and husband were questioned regarding the ways May spent her time outside of work, including her unpaid domestic labour. From Fred's point of view May had been deficient, compared to him,

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<sup>480</sup> CRIM 1/5099: (CCC, 1969).

<sup>481</sup> Ibid., Metropolitan Police Report: Antecedents of Frederick C. [undated].

her husband, and spent too much time going out without him. Most damning of all, she was a poor household manager and did not budget well (a criticism levelled at several other contemporary deceased wives including Moira B., as just one example). This caused arguments and distrust between the couple, and they would not speak to each other for long periods of time. Fred explained:

We've rowed for years over stupid things... stupid accusations made, not on my part. This is the first time I ever doubted that the wife was carrying on [with someone else] or ever stupid enough to. I couldn't bring myself to accuse her outright. There's been denials on her part [all] the way along. I don't know... This has been going on [since] before Christmas. If she wasn't carrying on with anybody then it was out of this world the things she did to convince [me].

On previous occasions when she'd been out and come on in, there was talk and looks. The whole point was you had to know the stupid nature of the woman. There was so much of it. She had to try and prove I was something and I wasn't... this last [time] was the longest we'd never spoke... She always liked the Bingo and the Dogs. There is fourteen years of it, but I didn't intend it to come to this. I don't think anybody would intend it.<sup>482</sup>

Fred seemed confused about what had happened when he strangled his wife but admitted that the physical confrontation had come about because he had been attempting to provoke his wife into a confession. He had no evidence for her having an affair or planning to leave, but it seems it was his suspicion and jealousy that was driving a wedge between them. Police could find no evidence of wrong-doing on May's part either, it seems there was no other man. But she was desperately unhappy, she told a neighbour, the couple had not spoken for months, and she had bought herself a single bed so she did not have to sleep with her husband anymore. Despite all this, May was still cooking Fred his meals, and had them ready on the table in the kitchen when he got home

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<sup>482</sup> CRIM 1/5099: Statement of Frederick C., Battersea Police Station, 6 January 1969.



from work every day. She maintained her usual domestic routine of serving meals to her son and husband, and they maintained theirs of eating them. According to Fred:

I done the usual thing, went in, took my coat off and put it in the wardrobe. Took my bacca [tobacco] out of my pocket – paper out, took it into the sitting room. I went to the cupboard and took my shoes off. That's the cupboard in the passage. I keep them in there. It was obvious that tea was on the table, you know. Then I went in and sit down (in the small kitchenette). I was just sitting down and went to start on my tea... I just looked up and I think I said, 'It's hard to believe, or you'd never believe it', or something like that. Or I may have said, 'To look at you, you wouldn't believe it'. I may have said there, I said, 'You still won't tell the truth'. I think she looked down and then I put my hand under her (side of face) for her to look up or something like that. I think she brushed it away. I got hold of her shoulders with the intentions of shaking her or something like that. Then I got up and I got hold of her by the shoulders again. She knocked my hands away and hands were flying and that... I think we fell on the floor... Well I just had hold of her round the throat, then I feared the worst, may have happened. I wasn't sure. I just don't know. I just got up...<sup>483</sup>

When they questioned May's son Michael, who had been out with his girl friend that evening, police pushed him to take sides:

If I could say I felt sorry for one of them it would be for Mr. C. He is a very tidy person and worked hard in the house, washing up and doing housework generally, as well as keeping the place trim as far as decorations were concerned... About four months ago Mr. C., who used to give my mother £11 per week, (I gave her £4/10/0d), queried what she was doing with all the money.. He said that she didn't seem to be buying enough food and things for us in relation to the money she was getting. She worked as a filing clerk and I think she earned about £11 per week. My father started to ask her for bills and would pay for things himself rather than give her all the money at once.

As long as I can remember my mother and Mr. C. have had arguments. This has been building up for the last two or three years especially. My mother would go out on an average of two or three nights a week by herself, usually to Bingo or Dog Races.

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<sup>483</sup> Ibid.

At first we all used to go out together, but Mr. C. never really liked it and so about four years ago, he stopped going with my mother, and since this time she has been going by herself. It is difficult to really say what they would argue about, but usually when they did, the fact that she went out alone would be mentioned.<sup>484</sup>

These two statements form the only first-hand evidence of May C.'s going out without her husband. Her son, in his late teens, preferred to spend his leisure time with his girlfriend, so it was natural that she should be alone. However it seems that the authorities by whom this evidence was mediated before it reached the court were more critical of May's public behaviour. Compared to Fred and Michael's statements they added damning interpretations of their own that show that it was their values that were more likely to associate May's going to the bingo with her having an affair or being in some other way behaving intolerably.

The following extract from a letter to the Director of Public Prosecutions from 'expert' psychiatrist Maurice Partridge shows how Fred's words (he had a two-hour interview with him of a similar length to that Fred had with police, and he read the depositions and police reports in the file before he made his report) were reconstructed for the benefit of the DPP. The quote is long, but it is worth reproducing here because it illustrates the way Fred's story has been re-narrativised in a way that diminished his culpability, promoted his fulfilment of his masculine role in the household, and the way his wife failed in hers in comparison. The significance given to information not provided by police-written reports or other statements is interesting because it highlights that the values and weight given to aspects of May's recent and past behaviour, including her sexual behaviour decades previously, were relevant to the argument she had had with her husband that resulted in his strangling her on the kitchen floor. This statement would have

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<sup>484</sup> CRIM 1/5099: Statement of witness Michael K., 9 January 1969, pp. 1–3.

resulted from interviews with the ‘expert’ which included specific questioning, several days or weeks after the event, meaning Fred would have had an opportunity to reframe the events and consider alternative explanations for them since he gave his statement to police. Understanding the construction of these reports is significant because it alters the way they can be interpreted. Described as ‘expert’ testimony and therefore given more weight than the police-constructed statement which would have been viewed by the court as his own words and his own defence, the following report would have been written following the same type of question and answer interview but with the benefit of further hindsight, after the accused had had an opportunity to consider the potential seriousness of their position, and carries the additional kudos of being written by an ‘expert’, an educated man in possession of all the information available to him about the case. He says of Fred and May:

He met and cohabited with his wife from 1955 onward. The prisoner then married her and they continued to live together with her son, who was not by her previous husband, to whom the prisoner seems devoted. The prisoner was uncritical of his wife although it was clear from his account that he had found her a difficult person in that from the start she complained, according to him untruthfully, that he begrudged her things, was inclined to take things personally and to put wrong constructions on innocent remarks. She seems not to have been a good manager and was neglectful over such things as looking after the family clothing. She seems also to have been inclined to gamble and to have spent much time dog-racing and playing bingo. The prisoner used to accompany her on these excursions but he did not care about them and was liable to be accused of being a wet blanket.

During the summer of 1968 he felt that the home was being neglected and that this was because she was spending too much time and money on gambling, and relations became strained between them.

He took to doling out small sums of money to his wife daily in order to prevent her squandering it, but he only did this for a few weeks. On one occasion he went to the dog races to see if she was

there, found her buying tickets at the tote and took her bag away. From about October 1968 onwards, she seemed to change and to go out an increasing amount. She seemed not to want to make any effort to put things right between them. He wondered if she was not consorting with someone else. He sensed that she had some secret pleasure of her own. On one occasion when he expected that she was going out to the dogs, he carried out a sort of programme of her normal activity, turning on the bedroom light so that it could be seen from the road, leaving it on for the length of time that his wife would have taken to make up and dress, turning it off and going to the bus stop. This was within sight of the house and he found a man there who seemed impatient and this man kept looking at his watch and allowed several buses to pass by. After three quarters of an hour, he boarded one and the prisoner followed. The man got off at the dog track. This made the prisoner suspicious that the man had really been waiting for his wife but I did not think him at all delusional about this.

Throughout the marriage there had been periods when the wife would sulk, though he did not use that word (nor would he use the word “nagging” when describing what would come under that term) and there would be periods of silence lasting a day or so and recently lasting over a week or fortnight during which they hardly spoke. In fact, from November 1968 on they did not speak at all except when it was absolutely necessary.

...I felt that this man had been subjected to much provocation in his marriage and that he possibly had not allowed himself to realise the depth of feeling that this actually aroused in him. I did not consider him to be in any way mentally ill. I consider him fit to please to the indictment and do not regard him to be the subject of substantially diminished responsibility.<sup>485</sup>

This report seems to have been influential. A few months later the CCC clerk informed the Coroner's office that the case had been closed. Fred C. 'pleaded guilty to the manslaughter of May C. and was acquitted of her murder by acceptance of that plea (section 6 (5) Criminal Law Act 1967).' He served no prison time but was conditionally discharged which meant twelve months' probation.

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<sup>485</sup> CRIM 1/5099: Dr Maurice Partridge, St. George's Hospital, to DPP, 7 March 1969.

Though I am hesitant to make direct links between sentencing and interpretations of the crime, it seems that the psychiatrist's report was likely to have been highly influential in decision making on the part of the Director for Public Prosecutions regarding the charges brought against Fred. Maurice Partridge the psychiatrist was, in essence, required only to state whether Fred was sane enough to know that what he had been doing at the time of the murder was wrong, that he was responsible for his actions, and he was mentally well enough to stand trial. However, Partridge used the language of recent changes to contemporary law, namely 'provocation', to link with the gendered behaviour of his wife who had not performed in the way she should have according to Partridge's own codes. It is worth considering here Dr Partridge's likely position and background as an educated man in an emerging field of expert medicine.

Police were also clearly influenced by the establishment views that worked from the top down. Inspectors and commissioners wrote reports and made decisions, interpreting the information collected by their ordinary 'bobbies' on the beat. Even bobbies themselves were expected to be married and living in a home of their own, and be respectable. Their private lives were very much part of their jobs because the force needed to project an image of respectability, influence and patriarchal authority.<sup>486</sup> Their own homes were likely, therefore, to be working class, but respectable, and not overcrowded, but for them to progress up the ranks to more responsible positions they had to be seen to be socially mobile in their progress as well.

With this in mind, one might argue that James K.'s home could have been typical of other retired Metropolitan Police constables, and perhaps it was typical when he was so employed. Though, perhaps unsurprisingly, his is the only home of a police

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<sup>486</sup> See Klein.

officer or former police officer that I have come across in the files. He was certainly described as a respectable working class person in the same terms as contemporary police were expected to be. His family had also been ‘respectable working class people.’<sup>487</sup> A mental health report elaborated: ‘his father was a tailor in the army, a good, steady man and his mother pleasant and easy going.’<sup>488</sup> He had served in the Army, and spent 25 years with the Metropolitan Police, retiring on a pension in 1950. ‘He next worked with the Royal Automobile Club for 5 years and then with the National Physical Laboratory as a gate-keeper [or security guard].’<sup>489</sup> James K. was from what was explicitly described as a working class family but he could not be described as an unskilled or manual worker, and he was living in the suburbs of London, buying his home on mortgage. His class could therefore be described as being above Fred C., for example, but perhaps below more clerical working class occupations such as that of Bernard J. (see below). James K. had been born in Northern Ireland and lived and attended school in Glasgow, but no national identity was explicitly applied to him in any descriptions in the case file. It can thus be assumed that police and judiciary did not consider this to be an important or significant element of his outward identity. It may be that James K. did not have an accent, having lived in greater London for most of his adult life, but as we have seen, this was not the only marker of local or national identity to police. Even if he had an accent, James K. was likely considered British, being from Scotland and having served in the Scots Guards, but crucially he was white. As has been argued, Britishness had been racialized by this time to the extent that ‘black’ or ‘coloured’ was what constituted ‘other’, over more local versions of not belonging.<sup>490</sup> Unlike May C., the fact that this was James K.’s second

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<sup>487</sup> CRIM 1/3164: James K. (CCC, 1959), Report by P.H. Brisby, Principal Medical Officer, H.M. Prison, Brixton, 13 April 1959, p. 1.

<sup>488</sup> Ibid., Report by Denis Leigh M.D., F.R.C.P. [undated], p. 1.

<sup>489</sup> Ibid., Report by Brisby, p. 1.

<sup>490</sup> McDowell, p. 58.

marriage was diminished in significance, glazed over. It was not part of who he was as the defendant in this case. (He was blameless in this instance, his wife having ‘left him for another man’ according to Brisby’s report.)

What is clear is that James K. belonged in the suburbs, and was not considered a kind of ‘other’ by police who seemed to treat him more sympathetically than a great deal of other defendants in the files. His home was not used as evidence for his deviance, nor was his wife responsible for inciting sexual jealousy in him. She did not spend leisure time away from the house, as May C. did, or if she did so it was not mentioned by her husband or by any of the documents on the case. James K.’s home was evidence only of Elsie K. having died there, and little other significance attributed to it in interpretations of either spouse’s identity or character. It was tidy and clean, but could not be described as a modern type of affluent house. The scullery, for example, contained a relatively up-to-date cooker but was not fitted with units or other appliances (see **Figure 31** and **Figure 32**). Very little description or comment is afforded to the home at all, other than the significance of James K.’s recent activities there, and the contribution this made to his wife’s death. In his fifties, James had been working full-time and, unusually because of his wife’s recent hysterectomy operation, been doing the majority of the household tasks as well. This, reports concluded, had driven him mad to the point of killing his wife.

Significantly, perhaps, the police officers who interviewed him, conducted the investigation, studied his home, arrested him, and witnessed at his trial, belonged to the same division he had worked for. As he had only retired a few years earlier, some of the individual officers may have been former colleagues, they may have known him personally. If they did, they did not say so in their own depositions:

On 12 March, 1959, I was Station Officer, Late Turn Duty at Surbiton Police Station. At 4.55 p.m. Mr. James K., of Alpha

Road, Surbiton Surrey, came to the station in an agitated condition and, in the presence and hearing of Inspector SALTER and myself, said 'I have just done my wife in, she had been driving me mad for months'. Inspector Salter said 'What did you do it with?' and he said 'A large file'. The Inspector said 'Where?' and Kerr replied 'Alpha Road, she's in the kitchen'.<sup>491</sup>

James and Elsie's son, Anthony, had not noticed anything unusual when he came home for his lunch that day as he normally did.

My parents behaved fairly normally to each other at lunch time. I got back home at about five minutes to five. The back door was unlocked and I went straight into the kitchen. I saw my mother lying on the floor injured. She was breathing heavily and was unconscious.... I have never known my father use violence to my mother before. They appeared to get on well together.<sup>492</sup>

James K.'s poor recent mental state was linked in two mental health reports on him to his changed circumstances at home. His wife had had a hysterectomy operation in the August of 1958 and

...in the next six months she was unwell, and the main household duties fell on the prisoner's shoulders. He had to clean the house, cook the meals and care for his wife, who spent most of her time in bed, or lying on the sofa, apart from taking short walks with her husband. He found that an increasing strain on top of his daily work as a gate-keeper at the National Physical Laboratory, Teddington.<sup>493</sup>

Symptoms of this strain were melancholy, tension, depression, anxiety, insomnia, irritability and weight loss, the reports elaborated. His mental health had seen a most significant decline in the few weeks preceding the incident for which James was arrested. At which point 'everything came on top of him' and he killed his wife.

