Punishment, Welfare and Gender Ordering in Queensland, 1920–1940

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This study investigates the relationships between penality (or official approaches to punishment) and welfare thinking that emerged in Queensland in the interwar years. Penality came to focus upon concerns about gender ordering and, in particular, those conceptions of "familied" masculinity and femininity which (supposedly) enhanced human wellbeing and social stability during a time of economic and social distress. Yet while state punishment selectively sanctioned and worked towards reinforcing particular masculine and feminine constructs, the "correctional" outcomes for various categories of male and female offenders in terms of their lived experiences were very different: determined not only by gender but also along lines of age and family arrangements. Three major strands of penal philosophy — the *domestic*, *work ethic* and *medical* approaches — coexisted between the wars and their overlap, seen perhaps more clearly in the case of women, compounded the gendered nature of "penality as welfare". Attention to specific regimes in the social history of punishment reminds us of the need to appreciate the often complex interplay between systems of punishment and welfare.

During the Great Depression in the early 1930s, the imprisonment rate for men in Queensland increased substantially while the incarceration of women showed considerable decline. These apparently contradictory trends happened also at a time when, over the longer 20 years period between the wars, the proportion of prisoners *overall* declined steadily relative to the State's population. Closer inspection suggests, however, that different groups of men and women offenders experienced these trends in very different ways. This study investigates the complexity of prison trends and the social purposes of punishment by exploring how penal ideologies in the interwar years served in the quest to enhance social stability and family welfare (or wellbeing) during a time of economic and social distress. Penality, or state correctional policies and practices, came increasingly to sanction particular concepts of masculinity and femininity. The masculine and feminine models and ideals that received special corrective scrutiny and enforcement were those reflecting the (supposedly) gender-specific characteristics of "familied" men and women, models perceived to be the foundation of family cohesion at a time of wider public crisis.

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Exploring the sociohistorical functions of penality in Australia takes us into relatively uncharted waters since the history of punishment is an under-developed field (for surveys, see Finnane, 1991; Garton, 1996). Research has tended to focus on the 19th century. Even here one is hard pressed to identify major works that explore, for example, the "birth of the prison" in the second half of the century, or the emergence of forms of punishment and incarceration that might have been alternative to the prison. Rather, the focus has been on convictism in the first half of the 19th century and, in particular, the fairly recent attention given to convict women (see Daniels, 1998). Research on the social history of 20th-century penality remains very limited. Garton (1986) suggests that a network of "carceral" institutions such as clinics for the insane and other asylums had emerged by the early years of the 20th century, supplementing and perhaps later even replacing the central place of the prison. However, the body of research needed to develop such interpretations, especially across the wider arena of punishment and not just that pertaining to imprisonment, does not exist as yet.

In fact, the few discussions of the interwar years reflect views similar to overseas studies. The limited work done on state penal systems here, usually in the form of "celebratory" or "administrative" histories, portrays the interwar years essentially as some sort of uneventful interregnum (Ramsland, 1996) or as a time of complete stagnation in terms of "significant" developments in correctional paradigms (Thomas & Stewart, 1978). Against the background of economic crisis and fiscal restraints, the period 1920–40 is seen as a rather dreary intermission between the late-19th century expansion of "new" purpose-built prisons for men and women, and the movements for prison "reform" that came later in the 20th century.

Yet closer inspection suggests that it is possible to identify in early 20th-century Australia a tapestry of trends in the social aims of punishment regimes. Commentators were certainly talking about the purposes of official punishment during the interwar years. Finnane (1997) refers to that contemporary discourse as a *bricolage* of ideas. That is, he points to an assortment of antiquated and progressive ideas that might (or might not) have had an impact on what happened in prisons and on other forms of official punishment. Pratt (1992) has explored the multiple economic and cultural determinants of penal policy in New Zealand prior to the Second World War. However, there remains little research to date focusing upon particular penal regimes in Australia which compares the rhetoric of penality with what was actually happening on the ground in terms of the lived experiences of offenders. This empirical study of penality in Queensland contrasts the rhetoric with the reality. It does this by situating a specific regime within the context of recent historical and criminological theorising about modern punishment.