His memory for the actual event is very faulty. He can remember picking up a file and hitting her once or twice, then hitting her once or twice again yet the evidence is quite clear that she was struck some 20 blows in all. They had had no words before and he is not very sure what she said but knows he had one of his

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<sup>491</sup> CRIM 1/3164: Statement by Alan Webb, Police Sergeant 105, 'V' Division [undated].

<sup>492</sup> Ibid.: Statement of Anthony K. [undated].

<sup>493</sup> Ibid.: Report by Leigh, p. 1.



shaking attacks and she remarked – you want to stop that shaking, you look mad. He is not very certain what she really did say. He knows he had been shaking a great deal before he had been dropping things for several days’ he had lost confidence in himself and was carrying on with his work with the greatest of difficulty. He was very forgetful, acutely depressed and felt he was going mad. I have no doubt that he was in a state of acute depression, or melancholia with agitation and that his physical illness, incidentally he has not yet regained the weight he had lost, was perhaps secondary to his mental illness.<sup>494</sup>

This interpretation by an expert made sense of James K.’s actions in the same way that Fred C.’s mental health report also did so. However, Fred C. had been provoked by his wife’s going out all the time, and James K.’s behaviour was understood as being the result of temporary insanity caused by the pressure of additional responsibilities at home. Diminished responsibility and rage caused by provocation were now codified in law and understood by experts as being to do with mental health conditions, determined by experts, whereas previously they had been applied in theory rather than in name, and at the judge’s discretion in each case.

In James K.’s case, the meaning of home is not that Elsie transgressed it and therefore incited her husband to kill her, as we have seen with other cases, she is not blamed. However, it is taken as understandable that James would not be able to satisfactorily manage his wife’s responsibilities as well as his own, and that the pressure on him was too much to bear. It had driven him mad. The comment ‘*she* had been driving me mad’ is underplayed somewhat in comparison to the symptoms of his stress and anxiety. The symptoms of this melancholy in suburbia are unusual in that they are seen here to happen to a man. Betty Friedan and other writers of this period famously described a ‘suburban neurosis’ or melancholy that *women* experienced on account of the pressures

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<sup>494</sup> Ibid., Report by Brisby, p. 2.

of home out in the suburbs away from extended family.<sup>495</sup> Indeed, no other members of the family were interviewed during the police investigation, outside of the household, nor any neighbours. James and Elsie K. seem to have been relatively isolated, particularly when compared to the living circumstances and proximities of family members in more central areas of London in the 1930s, such as John and Lilian A. Whatever the links between James K.'s case and the historiography of this period, it is clear that his experience of home as a place where the pressures of maintaining the home and the responsibilities he could not manage, was a specifically gendered one. There are no other cases in which women are described as having been driven mad by housework and paid-work, or even one of these. The message here is that the home, in 1959, was still a place where women should be doing the work, and where men were not expected to do it. This was true even of the most modern and affluent homes in the period.

Another example of comparative understandings of gender according to the case files is that of Elaine B., who was described as a Strip Tease Artist, and worked at the Peeperama in Greek Street, Soho. Police accounts of her life and background highlighted the fact that she was the product of a 'problem family', her mother having been convicted of neglecting Elaine and her siblings. Elaine had been brought up in foster homes and institutions, spent time in an approved school, and had a baby which she gave birth to in a mother and baby home which had since been adopted. Following this she had married a soldier whom she had known for only a few months, and left him after they had been married only three weeks. She had previous convictions for theft and using insulting words and behaviour, she had breached the conditions of her probation on the former

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<sup>495</sup> Michael Young and Peter Wilmott, *Family and Kinship in East London*, Revised Edition (London: Penguin, 1962), p. 133; Highmore, *Everyday Life and Cultural Theory*, p. 11; Betty Friedan, *The Feminine Mystique* (London: Penguin, 2010).

charge, and had run away from the approved school.<sup>496</sup> In all these ways, Elaine was exempted from expectations of a dutiful housewife and mother. Her past, rather, ticked all the boxes for an identity as a juvenile delinquent, but not as a respectable working-class housewife. She was given pity, but arguably only when compared to her partner who failed in his own expected, gendered domestic roles.

For two or three months Elaine B. and Ronald or Ronnie C. had been living together, renting a furnished bed-sitting room in the basement of a Victorian terraced house in Mile End. The couple had sub-let the room from tenants on the ground floor, Michael M. and his nameless wife, who knew Elaine and Ronnie as Mr and Mrs C. (see earlier chapters for discussions of ‘pretending to be married’). Mr and Mrs M. lived in the back room on that floor, another couple lived in the front ground floor room. This couple cooked in their own room but used the basement kitchen next to Ronald and Elaine’s room to fetch water. Mr and Mrs M. used the kitchen to cook, as did Elaine and Ronald, but they hardly ever met owing to their different hours.<sup>497</sup> Like the other men in the house, Ronald was a labourer, but had been unemployed for some weeks. He and Elaine argued about money. She had been working as a cinema usherette, then as a cleaner at the Peeperama where she later worked as a Strip Tease Artist.<sup>498</sup> She accused Ronald of being lazy, of trying to get out of working. He had held down his latest job for less than a week before he stayed in bed one morning rather than go to work. Elaine, who worked long and late hours, left him her last few shillings to get them some food. He promised to have an evening meal ready for her when she got back from work close to midnight. But when Elaine came home Ronnie had spent the money on alcohol, and there

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<sup>496</sup> CRIM 1/3411: (CCC, 1960), Report by M.R. Penry Williams, Senior Medical Officer, H.M. Prison, Holloway, 17 May 1960.

<sup>497</sup> *Ibid.*, Statement of Michael M., 4 May 1960.

<sup>498</sup> *Ibid.*, Exhibit No. 5: Statement of Elaine B., Bow Police Station, 23 April 1960.

was no food. He was in bed, smoking, in the dark. Elaine was furious, tired and hungry. She had only had a cup of tea all day and nothing to eat. As she washed and changed, the couple began arguing. All there was to eat in the kitchen was a bag of potatoes. Elaine began peeling them to make chips. Bitter and angry, the quarrel became physical and Ronald hit Elaine in the face. Although he was skinny and slight, Elaine was not a match for him physically and he teased her, hitting her and then moving out of her reach. Covered in bruises from previous physical fights with him, Elaine hit out with both her hands, not realising, she said, that she was still holding the potato peeler.<sup>499</sup> The small knife pierced Ronald's heart and he died in hospital.

In other circumstances Elaine's lack of intelligence, her background, employment, and highly sexualised behaviour would bias respectable police and highly moralistic middle class court officials against her. She was certainly distrustful of them. A note in the case file, presumably from a member of the office for the DPP observes 'Clearly we still do not know the truth about what happened that night. It seems unlikely that even a strip-tease artist would be doing domestic chores in the nude!'<sup>500</sup> However, surprisingly, Elaine's treatment shows that she was considered by police and judicial system to be less culpable than her boyfriend. She was at least performing what was expected of her in terms of her gender whereas her partner was not. The fact that he was not working, and that he had 'forced' this 'pathetic' young woman of low intelligence into a morally degrading job off whose wages he was living, biased the system against him. Press were slow to follow their example and it was not until the final not guilty verdicts were returned that the *Daily Mirror* began to report on the case in a way that was

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<sup>499</sup> Ibid., Statement of Elaine B.

<sup>500</sup> Ibid., Handwritten note on paper regarding transfer of file, signed 'L' dated 2 May 1960.

sympathetic to Elaine.<sup>501</sup> Defence counsel painted her as the victim, and the deceased man as the one who had failed in his role as provider and protector.

‘With growing familiarity, he had treated her as an Oriental chattel-someone to be kicked around,’ said Mr. Durand. ‘She is not the first woman and will not be the last who was willing to support a worthless creature,’ he added. ‘He was quite willing to live on the meagre earnings of this girl who had the job of providing entertainment for the delight of men who were prepared to spend their money looking at young women prepared to strip.’<sup>502</sup>

This gendered description taps into contemporary attitudes to Soho and the racialized attitudes to the women who worked there and the men who enjoyed the entertainments.<sup>503</sup>

This is a far cry from the swinging or permissive attitudes often attributed to this area of London in this period.<sup>504</sup> But it does contribute to my argument of the increased intolerance of private behaviour being seen in public. This includes domestic violence and sex. Domestic violence by men against their wives or partners appears in the case files to have been treated more harshly by police and the judicial system if it took place outside the privacy of the home, or in view or hearing of the neighbours. The case of Hilda S. illustrates this (see below).

Elaine B. and Hilda S.’s cases illustrate that the expected gendered roles in the home were not merely considered alone. Although it is not my intention to speculate about why cases were treated and ended as they did, I do believe in these instances that both defendants would have been perceived to have failed in their performances of feminine roles in relation to the home had their respective partners been perceived to have been succeeding in theirs. If Ronald C. had gone to work that day and made a meal for

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<sup>501</sup> *Daily Mirror*, 25 April 1960, p. 13; 21 May 1960, p. 22; 24 May 1960, p. 9.

<sup>502</sup> *Ibid.*, 24 May 1960, p. 9.

<sup>503</sup> See Bland.

<sup>504</sup> Simon Rycroft, *Swinging City: A Cultural Geography of London, 1950-1974*, (Farnham: Ashgate, 2011), p. 5.

Elaine B., and she had accidentally killed him, the criminal justice system may have still acquitted her, but she would have been understood differently by the system in her performance of her roles, particularly as a stripper. Hilda S. would likely have been considered a drunk if her husband in comparison was sober, kind to her, and stayed at home rather than dancing with other women in the pub. In these instances, not only are the cases unusual because they feature a woman killing a man (see also Lurline D., however) but it demonstrates that the deceased is unable to defend their actions and therefore the court and the defendant are able to describe them in terms that contribute to their own acquittal or at least their own version of events. In this way, gender roles are repeatedly understood comparatively – the provocative deceased member of any couple perceived to have failed in their roles.

It was, however, more likely to be women who were killed by their male partners in cases of domestic murder. This, it could be argued, demonstrates how significant murder was in understandings of domestic abuse, domestic murder, and in relationships and domestic roles more generally. Given that high profile murder cases were reported in newspapers and on television by this time, they played a significant role in popular contemporary understandings of gender and gendered roles at home. And in turn, these accounts were biased against the person who had died and who could not speak for themselves. The cases of Hilda S., Elaine B., and Lurline D. (in the last chapter), also stand in contrast to that of John A. nearly thirty years earlier in the way they speak of domestic violence. Evidence of John A. having abused his wife was ignored, and her death perceived as an accident, whereas in the cases of Hilda S., Elaine B. and Lurline D., the women who killed their partners seem to have been treated more sympathetically because they had performed their gendered roles in the home, in comparison to the men who died who had not.

**‘The thing that struck me most was the fact that the curtains and lights matched’**

The murder of Claire J. in 1968 stands alone among the majority of case files sampled for this thesis in that it demonstrates the affluent living-style described in many contemporary ideal home publications. Twenty-somethings Claire and Bernard J. had been married four months and had purchased a flat together on mortgage in a purpose-built block in Bromley. They had set up their home together, and had not had to spend any of their married life living with their parents, as Fred and May C. had, or waiting for a council house. They furnished their flat with new, modern furniture, co-ordinated soft furnishings, accessories and appliances. The couple had enjoyed a honeymoon after their wedding, and then moved into their new flat within a month. A couple of months after that, Claire started a new full-time job. She had left her previous employment ‘to get married’ and this one was different, marking a change in her status as a married woman. Most significantly for my argument, Claire worked full time but was still considered to have primary responsibility for the home. Her husband described how he might only ‘help’ his wife tidy up the breakfast things after she made it for them in the morning.<sup>505</sup> Claire was noted by friends to be very houseproud. She enjoyed showing visitors to the flat around, demonstrating its modern features and carefully chosen furnishings. One recalled:

I noticed that the curtains, standard lamp and the ceiling lamp all looked similar. I think they were made of the same material... I also saw the kitchen of which Claire seemed very proud. The kitchen units were nicer than ours and there seemed to be more room in it. I think she had a sink disposal unit. I saw a telephone in the kitchen. It was either near the sink or to the left. It looked like a toy. The handset was on the ‘phone from front to back. I was shown a ‘Halcyon’ gas fired warm air unit, which was to the right of the bathroom. I noticed that this was a good heater which could be controlled as far as heat is concerned... I think Claire

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<sup>505</sup> CRIM 1/4847: Statement of Bernard J. [undated].

must have shown me into every room. The thing that struck me most was the fact that the curtains and lights matched.<sup>506</sup>

This male observer, husband of Claire's former work colleague and a similar couple to them in terms of their ages, class, and the length of time they had been married, compared his own, purchased-on-mortgage, two-bedroomed house with the flat Claire and Bernard lived in. The rich description of the material culture at the flat is striking. But as the unfolding case and story of his life showed, these were the kinds of things that were important to Roger P. Claire and Bernard owned a television, which they watched with Roger and his wife and other guests when they came to visit, a drinks cabinet, telephone, and food-mixer, all up-to-date technology that demonstrated their modernity and affluence. The flat itself was very new, in photographs it appears that few of the other flats in the same block and the surrounding complex were yet fully inhabited.

While this is precisely the sort of home one might imagine as a post-war, affluent home of a newly-wed couple, in a greater-London, semi-suburban flat in a new block, enjoying modern fittings and furnishings, it is the first of its kind to appear in the files, even by 1968 (Fred and May C.'s flat a year later was less modern and LCC not private). One might conclude that marriages such as Claire and Bernard's were less likely to end in murder than some of the other, more mature, less wealthy couples in other cases. Or one might speculate that there is a class link here, that working class, poorer families were more likely to experience conflict and murder than more affluent ones. However, I do not believe that this is the case. As my files have demonstrated, murder could happen to anyone, in any type of home, indeed it did happen in all types of home.

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<sup>506</sup> Ibid., Exhibit No. 28: Statement of Roger P. [undated], pp. 1–2.



Roger P. had a previous conviction for illegally entering the home of a young woman at night with (allegedly) intent to rape her.<sup>507</sup> The links between this case and the murder of Claire J. are unclear, in part because Roger denied killing her for upwards of 20 years. When he did admit his guilt, he described the events of the day of Claire's death in a way that the prison system were sceptical of, believing it to be at least partly fabricated in order to make his parole and/or release more likely. Roger consistently argued that police had manipulated the forensic, including domestic, evidence against him in order to secure his conviction. There was some suspicion that strong evidence in Claire's home had been erased during the investigation, that Roger may have removed a rolling pin that linked him to the murder, and/or that police may have removed a hand print from the scene that might have ruled him out as the killer.<sup>508</sup> As previously described, it is not my intention to find the 'truth' of what happened, nor am I concerned with the 'facts' of the case, least of all who did or did not actually commit the crime. However, there exist details and links between evidence and testimony that can say much about power dynamics between the genders in a domestic setting, particularly in the context of increased privacy demands. Links can, arguably, be made between Roger's behaviour prior to Claire J.'s death, and his known behaviour during his imprisonment and three years on the run. They concern the way that Roger was able to use his masculinity, his charm, intelligence and respectable air to talk his way into an intimate place with women that they may not have otherwise been comfortable with. Roger could push the physical and social boundaries of intimacy with women, entering their homes, their bedrooms and their confidences. He could gain access to women's most private

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<sup>507</sup> Joy Hicks, *Lifer: 45 Years in Her Majesty's Prisons* [ebook].

<sup>508</sup> Ibid.

spaces, literally and figuratively, and talk himself out of any difficulty it might place him in, downplaying any distress and claiming innocent fun or a joke.<sup>509</sup>

The details of how he came to Claire J.'s flat on the day of her death and what took place there are disputed. What is known (if anything can be known) is that, *if* Roger was there at all, Claire entertained him in the kitchen while she continued to make the soufflé she was preparing, giving him a cup of coffee and a biscuit on a plate. He may have sat on the stool in the kitchen while she continued to prepare dinner for her husband. She was committed to her cooking, having discussed the recipe with her mother-in-law on the telephone beforehand, and having promised the dish to her husband when they spoke on the telephone earlier that day.<sup>510</sup> She did not know Roger well enough or care enough about his visit to allow him to ruin her cooking the evening meal. He was only a temporary visitor, not a close friend, and was accorded no formal entertainment as he had been when he visited to collect his wife when she had spent a weekend evening at the flat a few weeks before.<sup>511</sup> This time, her domestic tasks took priority. It was also a meal that demanded a lot of time, attention and labour, not something that could be thrown together and left in the oven. The soufflé was exotic, it reflected new culinary tastes and the growing impact of international cuisine and cooking-as-creative-housecraft and hobby rather than a necessary chore. Feminist historiography argues that so-called 'labour-saving' devices merely served to increase demands and expectations of women in the home, and Claire's soufflé (she was using her new food mixer and cooker, amongst other modern kitchen items, to make it) illustrates this.<sup>512</sup> New domestic technologies and the

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<sup>509</sup> Ibid.

<sup>510</sup> CRIM 1/3164: Statement of Bernard J.; Statement of Denise J. [undated].

<sup>511</sup> Ibid: Statement of Roger P.

<sup>512</sup> Cowan; Hardyment.

rise of affluence at home were more likely to affect women there, and not necessarily for the better.

It is unusual that Claire was murdered by a man other than her husband. This changes the nature, significance, collection, and interpretation of the evidence of the home. Claire's body was found by her husband and it was some days before police had enough evidence to arrest Roger P. on suspicion of her murder. In the majority of other mid-century domestic murder circumstances, a spouse kills their partner and someone either hears, or the body is discovered, or perhaps the killer himself (it is more likely to be a man) sends for help. His admission of being involved in the death is what influences the collection and examination of evidence at the scene. He cannot claim to have never been there, or to not have had anything to do with the death of his partner, rather the evidence is collected in an effort to prove murder as opposed to manslaughter, or to anticipate a defence of accidental death or manslaughter, and to counter-argue that the murder was planned 'with malice aforethought.' In the case of Claire J.'s death she was entirely innocent in the eyes of the police, judicial system, and the press and public consuming the story. It was not a spousal argument, a domestic fight, something she could have provoked. It could not have been her husband who killed her, and therefore it was unlikely to be 'nagging', sexual jealousy, or an argument over money or inappropriate behaviour that resulted in her death, as with so many other wife-victims of domestic murders. Rather, Claire had been innocently preparing dinner for her husband after work, being a dutiful wife, using her affluent home and its labour-saving devices to make a comfortable and modern meal for him. She had even performed the role of a good daughter-in-law that day, by speaking with his mother and including her in the couple's life. She had been to work, she had not dressed too provocatively, she had been in the safety of her own home where she ought to be at that time on a weekday evening. And

yet she had been murdered there, where she should have been safe, in private space. Thus, the contrast between the mundane and harmless features of her home were contrasted with her untimely and poignant death to an even greater degree than in other domestic murder cases. Police photographers highlighted in the images of the kitchen in particular, that this was where Claire had been spending her time, going about her business, until the moment that she was chased into the bedroom or pursued there and killed. It was a knife from this room that was taken into the bedroom and used against her. The domestic setting of the kitchen thus becomes a more dramatic site, the half-finished, suspended, interrupted task of baking a soufflé becomes a tableau, a frozen moment in time, a task that would never be completed. (See **Figure 33.**)

As well as standing in stark contrast to so many other cases that scrutinise the behaviour of the deceased woman in her home, the case of the murder of Claire J. also reveals much about the meaning of home in this period as a site of consumerism, modernity, and display. It was no longer expected by 1968 that young couples, newly married, would live with one of their parents before they set up home together, as it had been in the years after the war, and as it had been for Fred and May C. Bernard and Claire J. were able to immediately access modern fittings and fashionable furniture for their home by using Hire Purchase, and the expectations of Claire as a housewife were not diminished by the fact that she was working a full-time job and owned labour saving devices. She was the person primarily responsible for the meals and caring for the home, and thus was able to claim the better part of the pride in it, but was also tied to it in a way her husband was not.

### **‘He lifted up the curtains to show dirt’**

Increased expectations of conditions at home are also revealed by the case of Hilda and Thomas S., who lived in a flat that was brighter and more modern than James

and Elsie K.'s, but not as modern as Claire and Bernard J's.<sup>513</sup> They had shared the flat in Bethnal Green since they had married in 1958, two years previous to the events of December 1960. They had a modern cocktail bar in the living room, contemporary furniture, bright contrasting wallpapers, a selection of ornaments and knick-knacks, and a television in their comfortable living room (see **Figure 34** and **Figure 35**). Their kitchen and scullery were modernising much more slowly, however, with the traditional scullery-kitchen set-up being maintained. The scullery was used for cooking, and final food-preparation took place in a more egalitarian manner at the table in the kitchen, situated between the scullery and the living room.<sup>514</sup> In a similarly old-fashioned way, Hilda and Thomas S. maintained their gendered roles in the scullery. Mrs S. was expected to prepare Mr S.'s supper, and have it ready for him when he got home from the pub, despite the fact that they had both been out that evening. Mary (Molly) G. was a Button Maker who had known Hilda for a few years, they had recently resumed their acquaintance and Molly had been invited to stay with Hilda and her husband for the weekend. She felt uncomfortable at the flat because Thomas was moody and anti-social with her and Hilda's other guest.

Mr S. was complaining about the state of the place to his wife, he lifted up the curtains to show dirt. I didn't take much notice. He then said Mrs S. was anyone's woman for a bottle of Scotch. Mrs S. sat there, she said nothing, but her face changed, it seemed to sink in, what he said. Mr S. said "You can find better up the West End" and he said he wouldn't turn a hair if she walked out that night... He went on to say "Come to that in a few weeks I'm going to kick her out altogether."<sup>515</sup>

Thomas S.'s outburst was cruel and hurtful. Molly did not take much notice but his words and her reaction show how housework was linked to sexual conduct in the minds of men.

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<sup>513</sup> CRIM 1/3576: (CCC, 1961).

<sup>514</sup> Ibid., Exhibit 5: Album of photographs.

<sup>515</sup> Ibid., Statement of Mary G., 15 December 1960, p. 3.

Either that or insulting a woman's sexual morality was the best way of shaming her, even when her supposed sins were unrelated.

Hilda S. had a reputation among her neighbours and friends as a regular drinker, but they also reported that her husband beat her in front of them and in front of her friends, and that he regularly humiliated her in the pub by dancing and flirting with other women. 'If I as much as look round he thumps me' she told them.<sup>516</sup> One friend of Hilda's described Thomas S. as a

...man of completely ungovernable temper, in my opinion. I remember [he] deliberately smashed a glass in July in the lounge of the flat and tried to stab Mrs S. with the broken pieces of the glass, I sat on Mrs S. after Mr S. had pushed her into the armchair, to protect her, but for my doing so he would undoubtedly have reached her with the glass.<sup>517</sup>

With so many reports confirming not only his private, domestic, but also his public violence to his wife, Tom S. came off worse than his wife did. Even after his verbal abuse, she made him a meal:

'In the kitchen he gave me a back hander for nothing while I was cooking some haddock for him. Molly was there. He didn't want it when I cooked it and stomped off to bed. He'd slept there in the afternoon and I hadn't had a chance to make it so I said to him "Let me make the bed, don't get in like that." He said "It'll fu---- well do me." He hit me across the bed. I dashed out, I think Mollie was cutting some bread in the kitchen. I picked up the knife...<sup>518</sup>

She stabbed him once in the stomach and then ran for help. He died in hospital a couple of days later. The bare facts of the case including Hilda's reputation as a drinker made her less likely to receive sympathy, however there were many witnesses who could attest to her husband's ongoing abuse, and she was sentenced for manslaughter rather than

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<sup>516</sup> Ibid., Exhibit No. 11: Statement of Hilda S., Bethnal Green Police Station, [undated], p. 1.

<sup>517</sup> Ibid., Cross-examination of Constance S. by solicitor for the defence, 15 December 1960.

<sup>518</sup> Ibid., Statement of Hilda S., p. 2.

murder and received a sentence of two and a half years.<sup>519</sup> This illustrates the increasing intolerance of domestic violence by men in the post-war period, particularly when compared to the case of John and Lilian A. in Chapter Three. Tom S.'s work was not highlighted, thus pointing to his indefensible failure as a man being due to the treatment of his wife. She may have been a poor housewife, but he was a worse husband, and significantly he behaved badly to his wife in public.

Gender may have divided expectations of people at home, but economic and social capital intersected with it to create unequal conditions, particularly for women. Other than the cases above where people living in relatively modern conditions still experienced gendered expectations of their behaviour and roles, some cases show that women with little economic capital of their own had little choice but to form, or remain in, abusive relationships or face homelessness. Three cases that are illustrative of this include the murders of Maud B. and of Sylvia L. and the murder by Alexandra H. (see below). The conditions of the homes can be compared to show that living conditions for those at the bottom of the housing hierarchy were much as they had been in the 1930s, that housing conditions were still being linked by police and judiciary to moral character, and that surviving defendants were those who had the opportunity to tell a narrative of home life that benefited themselves and criticised the deceased, although this was more common in cases of murder of women by men.

Elaine B. and Ronnie C. were living in a one-room bedsit with access to a shared kitchen in the next room in 1960, subletting from a labouring family upstairs. A few miles away Bernard and Claire J. enjoyed a large, modern flat with a television and other appliances, as well as a private bathroom, kitchen and other amenities. The only

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<sup>519</sup> Ibid., Copy of letter to H.M. Coroner, St. Pancras Coroner's Court, from Deputy Clerk of the CCC, 20 January 1961.

thing they had to share was the passageway on the interior of the building but the outside of the flat. Hermann and Lurline D. on the other hand, lived in a remarkably similar flat to Bernard and Claire, although they were renting and not buying theirs. They had to sublet a room and share the communal areas with another couple in order to be able to afford to accommodate their whole family. But, as shown in the last chapter, this meant that the four children and two adults had to share one bedroom, use the space for multiple tasks, and have little access to privacy or escape from domestic violence. Maud B. on the other hand, enjoyed a large luxurious flat at Barons Keep, West Kensington. There were three bedrooms, a 'writing room' which Maud used for sewing, a large lounge, dining room and balcony. The third bedroom was alternatively described as a 'lumber room' or storage room, and there were also two bathrooms.<sup>520</sup> She lived alone in her '£14-per-week flat' and was twice widowed, her second husband leaving £74,000 on his death in 1954.<sup>521</sup> The flat contained fine furniture, two sewing machines, a refrigerator, television and modern cooker. Decorative objects, lamps and vases stood on every available surface and framed paintings and pictures hung on every wall of the flat which measured more than 800 square feet.<sup>522</sup> Maud B. was the victim of burglary and murder by an acquaintance rather than by someone who lived in the same home as her.

### **'You only come here when you are broke or starving'**

Compare then, Maud B.'s home to that of Alexandra H. She did not have an actual home by herself, but had been 'kipping up' with one of her two male drinking friends for a few weeks. Frank lived in a single room of no more than 100 square feet with a single bed, small table, chair and washstand. The mantelpiece served as the food-cupboard, and Frank used a bucket by the door to 'pea' in (see **Figure 37**). It seems

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<sup>520</sup> CRIM 1/3658: (CCC, 1961), Exhibit 1: 'Plan of all the flat'; Exhibit 3: Album of photographs.

<sup>521</sup> *Daily Mirror*, 28 February 1961, p. 1.

<sup>522</sup> CRIM 1/3658: Exhibit 1: 'Plan of all the flat'; Exhibit 3: Album of photographs.



Alexandra, or Sandra, had previously had relationships with both men, leaving one when he was cruel to her, and suffering abuse at the hands of the other.<sup>523</sup> She is an example of a person made vulnerable by the relationships she had with these men who she needed as she had no other home. A mental health report by a professional who had seen her come and go from Holloway on numerous occasions, charged with offenses related to long-term alcoholism, described her as

a woman of average intelligence but of subcultural social status. She was not born into such a state, but her habits have produced it in her. She has been coarsened by years of drinking and associating with drunkards.<sup>524</sup>

On the day she stabbed Frank, Sandra helped herself to some gammon on the side in the room and he told her “Oh, fuck you, you only come here when you are broke or starving. If you have any money you go elsewhere.”<sup>525</sup> Given the histories described in the mental health reports in the files, it does seem likely that Sandra’s relationships were part of a strategy for survival including somewhere to sleep and drink. That is not to deny that she had no affection for these men, she was devastated when one beat her and the other died. However it can be argued that the conditions in which she lived when she was with them, however dreadful, were better than some of the places she had lived or stayed before and she was loath to return to them. Kipping up with George or Frank, however abusive or threatening, must have seemed like a better option than the hostels she had stayed in.<sup>526</sup> This one room, with a corner ‘pea’-bucket covered only with a sheet of newspaper, empty wine bottles crowding the small space and dirty marks on all the walls, served as bedroom, kitchen, dining room, bathroom, toilet, and living space for two

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<sup>523</sup> CRIM 1/4566: (CCC, 1966), Exhibit No. 4: Statement of Alexandra H., 15 July 1966.

<sup>524</sup> Ibid., Report by Senior Medical Officer, Holloway Prison, 8 August 1966, p. 3.

<sup>525</sup> Ibid., Statement of Alexandra H., p. 2.

<sup>526</sup> Ibid., Report by W. Lindesay Neustatter, Consultant Psychiatrist, Horton Hospital, 10 August 1966; Report by Senior Medical Officer, Holloway Prison, 8 August 1966.

people. That police considered it a slum is shown in the photographs. There was absolutely no reason to show the exterior of the building in any of the crime scene photographs, other than to show that the next door building was a bomb site, and the street shabby, even as long after the end of the war as 1966 (see **Figure 36**).<sup>527</sup>

In the same decade Brian and Moira B. (see Chapter One and Figures 2-6) made some makeshift repairs to their privately-rented dwelling designated a ‘slum’ to improve it, including adding soft furnishings, wallpapers, paint, and boxing in the old mantelpiece and kitchen corner. Brian hoped these changes would satisfy his wife’s condition of ‘a decent home’ to persuade her to come back. However, the ultimate improvement to their lives, he thought, would come when they were rehoused by the council when their building was demolished. This represented a significant increase in their monthly rent and cost of living but it would provide them with the kind of home they would otherwise not have access to. And it would feel like a significant win; ‘we’ve really hit the jackpot now Doll’ Brian said about it.<sup>528</sup> After he allegedly killed his wife and was arrested, Brian was worried that he might lose the flat if he was not able to pay rent on it, and thus lose his ticket to a better dwelling.