Themes and Theoretical Concerns: The Uses of Penality

Social Structuring

While welfare and penal systems might appear to deal with different spheres of human experience, developments in one system at specific historical points are often inextricably related to changes in the other. Institutions of punishment such as reformatories and prisons for the past century have claimed that they can play a

central role in the social, physical and moral rehabilitation of their inmates. Youth justice is a fairly obvious example of the ongoing conflation and confusion between notions about welfare and punishment (see e.g., O'Connor, 1992). Garland's (1985) seminal work explored the way that the development of the correctional ideal of rehabilitation in early 20th-century Britain, an ideal which was characterised by notions of "classification", "treatment" and "therapy" of inmates, also paralleled the rise of liberal ideas normally associated with the emergence of the embryonic welfare state. In addition, whatever the anticipated impact of rehabilitation on individuals, modernist corrective processing with its stated objective of tailoring programs to individual needs, was also seen to enhance (potential) citizenship. Individual offenders were encouraged to feel they had not been banished from society, but that they still belonged to a larger collective to which they would return, In short, that there was life after prison.

This study of the interwar years considers the punishment-welfare link by exploring a variation on the "citizenship" theme. During the interwar years, social commentators believed that families might be better held together and their wellbeing enhanced, in various ways, by officialdom's endorsement of "familied" masculinity and femininity. Penality was to play an important role here along with other, perhaps more obvious, institutions of persuasion such as schooling, the print media, radio and the cinema. Thus the prison and other official punishments were part of a broad and complex enterprise in the 1920s and 30s where penality was one institution among others concerned with social structuring and gender ordering.

Systems of punishment underscore a multiplicity of wider social ordering processes (see Garland, 1990; Hudson, 1996; Ignatieff, 1985), although traditional labour history more often portrays the role of criminal justice during the Great Depression years mainly as one of repression and social class control. The spectre of imprisonment during those years might or might not have been central to the exercise of class control in the interests of ruling elites. However, when the Comptroller-General (of prisons) urged fellow citizens to show compassion for vulnerable young men forced into a life of petty crime because of economic dislocation, there is no reason to assume that such sentiments were simply smokescreens for ruling class interests. These young men, he implied, should in normal circumstances be looking to a brighter future as breadwinners and heads of households: a hope now undermined both by a prison record and little prospect of regular employment on their release (*Queensland Parliamentary Papers*; *QPP*, Vol 1, 1927, p. 1150).

Critical interpretations of the role of criminal justice in the 1930s focus upon the police who are usually portrayed as indifferent to the suffering of the dispossessed (e.g., Costar, 1989), or brutal in their repression of street marches and other forms of dissent (e.g., Scott, 1993). Yet the social role(s) of penality in the interwar years can be seen as much wider than the instrument of class repression. Penality was active across a broad front of social structuring: the punishment regime dispersed messages also about gender and the wellbeing of family life just as much as it did about "lawful" class behaviours.

Gender Ordering

There has been considerable work over the past couple of decades in the history and sociology of women's imprisonment and the ways in which incarceration might shape particular views of womanhood (e.g., Bosworth, 1999; Dobash, Dobash, & Gutteridge, 1986; Freedman, 1981). Similar concerns about masculinities and prison life tend to be more recent and are usually critiques of current conditions rather than historical investigations (see e.g., Carrabine & Longhurst, 1998; Toch, 1998). The concept of familied masculinities and femininities in the current study is borrowed from Daly (1989) and denotes particular types of men and women who are not simply family members, but are seen to make (at least potentially) important contributions to the stability of their families. Such family status might result in differential treatment when individuals become enmeshed in the criminal justice system. Daly found, for example, in the United States in the 1980s that sentencing judges when considering mitigating circumstances often took into account whether defendants could demonstrate that they performed key family responsibilities.