Home improvement by men for women had further significance according to the case against Charles D. He claimed he had ‘fitted up’ the Chelsea flat of his mistress of four years, Sylvia L., and was driven to killing her when she was writing letters to someone else. He apparently felt that his financial help and practical labour at the flat entitled him to an ongoing sexual relationship with her.<sup>529</sup> Her mother, however, fervently disagreed with Charles’ narrative of events. Sylvia had borrowed money from her brother,

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<sup>527</sup> Ibid., Album of photographs by Senior Photographer David [otherwise Daniel] Chapman, 15 July 1966.

<sup>528</sup> CRIM 1/2783: Letter from Brian to Moira [undated].

<sup>529</sup> CRIM 1/3239: (CCC, 1959), Statement of defendant, p. 1.

not from Charles, she said, and was ‘proud as a peacock’ about the flat and having had it for herself. Even five years after her death Sylvia’s mother was writing letters of complaint to the Clerk of the CCC to ask for copies of trial transcripts and statements from the case in order to clear her daughter’s name. It was important to her, she said, that people did not think that her daughter had been her murderer’s mistress, and denied any sexual relationship between them.<sup>530</sup> This further signifies the sexual double standard still in existence in the late 1960s when she was writing the letters. The married man Charles was not criticised for his extra-marital sexual relationship with Sylvia in the way that she was criticised for her sexual relationships. Further, it mattered to Sylvia’s mother that even in death her daughter was not called someone’s mistress, and the doing up of the flat and the spending of cash was an important marker of this.

The cases explored in this chapter and the photographs attached to them demonstrate the remarkable differences in living conditions that were still prevalent as late as the 1960s. It was the people with the lowest or most irregular incomes that were living in poor conditions in sub-let or privately rented dwellings, but many were making the best of their circumstances. Nonetheless their homes contributed to understandings of them as living in poverty by the court and police. A large home in the suburbs or a flat with many rooms was almost invariably respectable. Overcrowded living spaces or small flats could be so if the home-makers there had gone to great lengths to make the space look nice, by buying furniture and adding personal touches like photographs and soft furnishings. Such items were appearing increasingly over the 1950s and 60s. Council flats were almost certainly respectable, with plenty of space for inhabitants and rooms with distinct functions, including (usually) a separate space intended for eating rather than for cooking, although this was not always the way inhabitants used the space. Unequal

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<sup>530</sup> DPP 2/2983: (1959), various letters.

opportunities in housing were down to economic and social capital, and made significant differences to the ways people lived. But there was nothing new about any of these types of dwelling, other than architectural design and availability, plus the increased likelihood of finding upper-working class families in council flats.

I argue that housing was a significant contributing factor to understandings of class and respectability, even culpability or innocence of crime, and most especially for women. Values of home postwar dictated that a respectable working class family would be living in a large council flat, and a respectable middle class family living in a suburban semi, or a big and expensively decorated flat, that they were buying on mortgage. Only the poorest of the poor, the unemployed or the criminal were expected to be living in privately rented accommodation with not much space or material culture. Money and respectability could buy privacy at home, but for some not even economic capital could counter their perceived cultural or sexual differences.

### **In the privacy of their own homes? Queer domesticity**

Matt Houlbrook, Matt Cook and others have argued that private domesticity was key to constructing respectable, or at least acceptable, queer identities in the 1950s and 60s.<sup>531</sup> As previously described at various points in this thesis, the case files do not provide an unmediated outlet for the voices of any identity, and this includes queer identities. We cannot know whether Michael and Richard (see below), for example, really thought of themselves as queer, or homosexual, not least because one of them died and the other needed to make himself appear less culpable after his friend's suicide. The approach taken in this thesis to the sources for domicides thus reflects less the self-identities of the individuals and more descriptions of people's experiences of police and

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<sup>531</sup> Cook, pp. 4–27; Houlbrook, *Queer London*, chap. 8.

judicial understandings of their identities. This does not make the files any less useful for studying queer homes, however. As many scholars writing about the history of sexuality have argued, queer identities as we understand them now do not map onto the past. Constructions such as ‘gay’, ‘lesbian’, ‘homosexual’ or ‘queer’ are not helpful. Harry Cocks, for example, has argued that the binaries of homo/heterosexual are recent, echoing Foucault’s assertion that sexuality as selfhood is peculiar to the present, supported by other recent histories of sexuality that have argued that mapping our present understanding of sexual identity based on same-sex desire and physical acts of sex onto sexual identities in the past is reductive.<sup>532</sup> Indeed, throughout this thesis I use Matt Cook’s loose definition of ‘queer’ to reflect a slippery and changing meaning, not the binary opposite to ‘heterosexual’ but something more fluid and variable.<sup>533</sup> If there can be no singular history of a sexual identity, it has been argued, then individual case studies of personal experiences can instead offer particularities through which to understand queer. This has been described as a method of ‘doing’ queer history, or ‘thinking queer’.<sup>534</sup>

Despite this rejection of singular sexual identities in the past, Matt Houlbrook and others have argued that an interpretation of acceptable male homosexuality emerged in the 1950s and 60s which was classed and private and consciously domestic.<sup>535</sup> The ways that the case files demonstrate the close scrutiny by police of aspects of queer lives allow us to add nuanced caveats to this, supported by the work of other historians of sexuality, including Lesley Hall. She argues that lesbian relationships were considered

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<sup>532</sup> H.G. Cocks, ‘Modernity and the Self in the History of Sexuality’, *The Historical Journal*, 49.4 (2006), pp. 1211–2, 1220–1; Victoria Harris, ‘Sex on the Margins: New Directions in the Historiography of Sexuality and Gender’, *The Historical Journal*, 53.4 (2010), p. 1103; Lesley Hall, “‘Sentimental Follies’ or “‘Instruments of Tremendous Uplift’”? Reconsidering Women’s Same-Sex Relationships in Interwar Britain’, *Women’s History Review*, 25.1 (2016), pp. 125–131.

<sup>533</sup> Cook, p. 8.

<sup>534</sup> Houlbrook, ‘Thinking Queer: The Social and the Sexual in Interwar Britain’.

<sup>535</sup> Cook, pp. 4–27; Houlbrook, *Queer London*, chap. 8.

potentially disastrous if there were differences between the women in age, class position and social power. In these instances women's queer relationships had the potential to be pathologised as child-like, hysterical, overly-emotional and jealous.<sup>536</sup> This is supported by the narratives of queer domestic relationships in the case files for domicides, where psychology experts scrutinised, interpreted and pathologised the home behaviours of women in relationships with other women. Similar concerns were raised about inequalities between partners in queer male relationships. The evidence presented to the Wolfenden Committee, for example, offered aetiologies of male homosexuality centred on boys being led into homosexual practices by older men, but also raised concerns about social mixing.<sup>537</sup> The Wolfenden evidence features magistrates, legal experts and prison medical officers, 'reflecting a mid-century sense of what constituted expert opinion and which voices should be privileged.'<sup>538</sup> The same experts feature in the case files for domicides. Significantly, in their view, acceptable homosexuality was classed: working-class men could not be 'properly' homosexual, and those who were harmless, and for whom the law should relaxed, lived private, invisible, domestic lives in partnerships that mirrored heterosexual monogamous marriages.<sup>539</sup>

The model of ideal heterosexual (preferably married) relationships that the cases of domicile described in the first half of this chapter speak to, a model that understands men's and women's culpability or guilt by their respective and comparative performances of their gender in the home, is therefore useful for discussing queer domestic relationships in cases of domicile, albeit up to a certain point. Firstly, in cases of queer women where one was the defendant in a murder case, the two women were

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<sup>536</sup> Lesley Hall, pp. 129–136.

<sup>537</sup> Lewis, p. 205.

<sup>538</sup> *Ibid.*, p. 9.

<sup>539</sup> *Ibid.*, for an example of explicit comparison to heterosexual marriage see p. 217.

mapped onto an ideal heterosexual relationship – one was understood as the woman, the other the man, based on their gendered roles and behaviours at home. The places where one or both of them deviated from the heterosexual norm, the male-female model, being implied as points at which their culpability or guilt was demonstrated. This was not so in instances of queer men, although the two cannot be directly compared because there are no instances in the case files of long-term domestic queer relationships between men that were successful up to the point of domicide, as there are between women. Rather, the homes of queer men where a murder occurred were scrutinized for evidence of their queerness, and further, the ways queer men performed their sexuality at home, and the relationships between their sexuality at home and their sexuality in public were carefully considered. This highlights a second way in which the comparative understanding of gender roles in the ideal heterosexual relationship at home is useful for considering queerness in cases of domicide: queer men's culpability or guilt was understood at least in part by reference to their identity compared to that of the deceased man. Police and court actively compared the minutiae of each man's age, class, and performance of masculinity in public and in private. They questioned aspects of queer men's lives, as defendants and victims, that were not so thoroughly examined where a man was not suspected of being queer. This is important because it highlights and nuances key points in the historiography of postwar queer identity that relate back to social, economic and cultural capital at home. Even in the suburbs, gradations of class were apparent and important, understood by police and by the people who lived there: people measured each other by their homes and living circumstances. A good illustration of this, and of many of the signifiers that could be involved in understanding and communicating class and its subtle divisions is shown in the case of Richard L., which also demonstrates how cultures of home could be understood by police as a signifier of homosexuality.

Michael (Mike) E. and Richard (Dick or Rich) L. both lived in the suburbs in Sidcup. Richard lived in Leechcroft Avenue where police described the ‘home conditions very good and [Richard] on good terms with his parents’.<sup>540</sup> Michael lived in Overmead, in what police described as a ‘good class dwelling house’, and the subtle differences between the two families were highlighted in an extensive police report.<sup>541</sup> Michael’s father described himself as a ‘local government official [with] semi-detached house and car’ and Richard’s mother said that she did ‘not know how much M[ichael] had in the way of money’ but that it was ‘more than my son.’ They had no car, she said, but the E. family had one.<sup>542</sup> Their houses, car ownership, material goods they owned, and occupational differences were all highlighted as evidence of the difference between the lifestyles of the two boys and their families. Given that this was the post-war period, when the ‘People’s War’ had, according to much historiography, eroded class distinctions, it is surprising to find such small differences between the two families being highlighted as so significant.<sup>543</sup> They were both affluent suburban families whose sons had enjoyed some private schooling. Both were members of a music club, both had done or were doing their National Service and were working in clerical jobs, still living at home and enjoying spending their wages on buying records, listening to music and other forms of leisure.

An initial reading of the case makes it seem as though, when the two young men attempted suicide together and one survived, police were attempting to intimate that there had been a financial or material incentive behind what legally had to be treated as a possible murder, because one of them was better off. However, careful examination of

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<sup>540</sup> DPP 2/2396: (1954), Antecedents of Richard L. by Detective Superintendent’s Office, Blackheath Road [undated].

<sup>541</sup> Ibid., [Metropolitan Police Report] To Chief Superintendent from Detective Superintendent, Blackheath Road Station, 6 January 1955.

<sup>542</sup> Ibid., Unnumbered and undescribed notes in blue notebook contained in file [possibly notes by shorthand note-taker or counsel at Magistrates Court].

<sup>543</sup> For a summary of, and challenge to these histories see for example: Field, pp. 1–6.



the available evidence suggests that the differences in the social and cultural capital of the young men were being examined to interpret their sexuality, both individually and comparatively. If Richard had been in a romantic relationship with his friend, there was the potential for a motive of sexual jealousy, which could change the interpretation of the case and possible lines of defence which police and prosecution would need to be prepared for. Furthermore, given the context of ideas about more intelligent, older men with more social capital influencing younger men to become homosexual in order to imitate them, the surviving boy could have been less culpable in the death of his more intelligent, wealthier friend.

In Richard L.'s case, high culture at home and political views related to masculinity were signifiers of the queerness of the young men, and one of them was deemed as only pretending. The E. family had more money than the L. family and they could afford 'gramophone equipment, special loudspeaker and mechanism' which Michael used to indulge his passion for music. Because Michael and Richard liked to listen to music together and 'there are more facilities for music in my home...consequently Richard was the more often a visitor to this [the E.'s] address', said Michael's father.<sup>544</sup> Michael's musical evenings consisted of listening to the gramophone in the lounge at his parents' semi while they were in another reception room. He preferred to have male friends there, and his closest friend was Richard L. Michael was particularly annoyed when his parents invited Brenda to tea on his behalf, meaning he had to change his plans with Richard and entertain her. She did not share his interest in music and he was disinterested in her.<sup>545</sup> He felt that this was an invasion of his privacy, and another example of one of the ways in which his parents did not understand him. His father and

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<sup>544</sup> DPP 2/2396: Statement of John E. [undated], p. 2.

<sup>545</sup> Ibid., Blue notebook.

neighbours complained about the volume of the music when the speakers made the building shake. According to Richard, Michael's home was 'An unstable household where arguments are frequent' and his friend existed in an 'advanced state of embarrassment' by his parents.<sup>546</sup>

Interestingly, it is not contemporary 1950s music that Michael and Richard were interested in, but classical. Although popular histories of this period would suggest that young men of Richard and Michael's age were listening to 'American' music such as rock and roll or jazz,<sup>547</sup> Richard said of the latter 'I am at least not being indoctrinated by jazz. Nothing would lower my mind to this evil and baseless state.'<sup>548</sup> Rather, their particular favourites included *Ein Heldenleben* by Strauss and Mahler's Symphonies Numbers One and Nine. Their musical evenings consisted of reading *Wireless World* magazine and listening critically to the music which they felt had 'begun to take on a religious aspect'. Michael was interested in Theosophy and had lots of books on the subject. He and Richard felt that when they listened to music together they experienced a sort of lifting, an elevation to a higher state of consciousness. It also brought them together in a shared intimacy that they felt they did not have with anyone else.<sup>549</sup> This intimacy and mutual understanding stood in sharp contrast to Michael's relationship with his parents. 'It has been quite apparent to me for some time,' he said, 'that I must be a burden – i.e. in the way, at home... my only pleasure is music and I just cannot live without it.'<sup>550</sup> Police seemed very interested in Michael and Richard's taste in music, specifically that it

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<sup>546</sup> CRIM 1/2533: (CCC, 1955), Exhibit No. 5: Note found in wallet of accused.

<sup>547</sup> Adrian Horn, *Juke Box Britain: Americanisation and Youth Culture, 1945-60* (Manchester: Manchester University Press, 2009).

<sup>548</sup> CRIM 1/2533: Undated letter [#1 of 12] from Richard to Mike, part of Exhibit No. 3.

<sup>549</sup> Ibid., Exhibit No. 3: Letters from Richard to Michael, November to December 1954.