The concept of "gender ordering" (Connell, 1996) designates the historically-specific patterning of gender roles by institutions. The idea of patterning recognises that individuals and institutions engage in ongoing processes of construction, negotiation and the dismantling of different conceptions of masculinity and femininity, both mainstream and marginalised. Various gender patternings, and hence relationships within and between genders, are contested at different historical points, but the dominant modes attract (demand) greater rewards and official endorsement than those that are more marginalised, alternative, or resistant. During the interwar years, penality as a state institution was centrally involved in sanctioning through rewards and punishments familied masculinities and femininities. While the term familied has been borrowed from recent criminology, the interwar years coincided with the beginnings of what demographic and social historians also have called the "familist" era. This was a time, roughly between the First World War and the early 1970s, when the nuclear family emerged as the dominant family formation and, indeed, was championed as the only legitimate family type (Goodnow, Burns, & Russell, 1989; Reiger, 1985).

Further, Lake (1986) has argued that a kind of cultural and sexual power settlement had been established between men and women by the early years of the 20th century. While gender relations, Lake argues, remained in flux during the colonial period, the new gender settlement was won through the ideological and cultural triumph of a particular mode of domestic masculinity. This culturally dominant form of masculinity celebrated manhood that embraced a vision of hearth and home as the foundation both for personal fulfilment and social cohesion.

Nevertheless, the domesticated gender settlement was shaken over and again by successive social and economic crises, including world war and economic depression. The resulting social dislocations produced, in the eyes of officialdom, categories of men and women who were vulnerable because their lifestyles and circumstances placed them at risk of undermining, or never even accessing, domesticity and stable family life. Penality as a state institution was enlisted to rescue and rehabilitate numbers of these individuals, and to continue to punish others. The impact on groups and individuals, whether male or female, older or younger,

familied or non-familied, varied considerably. In some situations individuals were seen as deserving special care and support because they had (apparently) fallen victim to economic and social distress. There were others who were viewed as quite undeserving of such considerations.

Competing Paradigms of Punishment

Overseas historians, such as Zedner (1991), building upon Foucault (1977, pp. 293–308), have identified the evolution of a "carceral archipelago" or network of institutions of confinement and incarceration. This development (it is claimed) was facilitated by the emergence of a new medico-psychological paradigm of punishment in the early 20th century which encouraged and rationalised the relocation of some types of prisoners to other asylums and clinics in the carceral network. The origin(s) and nature of this carceral network are not always clear. Sometimes the concept seems to refer to a development whereby other types of institutions of confinement *replaced* the centrality of the prison, elsewhere it seems to imply a net-widening process where other institutions *joined* with the prison to engulf more and more people labelled as deviants.

The idea of "emerging paradigms" of punishment is itself problematic. The tendency is to see the history of penality as a succession of ideologies where more progressive ideas replace earlier and more antiquated ways of "saving" offenders. For example, the 19th century is identified with the attempt to morally reclaim convicts through religious conversion and penitence, while the 20th century is associated with the "rise" of the rehabilitation ethos. In truth, paradigmatic shifts are always historically difficult to locate and clearly specify. We are always "in the middle" of change, and awareness that major changes might be under way remains, even for the principal stakeholders, often only fragmentary. Thus, there is among historians disagreement about the timing of major penal transformations. For Britain, Garland (1985) claims that the main features of modernist "welfare" penality rose to prominence in the 20 or so years leading up to the First World War. Forsythe (1995), on the other hand, has argued that the "new" paradigm with its emphasis on treatment, therapy and rehabilitation did not establish its dominance so early or so quickly. Nor, he says, would it have been even clear to contemporaries that a potentially dominant paradigm was emerging.

Theoretical concerns such as these in the social history of punishment have not been addressed thoroughly in Australia. Nevertheless, we seem to have in the case of Queensland in the interwar years an example of "mixed regimes" of punishment where a number of penal paradigms or mentalities coexisted, described below as the *domestic*, *work ethic* and *medical* models. Importantly, these paradigms of punishment tended to inform and feed into rather than replace each other successively (and some had a long history stretching well back into the 19th century and beyond). There were tensions between and within different correctional ideologies in the 1920s and 30s, and residues of earlier discourses remained embedded in emerging conceptions of penality.