<sup>550</sup> Ibid., Copy of letter from Michael to his mother and father, 26 December 1954.

was ‘high class music’, and that Michael was the more interested and ‘expert’ on the subject.<sup>551</sup>

The two young men felt that they had only two options to escape Michael’s misery at home, and Richard’s misery being away on National Service and separated from Michael. The first was getting a house together.<sup>552</sup> They imagined and planned together a home of their own with ‘a whole room of records’ and coloured lamps to improve the atmosphere. ‘We could suit every mood we felt, with music’ they wrote to each other when Richard was away.<sup>553</sup> When he came home from National Service for Christmas he and Michael went for a walk together on Boxing Day. When they came back they talked with Richard’s mother, explaining that they wanted to get a flat together so they would not be interrupted in their listening to music together but that they had worked out they would not be able to afford it. They were both very disappointed.<sup>554</sup> The other remaining option they had discussed together was suicide. This was partly influenced by their theosophical beliefs in an afterlife, by their being able to be together there, and partly by their unhappiness.<sup>555</sup> It seems that Michael was the more depressed, police decided that it was he who was the one with the serious interests and beliefs, after all he was older, better educated and more intelligent, and that Richard was just pretending. He had a reputation for copying other people, for pretending a better social capital or education to impress people:

He endeavoured to impress other employees as a person of superior knowledge, and frequently talked about astrology... he is described by his supervisor as being of average intelligence but appeared to be an ‘impressionist’. He talked a lot of flowery

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<sup>551</sup> DPP 2/2396: [Metropolitan Police Report].

<sup>552</sup> CRIM 1/2533: Exhibit No. 5: Note by Richard found in his wallet headed ‘Analysis 106’, 26 December 1954.

<sup>553</sup> Ibid., Exhibit No. 3 [part]: Letter from Richard to Michael, 10 December 1954.

<sup>554</sup> DPP 2/2396: Blue notebook.

<sup>555</sup> CRIM 1/2533: ‘Analysis 106’.

language on matters he did not really understand, and was most unpopular with his colleagues by whom he was nicknamed 'Master Bates'.<sup>556</sup>

This police report was influential, it seems. Because although Richard's letters to Michael were affectionate, tender, even passionate, and Michael's to Richard did not survive (he told his friend to destroy them because he was worried they would get him into trouble if they were found), there was more evidence of Michael's queerness than of Richard's.<sup>557</sup>

His pacifist views were another area that was implicitly linked with his sexuality. He said of his National Service in one surviving letter to a friend:

I really felt that I was doing the wrong thing but had I conscientiously objected I would have found myself in a jam as far as house life was concerned. The thoughts of my parents are not inclined the same way as my own and I know you will realise how important a thing this is in one's life.<sup>558</sup>

Michael was a member of Peace Pledge Union, which his father had not known about, and the implication was that his Pacifism would have been enough to cause serious discord between him and his parents. The most damning evidence of Michael's queerness was found on his body by the pathologist after his suicide in his parent's kitchen.<sup>559</sup> During a medical examination no such evidence was described on Richard's body when he survived the joint attempt. He strongly denied any such feelings:

He said he had never suspected any perversion on the part of the victim; the facts as revealed by the post-mortem findings suggesting that the victim might have been a sodomite, destroyed any respect or affection he had for him; if he had suspected that the victim was a homosexual, he says, he would never have associated with him. I am of the opinion that the victim was the stronger personality in the association... I think that, when the

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<sup>556</sup> DPP 2/2396: Metropolitan Police Report.

<sup>557</sup> CRIM 1/2533: Letter from Richard to Michael, 8 December 1954 [part of Exhibit No. 3].

<sup>558</sup> Ibid., Letter to 'Rex' from Michael [undated].

<sup>559</sup> Ibid., Statement of Francis Edward Camps, 11 January 1955.

prisoner denies any homosexual factor on his part in the association, he is speaking the truth.<sup>560</sup>

The two young men undeniably shared a special intimacy in the private times they were able to spend together, but were unable, even with their combined income, to make a home together. After one of them died, the possibility of them having shared a romantic or domestic relationship was denied them too. By interpreting the dead boy as possessing more social and cultural capital he was identified as the more queer, and the defendant by comparison was thus an innocent party, he had just been trying to impress his friend and had not been engaging in queer sex with him. This interpretation by police was legitimised by the all-male jury's finding Richard L. not guilty of the murder of his friend and he was released.<sup>561</sup> The particularities of this case and the ways the boys identities were constructed in comparison to each other and by reference to their homes, supports many of the tropes indicated by the evidence to the Wolfenden Committee, who were concerned about 'the susceptibility to corruption of 18- to 21-year-olds undergoing National Service,'<sup>562</sup> (Richard was on National Service) and identified 'the type of homosexual who tries to parade a fancied intellectual superiority to the common herd [who] is certain of exquisite popularity'.<sup>563</sup> The descriptions of Richard in the case file makes clear that he was understood to be one of these 'pretenders', an 'acquired homosexual' if he was homosexual at all, according to the aetiologies of the Wolfenden evidence, led astray by his peer to 'adopt homosexual practices because they think such activity denotes a superiority of mind and the possession of cultured and artistic

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<sup>560</sup> DPP 2/2396: Report by J.C.M. Matheson, Principal Medical Officer, H.M. Prison, Brixton, to DPP, 31 January 1955.

<sup>561</sup> *Daily Mirror*, 12 February 1955, p. 5.

<sup>562</sup> Lewis, p. 17.

<sup>563</sup> *Ibid.*, p. 74.

instincts.’<sup>564</sup> Such a view was reinforced, according to the Wolfenden Report, by the ‘widely held belief...[that homosexuality is] peculiar to the *intelligentsia*.’<sup>565</sup>

The view offered by the Wolfenden evidence that ‘real’ homosexuals were the ones with more wealth, social status and culture is reinforced by the particularities of murder cases involving working-class homosexuals (as described above, assigned or suspected of that identity by police who investigated them and their homes). A common narrative binds three cases that illuminates not only concerns about differences of power between sexual partners, but also offers particularities about contemporary concerns regarding sexuality in public and private. The common narrative is supported by the evidence to the Wolfenden Committee, illuminating a trope, like the returning soldier murdering his wife identified in Chapter 3, that could be employed to attempt to make a defendant appear less culpable in the fatal violence against another man in one of their homes.

George and Henry were privates in the Canadian Army who went absent without leave from their unit for two weeks in 1942. Staying at a YMCA, they had a few nights out in London and on their last night went to several public houses in Soho, ending up in The French House. There they met two men, one of whom ‘wore spectacles and carried books’, the other of whom was called Bill, who bought them drinks for the rest of the night. ‘I could see they were “queer” men,’ Henry told police later, ‘that’s what we call them in Canada.’ Bill invited them back to his large luxurious flat in Baker Street where he attempted to seduce both the men, according their statements. They reacted violently and Bill was killed.<sup>566</sup> In August 1950, Socrates P., a wine waiter from Greece,

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<sup>564</sup> Ibid., pp. 109–10.

<sup>565</sup> Ibid., p. 269.

<sup>566</sup> CRIM 1/1540: George Frederick B. and Henry S. (CCC, 1943), Exhibit No. 19: Statement of Henry S., 17th July, 1943.

tripped over the feet of middle-class student named Fred walking along Piccadilly. They went drinking and talking together and Fred missed his train home so Socrates offered him a camp bed to sleep on for the night. Back at his flat, Socrates claimed that Fred refused the camp bed and wanted to ‘bugger’ him. There was a struggle, Fred attacked Socrates with an ornamental knife from his living room but was fatally injured himself. ‘I admit I have had men at my flat in the past for sexual purposes’ Socrates responded to police questioning, ‘but I haven’t done it for some time.’

...I’m the man when this has happened. Fred wanted me to be the woman and let him bugger me but I was not interested because he was not my type and anyway I did not intend to be the woman.<sup>567</sup>

Socrates’ home was interrogated for evidence of his queerness and foreignness. Police paid particular attention to the ornamental knives and bird cage in the living room, and thoroughly questioned friends and acquaintances of both men about their sexual histories and the people they associated with. Similarly, the sexual histories and social backgrounds of John and James were investigated by police. These two men bumped into each other on Tottenham Court Road one Thursday night in 1970. James was a wealthy businessman and invited John, a labourer of no fixed abode, to stay at his Islington home.

He offered me the choice of sharing his bed with him or the settee... I said, “I’m not like that, I’ll sleep on the settee.” He said he was very disappointed with me, he felt that due to my circumstances I would have been willing to go to bed.<sup>568</sup>

James was later found tied up in his bed, shot in the head, John had taken clothes and money from the flat and gone on the run.

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<sup>567</sup> CRIM 1/2097 (CCC, 1950), Exhibit No. 24: Statement of Socrates P., 9th August 1950.

<sup>568</sup> CRIM 1/5538 (CCC, 1970), Exhibit No. 21: Statement of John Ernest B., 4th December, 1970.

Generalising across these cases, rather than from them, each includes a narrative that places the men of differing social status and wealth in the West End for leisure. The men go home together, without any mention of sex, usually to give a place to sleep for the night. One of the men is offered a separate bed, at which point it becomes obvious that sex is the object, because the victim wants to share a bed instead. When his sexual advances are rejected violence occurs which ends in one of the men's death. The surviving man places himself as the passive partner, the less queer, but is also the one with the less money and of a lower social class. In each case, police looked for evidence of the queerness of the resident of the home in which the body was found, making detailed reference to objects of material culture, photographs and furnishings. In each case, they made detailed inquiries into the backgrounds, characters and sexual histories of both defendant and deceased victim, with more rigour and detail than was usually applied to cases in which heterosexual romantic or sexual relationships were suspected or confirmed. That this was a culturally understood defence, a reasonable and known explanation for violence, is supported by evidence to the Wolfenden Committee. In his written submission to the committee, Peter Wildeblood described an encounter between a man he knew, referred to as 'D' and a sailor who

approached him in a Soho pub, and then asked for a bed for that night; although physically attracted by the sailor D made no mention of matters connected with sex until the sailor announced that he would prefer to sleep in bed with D rather than in the alternative single bed offered. The sailor's conduct subsequently suggested a considerable homosexual experience; money was not mentioned, and they parted on apparently friendly terms.<sup>569</sup>

This encounter, Wildeblood claimed, preceded an attempt at blackmail, the sailor writing to D to demand money or he would publicly out him. Blackmail is mentioned in many of the submissions to the Wolfenden Committee, though it does not feature explicitly as part

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<sup>569</sup> Lewis, p. 212.



of the evidence, police commentary or conjecture in any of the cases described above. Taken together, however, they offer particularities that describe the potential vulnerability of men who took other men home with them, queer or not.

These particularities unsettle straightforward readings of changing laws on homosexuality and permissiveness that claim that gay sex between adult consenting men in private was discussed and eventually permitted by the Sexual Offences Act of 1967. Rather, the cases explored above and the common narrative between them supports Matt Cook's assertion that public and private were not so distinct in the postwar period because public concerns feature in private behaviour and vice versa.<sup>570</sup> The geographies of queer sex in terms of men meeting men in the West End, pointed out by Houlbrook in *Queer London* and the Wolfenden evidence by police and magistrates, are supported by these cases. However, rather than indicating that queer sex at home was private and therefore tolerated, rigorous investigations after a domicile show that homosexuality even in private could be used against a defendant or deceased victim to indicate their guilt or culpability to varying degrees, and that sex between men even in private was considered particularly transgressive if there were differences between the men in class status, wealth, age or intelligence.

### **Queer women and domestic identities**

In domicile cases involving suspected lesbians, women were also compared to each other, though investigations focussed more specifically on the home and their behaviour there for evidence of their respective and comparative gendered roles. They could only be understood as imitating a heteronormative relationship by one playing the 'husband' or the man, and the other the wife. Evidence used for this involved examining

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<sup>570</sup> Cook, p. 9.

the ways they performed their genders in relation to home and work. Which was the ‘feminine’ and which the ‘masculine’ was a question the police were desperate to answer in order to understand the relationship and domestic setting.

For example, Norma E.’s gender was interpreted by her employment, as a van driver, and the way she dressed, in trousers and pullovers. In 1961 she had been living with her partner Gladys at various addresses for four years where they shared a bedroom and a bed.<sup>571</sup> These factors were sufficient for professionals involved in the case to describe Norma as masculine although she herself denied she had ever felt any sexual attraction toward anyone.<sup>572</sup> As she would not admit that Gladys P. was her lover, counsel were unable to argue that she was provoked by sexual jealousy into the killing of Winifred L., whom she found with Gladys in the bed that she, Norma, usually shared with Gladys.<sup>573</sup> Had Norma and Winifred been men, the sexual jealousy over Gladys would have been clear, and an obvious way to argue for manslaughter or provocation. As it happened, there were also grounds for Norma to claim diminished responsibility, recently codified in law, given that she was highly medicated on barbiturates and possibly also suffering from hypoglycaemia at the time of the murder, which could cause aggressive behaviour.<sup>574</sup> However, Norma’s defence was that she was provoked because she felt physically threatened by Winifred. But Winifred’s performed gender could not be scrutinised and compared to Norma’s, not least because she did not live in the house. Norma was undoubtedly masculine but there was no evidence that Winifred was more so, and that she therefore was capable of physically intimidating Norma. Clarifying that Norma was the ‘man’ in her relationship with Gladys, the judge summed up for the jury

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<sup>571</sup> CRIM 1/3700: (CCC, 1961), Statements of Kathleen O’C. and Fay O’C., 5 July 1961.

<sup>572</sup> Ibid., Report by M.R. Penry Williams, Senior Medical Officer, H.M. Prison, Holloway, 12 July, 1961; Report by Paul Mallinson, M.A., B.M., B.Ch., F.R.C.P., 17 July 1961.

<sup>573</sup> Lizzie Seal, *Women, Murder and Femininity*, pp. 111–114.

<sup>574</sup> CRIM 1/3700: Report by Penry Williams; Report by Mallinson.

that Norma ‘gave a large part of her earnings to Miss [Gladys] P’.<sup>575</sup> Norma held the role of the husband, she was the provider and Gladys the home-maker. The fact that Gladys was out of the room making everyone a cup of tea during the time that Norma, allegedly, attacked Winifred and killed her, underscored her comparative feminine role.<sup>576</sup> Whether these factors played a significant part in the jury’s verdict or the sentence Norma received is open to speculation. However, what is clear is that in this case the roles each woman performed in relation to the domestic space they shared was one of the significant factors in determining which gender they represented.

The case against Norma also demonstrates the limits of the new legal definitions of provocation and diminished responsibility. These were, according to critics, merely cards that could be played in order to understand people’s fatal behaviour against one another, and had little bearing on actual mental health conditions. Significantly for this thesis, these concepts and the way they helped mental health ‘experts’ and defence counsel structure their reports and cases increased the significance of behaviour at home. The look of a place became less important than what people did there, and this required the interpretation and confirmation of experts, although they relied on the same information provided to the police. The weight of evidence thus shifted from the police photographer to the educated mental health expert, who described people’s behaviour at home using their given narratives mediated by hindsight and a better understanding of the seriousness of their position in the prison hospital. Arguably, forensic and trace analysis were also advancing the increased scientific interpretation of the home crime scene, techniques which would overtake other methods in later decades as the most significant in determining the narrative of a domicile. As Alison Oram has argued, women identified

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<sup>575</sup> J 82/150: (CCC, 1961), Judge’s summing up, 25 July 1961.