It should not be surprising to find models of penality coexisting, overlapping and inter-weaving, however only empirically-grounded studies of penal practices (such as the following) enable us to explore the interplay and deployment of

competing philosophies in specific regimes at particular historical points. Over broader time spans, McConville (1995) has drawn attention to the way English prisons carried much of their 19th-century administrative and cultural baggage well into the 20th century. Other studies that have raised questions about the nature and meanings of "overlaps" between coexisting penal philosophies include Garland (1995) writing about continuity and change between modern and postmodern penal regimes in the late 20th century, and Finnane (1997) on the overlap between penitentiaries and convictism in 19th-century Australia.

Men, Women and Imprisonment in the Interwar Years

Between the wars the proportion of prisoners overall to the Queensland population declined steadily. The State population increased by 35.0% but the actual number of admissions to prisons were about the same in the late 1930s as they had been in the late 1920s (about 1100 individuals per annum). During the depths of the depression there was a noticeable increase in male prisoners, but after 1934–35 the number of male receptions started to return to annual figures comparable with those for the 1920s. On the other hand, the number of *individual* women admitted to prisons in Queensland continued to drop steadily over the whole interwar period. By the late 1930s the number of individuals received annually was about half of what it had been in the early 1920s (from around 80–90 women per year in 1921–23, down to 40–45 in the years 1937–39). Women prisoners as a group were somewhat older than men and they served shorter sentences. The median age for women in Queensland prisons was 30–35 years, while for men the median age was in the 25–30 years range. The median length of incarceration for women was less than one month, and for men between one month and six months. The shorter sentences for women reflected the nature of their offending: commonly, theft, drunkenness, and prostitution-related street offences.

Table 1 shows that in 1931–32, women and men were imprisoned mainly for property offences.[1] The most common offence, accounting for about a third of convictions for both, was stealing. While it is likely that property offending did increase because of widespread economic distress (Mukherjee, 1981; Mukherjee

TABLE 1

Most Serious Offence Category of Women and Men Committed to Brisbane Prison 1931–32
(Column Percent Within Gender)

	Women n = 400	(%)	Men n = 3405	(%)
Offences against the person	6	(1.5)	173	(5.1)
Offences against property	197	(49.3)	2507	(73.6)
Drunkenness	86	(21.5)	61	(1.8)
Other offences	111	(27.8)	663	(19.5)
Total	400		3404	

Note: χ^2 = 411.541, df = 3, $p < 0.05$
    Source: Prisons Department, Annual Reports for 1931–32. *QPP* Vol. 1, 1932, 1933

& Fitzgerald, 1981), the figures reflect also a concern by authorities to punish offences such as shop-lifting in the worst years of the depression, along with the incapacity of those found guilty to pay fines in lieu of imprisonment. In addition to theft, women were imprisoned mainly for public order and street offences such as obscene language, disorderly conduct, drunkenness, and vagrancy. Women who identified as prostitutes (or were so identified by authorities) were most often imprisoned for drunkenness and disorderly behaviour rather than on charges relating specifically to prostitution (e.g., soliciting). Fraud had always been associated more with men and was their second most common offence, accounting for about 25.0% of male admissions. However, during the depression not only did imprisonment for petty fraud increase overall, it came to contribute significantly to women's imprisonment. Assault was certainly associated more with men, and the fact that it was one of the half-dozen most common offences for which women were imprisoned actually points more to the limited range of offences contributing to the incarceration of women.

The imprisonment of women displayed contradictory and marginalising tendencies from the beginning of the century. A purpose-built women's prison was opened in South Brisbane in 1903 adjoining the male prison that had existed there since the early 1880s (the whole complex was known as Boggo Road). Previous accommodation for women was run according to the "associated system" which permitted relatively free mixing of prisoners, often in dormitories or "common sleeping wards". The new institution could house around 80 women in separate cells and was said to be designed along the most modern penological lines (*The Queenslander*, 28/11/03). According to Charles Pennefather, the superintendent of the prison complex, individual accommodation was essential for the proper classification of women prisoners. First-time offenders and younger women could be safeguarded from the contaminating influences of recidivists and the "old lags". Thus the twin goals of modern penology, reformation and deterrence, might be achieved instead of simply punishing the offender.

The new women's prison on the eve of the First World War was hailed by authorities as a resounding success. Yet by 1919, precisely the same arguments about the necessity to classify and separate men resulted in the women being removed from their quarters. The largest male prison was on the island of St Helena where the dormitory buildings were falling apart and constituted a fire hazard. The Comptroller-General, Arthur Peirson, presented an ultimatum to the government. While many small reforms had been instituted in Queensland, thus making male prisons more humane than they had been in the 19th century, he claimed that further major reforms in terms of the classification, "scientific" management and the orderly return of men to civil society could never be undertaken satisfactorily until new buildings were provided on the mainland, preferably at the Boggo Road complex (Queensland State Archives; QSA, PRI/A154).

In 1921 women were relocated to a wooden house and compound elsewhere on the prison reserve. Henceforth, the former women's prison would become a division of the restructured men's prison. Although numbers of women had been declining (a further rationale offered for their relocation), symbolic aspects of the move could not have been lost on either the women themselves or others. The building they

came to occupy was the former venereal diseases isolation ward of Brisbane Hospital. It could house 15 women, mainly in two communal wards. Thus, by the early 1920s, so that men might be safeguarded against the "evils" inherent in the association system, women were actually *returned* to accommodation which promoted association. At times of overcrowding, some of them had to sleep on the verandah of their building.

Vulnerable Men and Masculinity

Young Men "At Risk"

A major theme in prison discourse in the first half of the 1920s concerned the role of productive or "valuable labour" as an antidote to criminality. According to the Comptroller-General's reports in the years 1922–25, men with skilled trades were less likely to offend in the first place, while those who did possess such skills, including those who were taught the skills in prison, were also less likely to reoffend because "a knowledge of a trade or some useful occupation (was) worth more to prisoners than all the support or succour of a benevolent society upon their release" (*QPP*, Vol 1, 1923, p. 1109). The possession of "industrial knowledge" encouraged a man to see himself as "useful" to society. In truth, despite such faith in both the preventive and rehabilitative powers of industrial knowledge, the authorities claimed that a number of factors prevented the realisation of this ideal. Most prison sentences were relatively short and did not allow for the development of skills under the guidance of the warder-instructors. In addition, it was claimed that prisoners generally were "drawn from the ranks of the idle, dirty and thriftless" who were averse to developing any useful work skills (*QPP*, Vol 1, 1924, p. 1014). Moreover, trades taught in prison such as tailoring and boot-making were increasingly divorced from the realities of a mechanised world where "the old time tailor (had) practically been crushed by the employment of female labour and the installation of machinery in clothing factories" (*QPP*, Vol 1, 1928, p. 970). In any case, as the economic situation deteriorated in the late 1920s, pushing thousands out of work, the authorities could hardly continue to claim direct links between the development of trade skills inside prison and the gaining of a job upon release.

Nevertheless, the supposed link between performing valuable labour while in prison and crime prevention in the outside world had now been clearly established as an important element in reformative discourse. In the late 1920s the concept of valuable labour was transformed *from* the idea of work associated with industrial and trade skills *to* that of farm labour. When he became Comptroller-General in 1926, William Gall drew attention to the increase in young male prisoners. Until then, the relatively fewer young prisoners had been separated from "hardened criminals" through systems of classification, but for the first time in 1925 those 20–24 years of age became the *largest* group in the prison population. Gall claimed that young offenders typically engaged in petty criminality and their lives could still be reclaimed through immersion in useful labour. The main thrust of his argument, and it was an argument which was advanced in his annual reports for the next seven or eight years, was that a new prison needed to be established in the metropolitan region specifically to meet the needs of young offenders (*QPP*, Vol 1, 1927,

p. 1150). To be eligible for special treatment, these offenders would normally be non-violent first-timers. They were to be the young men, "misguided and often friendless", who could be rescued.