<sup>576</sup> CRIM 1/3700: Statement of Gladys P., 5 July 1961.

as queer were explicitly linked to crime, over-emotion and gender-deviance by psychologists and analysts in the 1950s.<sup>577</sup> Even benign activities between queer women were sexualised and emotionalised, such as the game of Ludo between Marilyn B. and her partner Jan, on the night the latter was fatally injured.<sup>578</sup>

## Conclusion

According to these cases, women's relationship to home in the 1950s and 60s was tied to the comparative gendered role of the male in the home. Expectations of fathers at home, as well as husbands, were raised during this period and tied to those of mothers and wives.<sup>579</sup> He was expected to fulfil certain roles in exchange for her domestic labour, and when this exchange failed, she was not expected to hold up her side of the exchange in quite the same way. On the other hand, the expectations of roles at home were still explicitly gendered. Men in same-sex relationships were not entitled to any access to domesticity as far as public discourses were concerned,<sup>580</sup> indeed, in their 1955 memorandum to the Wolfenden Committee, the Council of the Law Society claimed that 'male persons living together do not constitute "domestic life"-it does not therefore impair the privacy and confidence of domestic life for such proceedings to be taken.'<sup>581</sup>

The particularities offered by the queer cases suggest that women in same sex relationships were able to construct a private domestic intimacy away from the same level of public scrutiny. For the majority of the 1950s and 60s, sex between men was still illegal, even in private, and Matt Cook has argued that increasing awareness of gay men

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<sup>577</sup> Alison Oram, 'Love "Off the Rails" or "Over the Teacups"? Lesbian Desire and Female Sexualities in the 1950s British Popular Press', in Heike Bauer and Matt Cook (eds), *Queer 1950s*, (New York: Palgrave Macmillan, 2012), pp. 44–5, 49.

<sup>578</sup> CRIM 1/4013 (CCC, 1962).

<sup>579</sup> King, pp. 193–4.

<sup>580</sup> Cook, p. 3.

<sup>581</sup> Lewis, p. 41.

in public life was contributing to the stigma they attracted.<sup>582</sup> Women's queer relationships were deviant but not illegal, and some record of their domesticity is available in the case files. It may be possible, however, to argue with further research that a similar narrative could be told in these instances too: that one of the partners was always the more 'normal' or less sexually deviant than the other, and that it was usually the defendant or surviving member of the relationship who could use the home space to indicate that her own gendered behaviour had been the more appropriate.

Above all the specificities of these queer cases provide a way of thinking about the fluidities of public and private in the mid-twentieth century. Descriptions of the experiences of queer individuals in their homes or the homes of others show that home was not so private and could be dangerous. The discourses by various witnesses to the Wolfenden Enquiry and the wider aetiologies of psychotherapy and 'experts' on sexuality, combined with reports on defendants by similar (or the same) experts in the murder case files, demonstrate that concerns about private behaviour in public were strong, and that private sexual behaviour in the home was discussed in public and understood to have public impact. Despite the decriminalization of sex between men in private, these sex acts were still considered evidence of guilt or culpability in cases of murder if they were between men of differing social status, age or gender performance, showing that even in private, public discourses had a part to play in policing private lives. Private behaviour and private spaces were invaded and thrown open to public scrutiny and discussion in the public spaces of the police station and courtrooms. Newspapers also made private lives public after an instance of domicile. Deviation from publicly sanctioned types of behaviour and performances in private were left there, in private, and

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<sup>582</sup> Cook, *A Gay History of Britain: Love and Sex between Men since the Middle Ages*, (Oxford: Greenwood World Pub, 2007), pp. 173–4.

those that were not, depending on contemporary standards, were thrown open to the public. Each case was understood in a wider public framework but each was different, narrativised and understood differently. Methodologically, it serves us well to leave the cases as specific instances, as case studies rather than representative. This is what doing queer history is all about according to Matt Houlbrook and Laura Doan, and is a method also employed by Matt Cook.<sup>583</sup> However, the cases offer examples of specific experience that can contribute to understandings of the wider issues discussed above. We can consider exactly how limits on private and public sexuality limited these individuals' experiences of their homes and their relationships, and which understandings of sexuality and gender were evoked and used in the police understandings and court commentaries of the cases. These particularities have much to offer the recent historiography of sexuality and gender that offers wider descriptions of moves, or not, toward modernity, 'permissiveness' and the decriminalization of queer sex in private, but fails to illuminate how the caveats to these – the variations of class, gender and race, so successfully articulated in the historiography, operated in practice in the everyday lives of actual people.

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<sup>583</sup> Houlbrook, 'Thinking Queer: The Social and the Sexual in Interwar Britain', p. 134; Cook.

## Conclusion

This thesis set out to research experiences of home including the place of home in twentieth century British society. Having identified a uniquely rich collection of sources in the case files for murder trials at the Central Criminal Court, none of which had been used to study home and domestic life in the twentieth century before, I applied an original method to analyse the points at which the interpretations and descriptions of the home spaces, by police who were investigating domestic murder and courts who were trying it, rubbed up against the experiential evidence and the images of interiors. These points exposed shifting meanings of home in terms of ‘top-down’ expectations in cases of domicide, but revealed that ultimately experiences of home at the bottom of the housing hierarchy were characterised by the same deprivations of space and privacy from the beginning of the period to the end. Interpretations of people’s homes and their behaviours, cultures and culpabilities there were affected by powerful present narratives about the identity assigned them by police and accompanying assumptions about personal and sexual morality, racialized behaviour and capability for domestic life and comfort.

Other significant and original findings of this thesis concern the critical investigation applied to these sources which identified the different hands and processes involved in the construction of the crime case file documents. In cases of domicide, police interpreted and represented the space of the home and brought it into the space of the courtroom for examination and further layers of interpretation and framing by upper-middle-class (and higher) legal professionals on competing sides of an adversarial and performative system of justice. Increasingly over the mid-century period, psychiatrists and medical officers were called upon for their interpretation of domestic crimes and people’s behaviour in their homes, questioned in court as expert witnesses to spaces they had never seen. Here, the conditions of the home and the behaviours played out there

contributed to perceptions of victims' culpability, defendant's guilt, and the extent to which witnesses' testimony could be believed. The ways these parties were represented to the jury, press and public were framed by strong contemporary tropes related to their perceived identities based on their class, gender, race and sexuality.

This thesis has identified how these tropes were circulated, and though many were used against people they could also be drawn on by defendants who found themselves accused of homicide. The language of the court, coroner and codified law featured more and more in the statements and letters of defendants over the period 1930 to 1970, showing how the processes of justice were understood by the public. Potential reasons for committing murder became part of public consciousness, and arguably affected the ways people committed crimes, attempted to conceal them, or attempted to justify them. These issues are significant in the use of crime case files for any topic, but they specifically illuminate the close relationship between home and crime because in cases of murder people's behaviour at home, the ways they made and kept their homes and lived in them, helped to construct their identities in the eyes of the law. These findings destabilise understandings of public and private as binary states. They identify the role of discourses about private behaviour in public processes of justice, and how public intervention in private life could affect people's experiences in the private spaces of their homes.

It is these experiences of public and private that form the basis of this thesis. 'Thinking queer' allows us to use the particularities the cases offer to examine individual experiences of public and private in mid-twentieth century London without universalising or generalising from them.<sup>584</sup> In Chapter Two, for example, Elvira Barney was able to use

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<sup>584</sup> See Houlbrook, 'Thinking Queer'.



her class and wealth to enjoy her sex life in her private mews home, but her private life still spilled out into the street to be witnessed by her neighbours. In Chapter Three we see gendered public concerns about the reconstruction of private family life operating in the home of Lilian H.K., for example, but also how she enjoyed little privacy from her landlady due to the geographies of her home and the limitations of her household income. We also see how ‘Blackout Ripper’ Gordon Cummins and his colleagues were able to break the curfew rules in their billet to enjoy public leisure in London, but how he desired private domestic leisure in the homes of women he killed. In Chapter Four, Lurline D. was vulnerable to her husband’s violence in the privacy of her home and public channels failed to protect her from it, yet her lack of participation in public leisure made her less guilty of his murder in the eyes of police. In Chapter Five we see how public leisure was key to meeting men for sex in private in the cases of George and Henry and Socrates P., but how that sex made them, or the men they met, vulnerable to violence in their homes. We also see how their interactions were later framed by public concerns for private sexual behaviour, and how their actions were used to construct identities for them that were presented in the public space of the courtroom. Domicide was an uncommon and unusual event that distorted the record of people’s homes and relationships, and every case was differently approached and interpreted differently depending on the specific circumstances of the dwelling, yet these cases offer particularities of experience that demonstrate the interplay, complexity and fluidity of the states and spaces of public and private.

This is significant for the historiography of the period because each of several different areas take for granted that public and private were distinct. This thesis builds on recent histories of London, for example, that argue that there was less distinct social

zoning separating different classes and urban spaces in the capital,<sup>585</sup> instead offering particularities that suggest experiences of spaces as more fluid and mobile. It unsettles the boundaries offered by other photographic sources that would suggest that working-class lives were lived in public and middle-class lives in private.<sup>586</sup> However, it also offers experiences that, in common with recent historiography on class that similarly use experiences, show the limits of post-war affluence in people's everyday lives while demonstrating that classlessness had not been achieved by the late 1960s, particularly in 'top-down' discourse.<sup>587</sup> The particularities offered by the top-down discourses in the case files show how respectability could be constructed using people's homes as evidence, and what a respectable perceived identity could mean to victims and defendants in cases of domicile. Cases show attempts by the judiciary to racialize domestic spaces and mark individuals as culturally different from their white neighbours, whereas particular witnesses describe instead the common struggles and mutual assistance they gave each other. This is particularly important as present historiography is also revising 'race relations' narratives of Black experience prioritising working identities and instead prioritising particularities of experience that show comfort and domesticity as important to individual lives.<sup>588</sup> Photographs are an important part of this, and this thesis contributes by identifying points of contestation between descriptions and images.<sup>589</sup> The particularities of the cases and photos allow me to describe tactics and strategies for making homes more homely, for creating comfort where it was hard to construct, for affording and accessing homes that were difficult to obtain, and for attempting to assemble privacy and security where these things were out of reach. The particularities

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<sup>585</sup> Walkowitz; Mort, p. 17.

<sup>586</sup> See Brooke on Brandt in 'Revisiting Southam Street' p. 464.

<sup>587</sup> Brooke, 'Gender and Working Class Identity', pp. 787–9.

<sup>588</sup> Perry.

<sup>589</sup> Ibid; Campt.

of complex public and private spaces articulated in this thesis also offer much to historiographies of gender, an area traditionally related to the implications of public and private boundaries in terms of domesticity, ‘permissiveness’ and modernity in the historiography.<sup>590</sup> Though the cases are limited in what they can offer studies of selfhood and personally-assigned identities, they do contribute to recent historiography that identifies the limitations of approaches that use more permissive ideas about sexuality and gender as points of periodisation and emerging ‘modernity’.<sup>591</sup> Rather the case files and method employed to analyse them in this thesis offer particularities of experiences of companionate marriages, expected gendered roles and behaviours in public and private spaces and the mobilities and relationships between them.

By focusing on domestic murders this thesis has opened up new possibilities but has also faced limitations. For example, future research into murders in public places might bring into sharper relief the specificities of domicide. It is also likely to show links between behaviour in public of young people and the more private lives of their families, particularly in the post-war period when there were significant public concerns about teenage behaviour and homosexuality related to the failures of parents.<sup>592</sup> More research is also required to further explore the role of the expert in interpreting these failings and their impact on behaviour and criminality. Because even as psychiatrists began to interpret behaviours in the home with increasing authority, and culpability in domestic murder was codified in law where it had previously been applied in judicial discretion, similar assumptions about respectability and personal morality were still used against people accused or victims of domicide.

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<sup>590</sup> See Mort, Introduction.

<sup>591</sup> See especially Mort and, for a summary of the recent historiography, Bingham, “‘An Era of Domesticity’?”

<sup>592</sup> See for example the aetiologies discussed in Lewis.

It is these assumptions that have driven my reflexive approach to these sources. As someone who has been judged by ways I live myself, I have something particular to offer because I use material that would condemn working-class people and suggest alternative readings. For example, I am able to question whether a magistrate with a middle-class ideal of home in his mind would recognise the cultural and social capital, the comfort and careful economies of homemaking in photographs of a working-class home. Doing history reflexively in this project means acknowledging my own presence in my historical writing and considering my position. I am not attempting to recover a truth or ‘reconstruct’ events, but acknowledge that I have a creative voice and input over what I am writing and interpreting. I see this practice as linked to the police and judicial interpretations of homes in the sources. I narrativise them too. They were doing so from a personal, political and historically present moment, and thus reflect contemporary values of their group. By acknowledging my position in the twenty-teens, as a critical reader of sources, a working-class woman, and a leftist academic, I am aware that the practices of the past in shaping and judging the homes and behaviours of others is drawn into stark question. However, I do not wish to align myself with whiggish, progressive views of the legal past that seek to reinterpret actual events in the light of present judicial knowledge and more open legal practice. Rather, I acknowledge that there is a truth of ‘what really happened’ that we will never know, only a lens through which these cases were examined at the time they occurred that can be held up to the light and critically questioned itself. Furthermore, in the precise political moment of 2016 I am acutely aware that working-class ways of living have more in common with the past than is often recognised. I am reminded that writing history generally, analysing the particularities of experiences of public and private in this project specifically, and the practice of homemaking in the present and the past, can each be described as a ‘process of

establishing connections with others and creating a sense of order as *part of* rather than *separate* from society’’.<sup>593</sup> Domicide, in the sense of killing an individual home by transgression or murder, and in the sense of the institutional practice of killing or denying homeliness by practice or interpretation, can be understood as the destruction of these connections, orders, and links with the social and political. *Capital Domicide* therefore recognises the particularities of the homes and cases it studies, but also that these private and particular lives belong to the social and historical moments in which they occurred.

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<sup>593</sup> Blunt and Dowling, quoted in Kathy Burrell, ‘Spilling Over from the Street: Contextualizing Domestic Space in an Inner-City Neighborhood’, *Home Cultures*, 11.2 (2014), p. 146 with stress and additional comments added by Burrell.

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Jacque, Bernard, 'Blood and Wallpaper'

Crime and Deviance in the Twentieth Century, University of Lincoln, 2014:

Bell, Amy Helen, 'Crime Scene Photography and Illegal Abortions in London, 1950-67'

Frost, Ginger, '"Such a Poor Finish": Illegitimacy, Divorce, and Murder, 1918-25'

Grey, Daniel J R, 'To Provide against the Possibility of Improper Convictions: Infanticide in England and Wales since 1945'

Houlbrook, Matt, 'Making Crime in Modern Britain'

Weston, Janet, 'An Ordinary Sexual Pervert? Murder, Moral Insanity and Medicine in Mid-20th Century Britain'

## Appendix: images

Figure 1: CRIM 1/2783: Exhibit 1: 'Plan and part elevation of two rooms on the first floor of a residence at number 28 Appleford Road, North Kensington W 10' [detail, undated, author unknown].