Other classes of prisoner (including long timers), it was claimed, might also benefit from exposure to farm work, but there is no doubt that as late as 1932–33 the proposed "new" prison farm was intended essentially for the reformation of the young. In fact, rescuing young first-timers was, according to Gall, the *most important* function of any modern prison system. His views meshed neatly with the widespread belief that returning to country life and labour constituted a panacea for social and economic distress, especially as a solution for youth unemployment — commonly referred to as the "boy problem" (see e.g., *Brisbane Courier* 25/10/30; *Daily Mail* 29/08/31). The Comptroller-General's report for 1931 noted a large increase in the proportion of prisoners under 25 years of age due, he said, to the prevalence of "petty thieving and evasion of railway fares". In particular, Gall blamed the situation upon the influx of "unemployed males mostly from Southern States". To add force to his arguments he often cited the condition of habitual criminals and implied that young offenders had every prospect of becoming incorrigibles (*QPP*, Vol 1, 1933, pp. 920–926). Pratt (1997, pp. 64–69) notes that at this time "habituals" were largely defined (and despised) as recidivist petty criminals who preyed upon fellow citizens: they were thus "dangerous" in that they undermined the economic security of ordinary families.

The authorities clearly believed that there were differences between older and younger offenders in the early 1930s. A 20% sample (*n* = 483) taken from the Reception Registers of Brisbane Prison for the two years 1931–32 allows us to compare older and younger men (QSA A/18563, A/18564). Table 2 shows only those biographical and criminal characteristics where there were significant differences between younger (those under 25 years of age) and older prisoners. While the majority of both younger (62.7%) and older (68.3%) prisoners had been born

TABLE 2

Characteristics Differentiating Younger (under 25 years) From Older Men Committed to Brisbane Prison 1931–32 (*n* = 483)

Characteristic	*F* Value (*df = 1, 481*)
Most serious offence	7.84931**
Prison Sentence	9.31752**
Fine	5.57660*
Hard labour	3.75356*
Warrant issue	6.93444**
Previous convictions	21.66846***
Means of discharge	10.77064***
Occupation	12.06610***
Date of arrival in Queensland	33.44220***

Note: *Significant at $p < 0.05$, ** Significant at $p < 0.01$, *** Significant at $p < 0.001$
Source: Reception Registers, Brisbane Prison 1931–32, QSA A/18563, A/18564.

outside Queensland, a much higher proportion of the younger prisoners were recent arrivals. A second biographical difference is that older men were more likely to be white collar (19.1%) or skilled workers (22.9%) than were young men (9.2% and 16.2% respectively). Older prisoners (17.9%) were twice as likely as young men (8.5%) to be imprisoned for offences against people. Older men were also more likely to be imprisoned even for property offences. In fact, older men were *more* likely to have been imprisoned for most forms of offending — even stealing, an offence that authorities tended to associate with the young.

Over one third of youthful convictions were for evasion of railway fares or other breaches of railway regulations. Offences against the railways were linked to the fact that young, unmarried men were forced by law to remain mobile in the years 1929–33 in order to collect unemployment relief and "jumping the rattler" became for many a dangerous way of life (e.g., *Daily Mail*, 9/5/31; 26/11/32). The other significant differences between young and older prisoners noted in Table 2 (e.g., older men serving longer sentences and with hard labour) follow from differences between the two groups in the seriousness and nature of offending.

Palen Creek Prison and the Rescue of Family Men

Gall's call for a new prison farm was answered in 1934. Palen Creek State Farm was established in a rugged (and isolated) region close to the New South Wales border. The Comptroller-General had always rationalised the need for such a prison in terms of meeting the needs of young people, and indeed as late as his 1933–34 annual report he still claimed that a major feature of the new prison would be the opportunity presented to separate "juvenile offenders" from the older (*QPP*, Vol 1, 1934, p. 917). Yet, it is clear that young men were certainly *not* a feature of the new facility. In fact, there was a lower proportion of young men there (17.6%) compared with Brisbane Prison (20.0%). Two main categories of offender were sent to Palen Creek; maintenance defaulters who constituted 32.0% of men there, and those convicted of serious property crime (fraud and serious theft). The typical Palen Creek prisoner was Queensland born (not just Australian born), was a maintenance defaulter, and tended to come from a skilled working class or white collar background.[2]

The evidence suggests that by the mid-1930s other groups of "at-risk" men had superseded that earlier group which the authorities claimed were the most vulnerable and deserving of rescue (that is, the young, non-violent first time offenders convicted of minor property crimes). Maintenance defaulters are the best example here of these "new vulnerables", although a similar argument can be made about many of those convicted of fraud and theft. A sample of 45 maintenance defaulters taken from the Criminal Histories Register for Brisbane Prison for the period 1930–32 (QSA A/19881) confirms that maintenance defaulters as a group differed in important ways from the general prison population. They tended to be older with a median age of 36 years, only a third of them had previous convictions (aside from previous defaulting) compared with over half the wider prison population, and (importantly) almost half (48.9%) came from white collar and skilled worker backgrounds compared with 37.0% of the other inmates in Brisbane Prison.

These "mature" men, while guilty of crimes, were often seen as deserving the "assistance" of the criminal justice system. They were viewed as local men who had fallen on hard times, men whose moral fibre had been weakened by the stresses of the depression years, but who when placed in a supportive and reformative environment might be diverted from falling further into criminality, and perhaps returned to their families. These sentiments are illustrated in the debates preceding the passing of the *Maintenance and Alimony Relief Act* of 1935. This Act sought to protect any man found guilty of defaulting on maintenance or alimony from being punished by imprisonment if he could satisfy a court that he was unable to pay through circumstances beyond his control. The Act went on to define these circumstances as lack of income or property, unemployment (through no fault of his own), and continuing ill-health. There was obvious bipartisan support for this measure in parliament. While legislators expressed little sympathy for "wilful defaulters", they were anxious that "decent men" should not be penalised through imprisonment "as many of them were thought to be". There was general agreement that in times past strong measures had been needed to ensure that familied men met their obligations — however conditions had deteriorated to the present where the spectre of unemployment created discontent and upheaval in family life. Moreover, speakers even fixed upon the notion of the "malevolent" spouse or "revengeful wives". "There is a class of vindictive woman who is really not so much concerned about securing maintenance for herself as about wreaking vengeance upon her unfortunate victim — the husband" (*Debates of the Legislative Assembly*, Vol clxvii 1935, p. 1358).

The point is not to argue here that maintenance defaulters who were committed to Palen Creek were somehow "innocents" (nor, on the other hand, to argue that they deserved incarceration). Rather, it is obvious that by the mid-1930s these types of men were portrayed not so much as criminals but as men broken by circumstances. The prison farm was a site for the renewal of damaged masculinity, an environment in which men, and especially familied men, could be rehabilitated back into decent and responsible ways. *The Courier-Mail* noted in 1934 in relation to prison farms that, "It had been found that in these camps, which [housed] professional men, clerks and others, nerve-wracked men had been built into strong, healthy specimens as a result of their work there, and practically all had 'made good'." (QSA A/19963) Or again, "The prison farm takes them out of the gaol environment, and gives them the opportunity of working out their own regeneration in congenial, happy surroundings, before resuming their place in the outside world as citizens" (*Sunday Mail*, 23/2/36).

Much emphasis was placed on the fact that the 30 or so men confined at Palen Creek at any one time were supervised basically by themselves, through their own trustworthiness — they were honour bound not to attempt escape. Each man occupied a separate small hut which he was expected to keep "scrupulously clean". Indeed, the whole thrust of the farm was to develop a sense of pioneering spirit in these men ("fortitude in adversity") and a sense of being productive agents. Accounts of the farm in the late 1930s dwelt upon the clearing of virgin scrub, planting of crops, the purchase of stud stock and the rearing of prize show animals, and fighting bush fires shoulder-to-shoulder with local inhabitants. In one report,

the "little colony" of prisoners was referred to as an "exclusive club" where the relationship between the officer-in-charge and the prisoners resembled "a farmer moving among trusted employees" (*Truth*, 10/5/36).