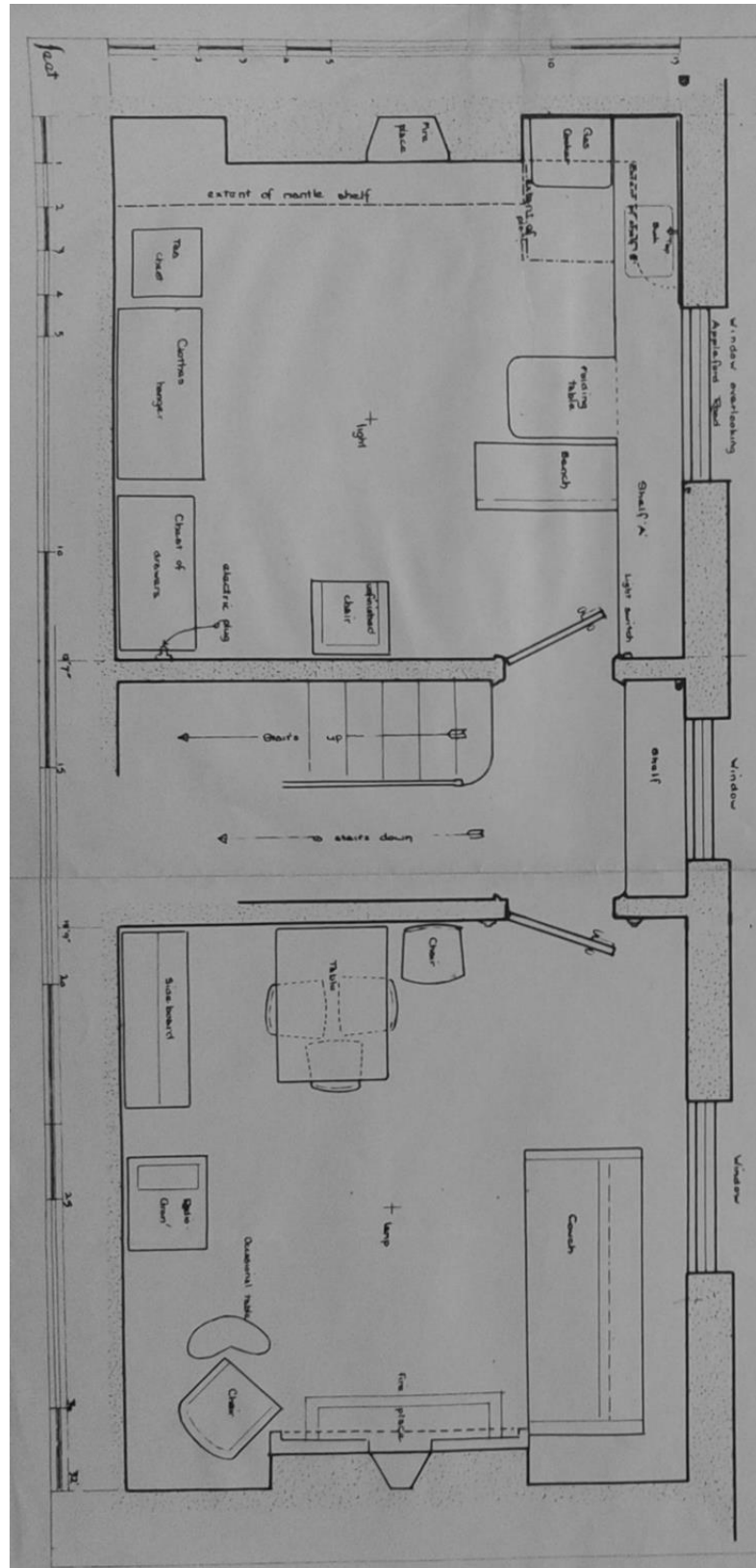


Figure 2: CRIM 1/2783: Exhibit 4: Album of 9 photographs: 'No. 1: Shews the kitchen on 1st floor at 28 Appleford Rd' [undated, photographer unknown].



Figure 3: CRIM 1/2783: Exhibit 4: 'No. 2: Shews the kitchen on 1st floor at 28 Appleford Rd'.





Figure 4: CRIM 1/2783: Exhibit 19: 'Envelope containing letter and 2 samples of wallpaper' [part, undated].

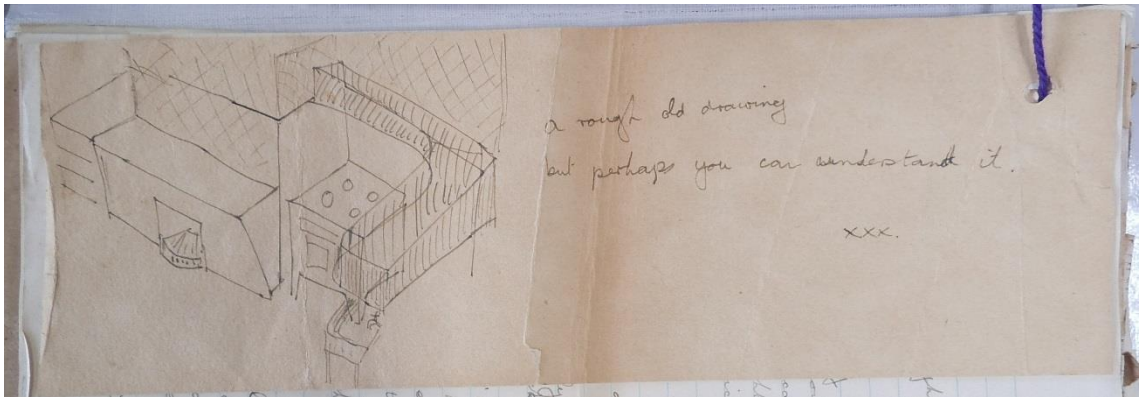


Figure 5: CRIM 1/2783: Exhibit 19: [reverse].



Figure 6: CRIM 1/2783: Exhibit 19: [sample 2 of 2].

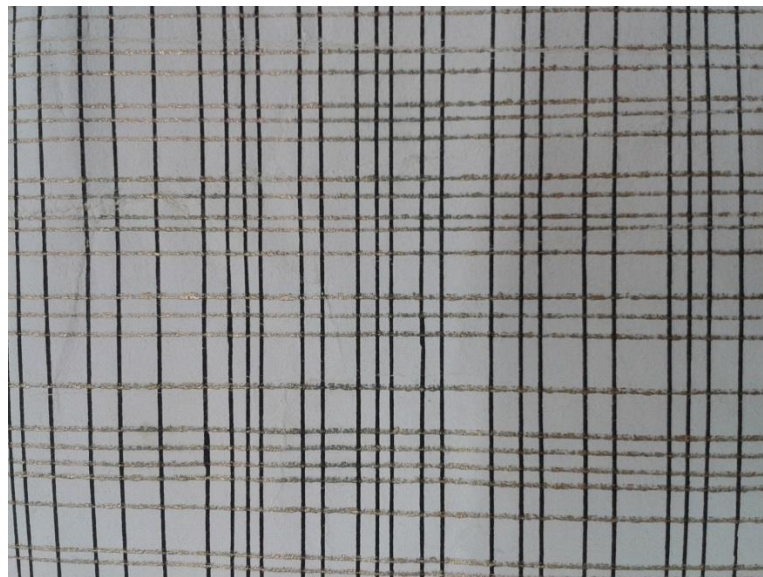




Figure 7: CRIM 1/610: Exhibit 3: Book of photographs 'Taken on Tuesday 31st May and Wednesday 8th June, 1932 by Alfred Madden, New Scotland Yard' [1 of 5].



Figure 8: CRIM 1/610: Exhibit 3... [2 of 5].



Figure 9: CRIM 1/610: Exhibit 1: 'Plan of Ground and 1<sup>st</sup> Floors [detail, undated].

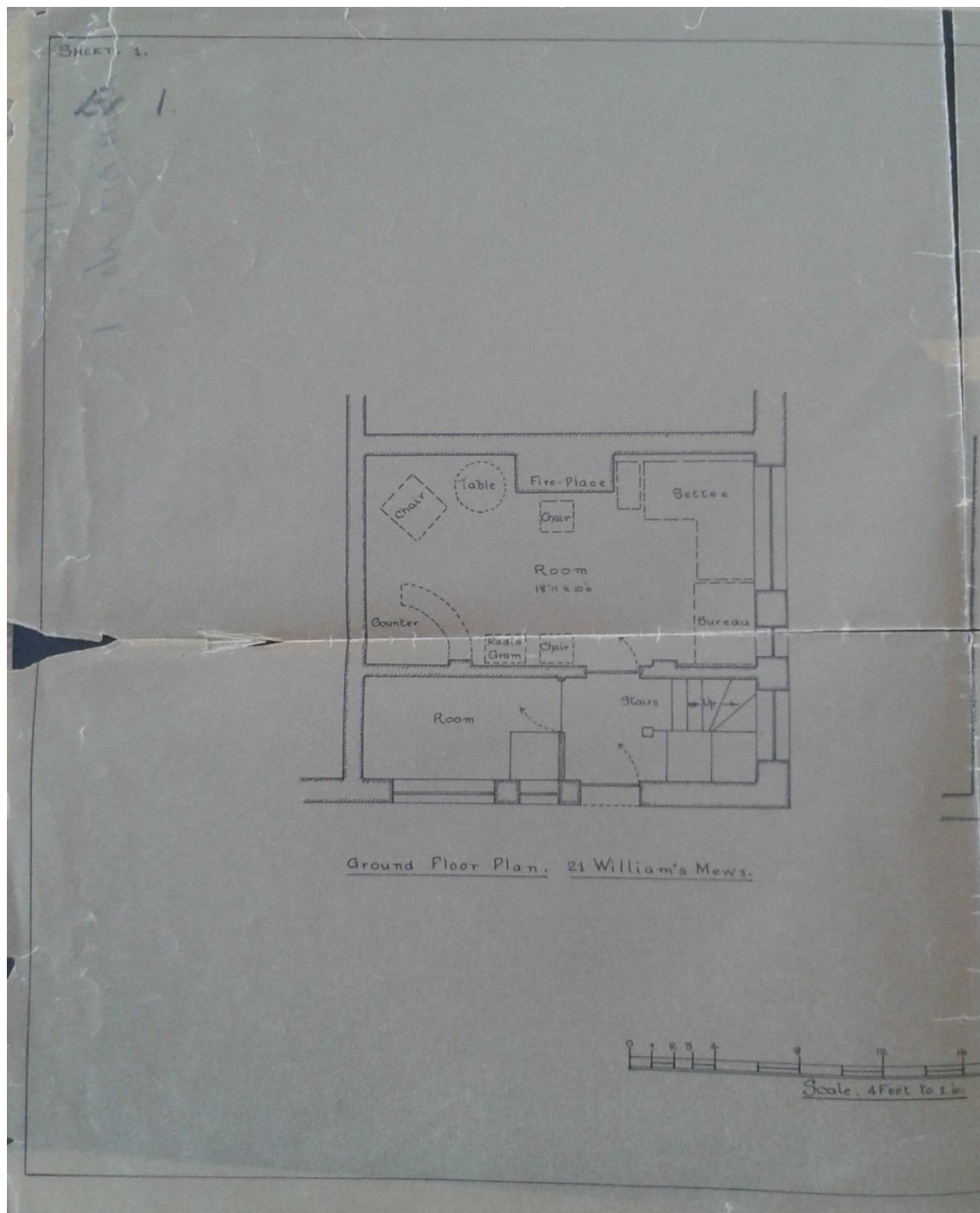


Figure 10: CRIM 1/610: Exhibit 3: [3 of 5].



Figure 11: CRIM 1/610: Exhibit 3... [4 of 5].



Figure 12: CRIM 1/742: Exhibit 2: '2 photographs' [undated, photographer unknown].



Figure 13: CRIM 1/742: [2 of 2].





Figure 14: CRIM 1/742: 'Plan of First Floor Back Room of No 12 Prebend Street, Camden Town' by PC Sidney Bostock [Met Police] 'N' Division, [undated].

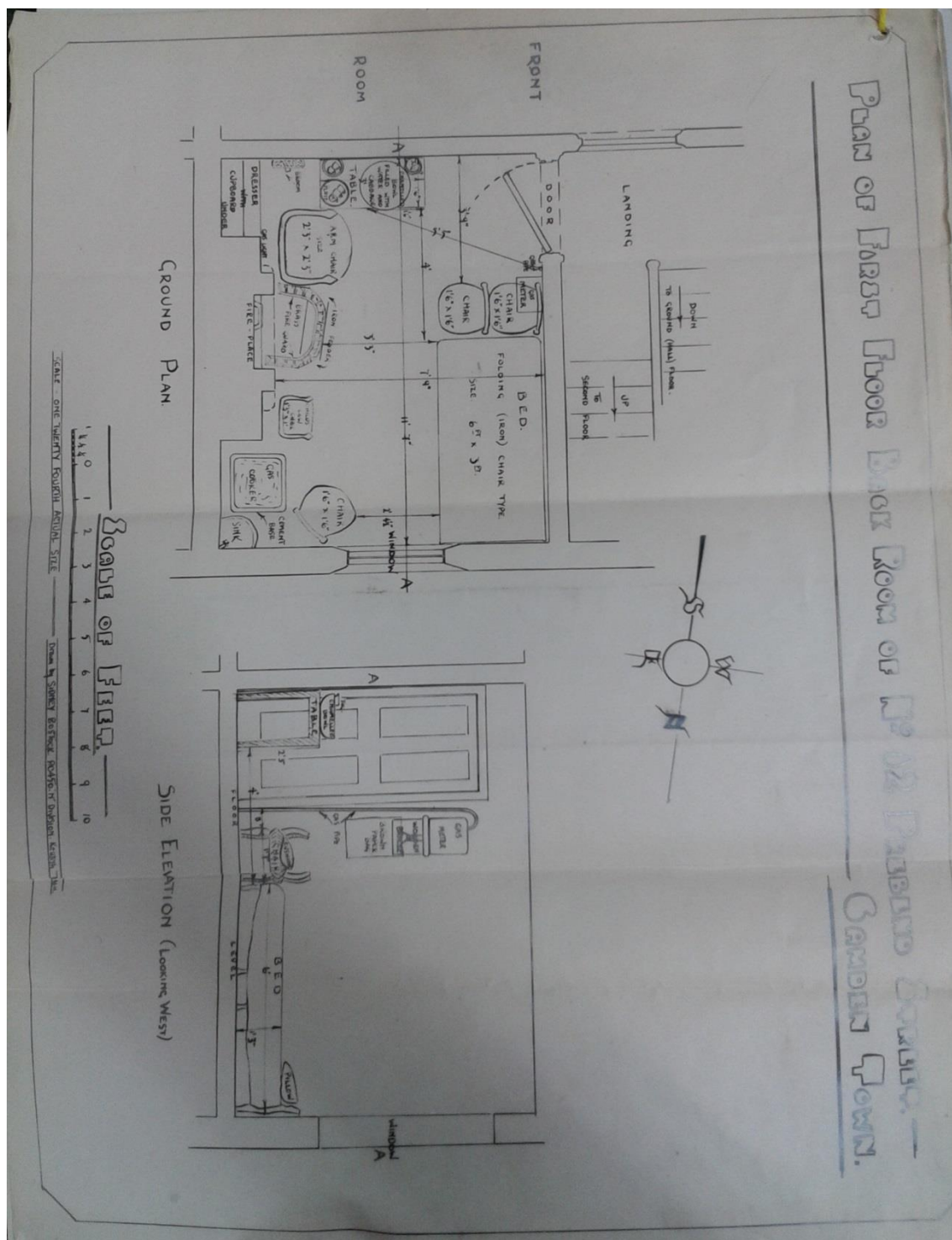


Figure 15: CRIM 1/1052: Exhibit 1: 'Plan of basement of No 2 Richmond Way (Shepherd's Bush), Hammersmith. London. W. On 25th October 1938.' By PC Richard Atlee, [Met Police] 'F [Division]'.

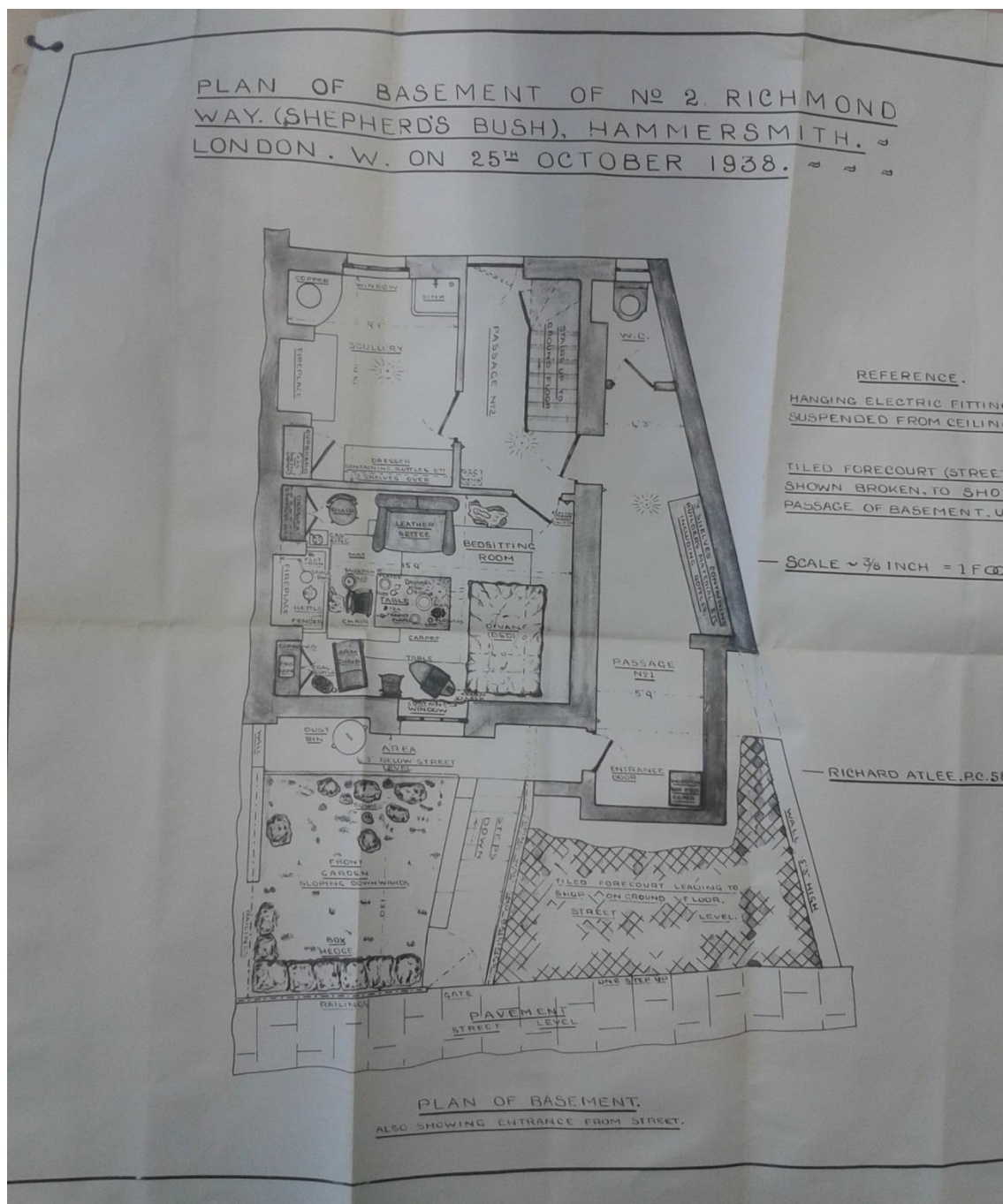


Figure 16: CRIM 1/743: Exhibit 9: Book of photographs [undated, photographer unknown].



Figure 17: CRIM 1/743: Exhibit 9... [2 of 5].



Figure 18: CRIM 1/743: Exhibit 9... [3 of 5].



Figure 19: CRIM 1/743: Exhibit 8: Photograph taken 'at Brighton' [undated, photographer unknown].





Figure 20: CRIM 1/743: Exhibit 12: Copy of book: Lancing, M., *She Wore No Ring* (Girls' Friend Library, 1934).



Figure 21: CRIM 1/743: Exhibit 12: [detail showing top of p. 56].

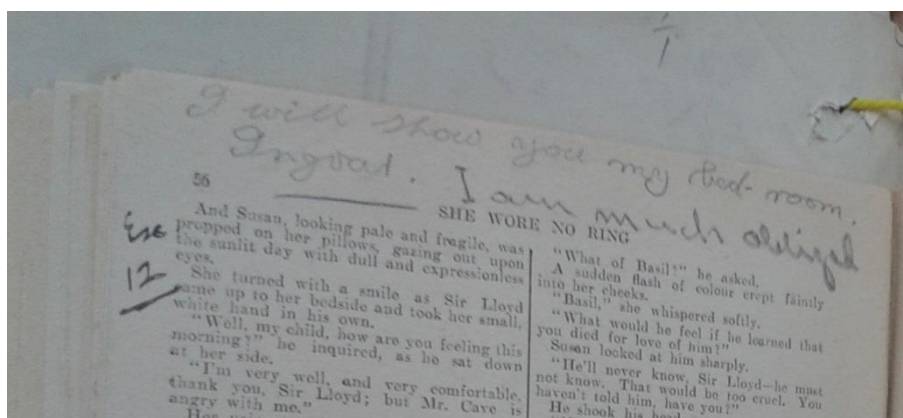


Figure 22: CRIM 1/2206: Exhibit 2: Photographs [undated, photographer unknown].



Figure 23: CRIM 1/2206: Exhibit 2: detail showing cat on bed.



Figure 24: CRIM 1/4847: Exhibit 4: Plan of flat [detail, address redacted], by PC David Seear, Met Police [undated].

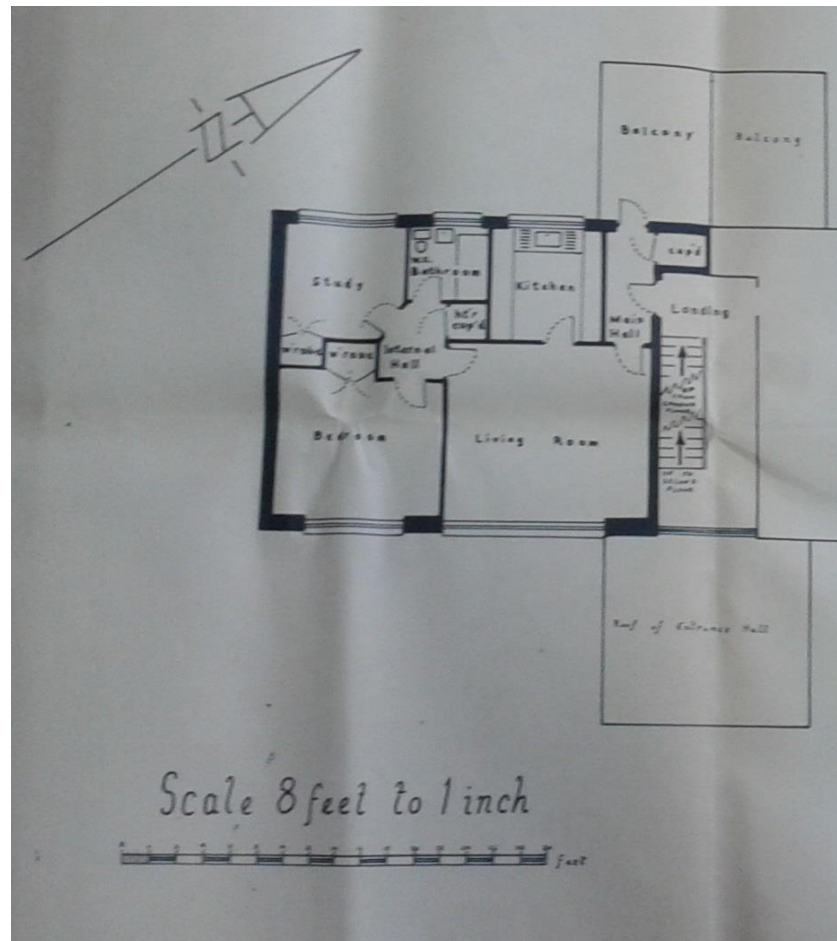


Figure 25: CRIM 1/4261: Exhibit 1: Plan of flat [address redacted], by PC Donald Tidy, Met Police, 5 June 1964.

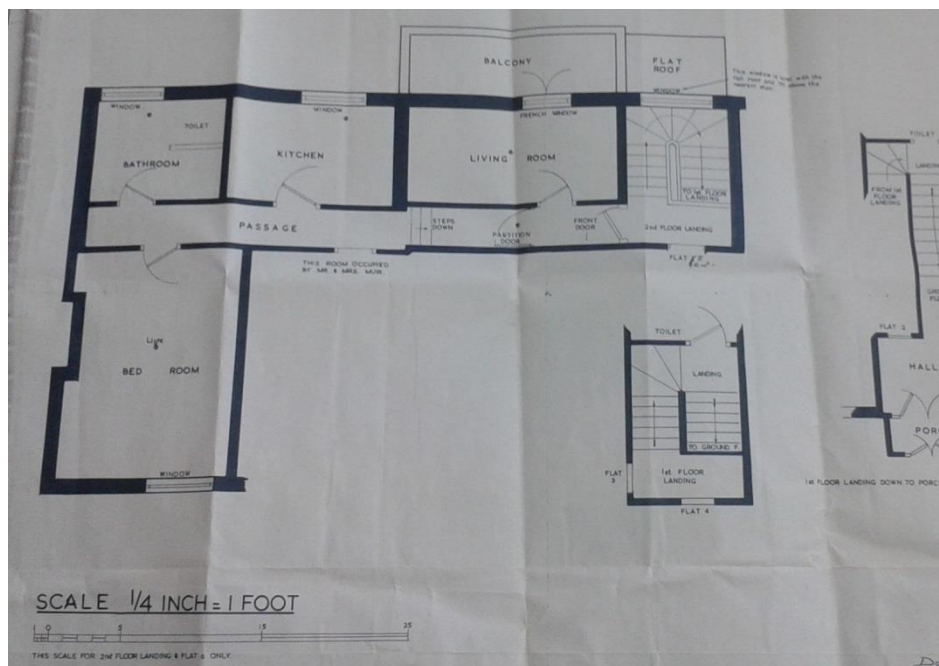


Figure 26: CRIM 1/4474: Exhibit 1: Album of photographs, David John Teague, Senior Photographer, Photographic Section, New Scotland Yard, 13 November 1965.



Figure 27: CRIM 1/4474: Exhibit 1... [2 of 6]





Figure 28: CRIM 1/4474: [3 of 6].



Figure 29: CRIM 1/4474: [4 of 6].



Figure 30: CRIM 1/4474: [5 of 6].



Figure 31: CRIM 1/3164: Photographs of scullery [undated, photographer unknown].



Figure 32: CRIM 1/3164: [2 of 2].

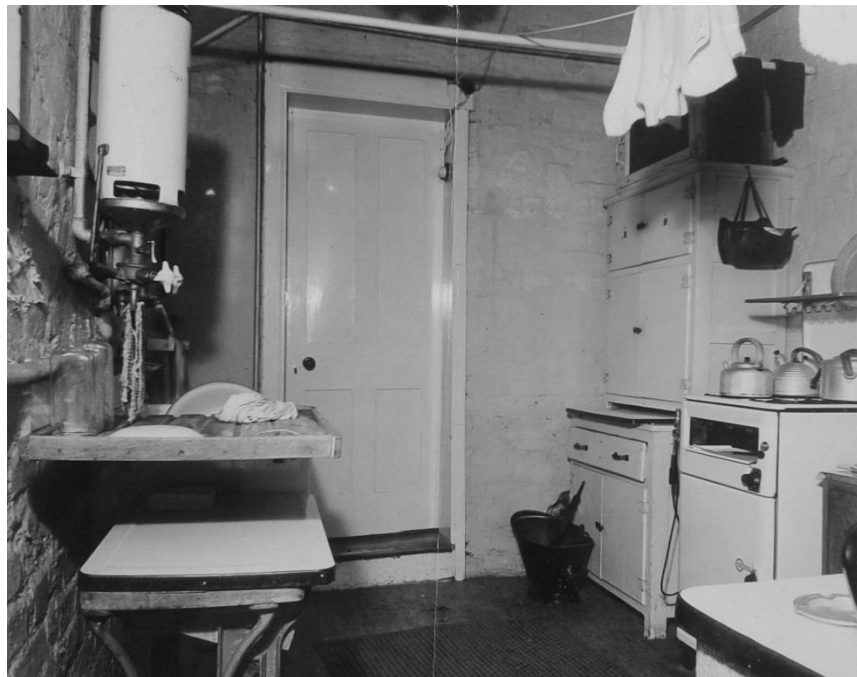


Figure 33: CRIM 1/4847: Exhibit 5: Album of Photographs: No. 13 'shews kitchen', taken 7-8 February 1968 by Senior Photographer Bellingham [Scotland Yard].





Figure 34: CRIM 1/3576: Exhibit 5: Album of photographs [address redacted], taken by Howard Fenacis Jones, Senior Photographer, New Scotland Yard, 27 November 1960.



Figure 35: CRIM 1/3576: Exhibit 5... [2 of 4].



Figure 36: CRIM 1/4566: Exhibit 1: Photographs taken on 15 July 1966 by Senior Photographer David Chapman [New Scotland Yard], No. 1 'shews Exterior of [number redacted] Sussex Street, S.W.1.



Figure 37: CRIM 1/4566: Exhibit 1: Photograph No. 6 'shews [sic] Table behind door.'