Thus the state farm in Queensland — along with its apparent rehabilitative powers — almost immediately became the preserve of mature men who hopefully with the right treatment could be rescued and reintegrated back into their family responsibilities. Indeed, a striking feature of the annual reports of the Prisons Department in the years leading up to the Second World War is that any references to young people and their problems virtually disappeared from the prison discourse. One of the few innovations in penality in the interwar years had, in essence, sacrificed the welfare of young vulnerable men to the interests of older familied men (which was, in itself, an intriguing twist on the notion of patriarchy).

Disappearing Women Criminals

Young Women "At Risk"

Much disquiet was expressed between the wars about conditions for young women and the potential for them developing criminal lifestyles. The worry in the 1920s was that the lives of families and young people had been so disrupted by the war and its aftermath that society was now pervaded by a general air of restlessness. Allen (1990, p. 130–40) has also noted the ongoing tensions between women and men and the upheaval in gender relations which accompanied the war. Young women, it was said, drifted into common lodging houses where they frequently came under the influence of older women, the latter themselves "sunk low, not infrequently as a result of vice" (e.g., *Daily Mail*, 27/3/21). There is here the irony that while authorities feared the contaminating influence of older women in the outside world, they apparently were prepared to accept the risks of associating prisoners of all ages and backgrounds in the women's prison.

Later in the 1930s, the authorities feared that the demoralising impact of poverty and unemployment would destroy the physical and moral health of the young. The Commissioner for Public Health warned that venereal disease must surely increase, not only because for men "idleness was the mother of lechery", but it was also said that unemployed and destitute women were replacing the services of "professional" prostitutes. The outcome, according to health authorities, would be scars on civilisation that would "remain long after the temporary depression had passed" (*QPP*, vol. 1, 1932, p. 650). There were concerns that domestic servants and office workers, fearing identification and loss of employment, might be reluctant to seek treatment.

The anxieties about young women and their welfare were always complicated by the cross currents of both gender and generational concerns. Young women supposedly required more protection but at the same time there was the sense that they were always potentially more "vicious" than young men, vicious in the sense that common wisdom had it that a woman once gone "bad" was always harder to rehabilitate (*Daily Mail*, 26/4/30; *Truth*, 3/8/30). The well-publicised case of Rose Harrison illustrates the ambivalent views. Rose (22 years) was convicted in 1930, along with her husband, of a robbery in which a nightwatchman was injured, and

she was sent to prison. Initially, the reports of her "sad plight" portrayed her as a victim of the times: a young woman from a country town whose mother had attempted to dissuade her daughter from marrying a man on government relief, she was a young person driven by desperation and poverty to plan a robbery ("cruel fate" had struck Rose down). When, however, she was almost immediately released on order of the government and along with her mother boarded ship for Britain, public opinion and the press were outraged. Not only did Rose appear to be "getting away" with a major crime, it seems that she was not prepared to express any remorse or contrition, and was able (claimed the *Truth*, 26/10/30) to calmly walk away from her husband who was left to languish in the men's prison (*and* she was an expectant mother).

Table 3 and Table 4 compare a sample of younger women under 25 years of age (n = 34) with older women (n = 147) who were committed to Brisbane women's prison (QSA PRI 1/18, A/19868). There was a significant relationship (p < 0.05) between age and occupation, and between age and types of offending. A large proportion of younger women were domestic servants, while middle-aged and older women were more commonly identified as prostitutes. Younger women were more commonly convicted for stealing, while those identified as "known" or "reputed" prostitutes were admitted for drunkenness and public order offences. Younger women, because their offences were the comparatively more serious property offences, were more likely than older offenders to have a sentence longer than a month and to have a larger fine imposed as an alternative to prison.

Thus there were two groups of women prisoners during the interwar years. First, there were younger women under 25 years of age working as domestic servants who were imprisoned for stealing. These younger women were also less likely to be familied. Table 3 indicates that incarcerated women whose occupations were identified as "domestic duties" (that is, those most likely to be familied) tended to fall into the 25–34 years age group. Second, clearly there was a group of older prisoners, mostly over 35 years of age, often designated prostitutes, who were imprisoned repeatedly for drunkenness and other street offences

TABLE 3

Occupation by Age Group: Women Committed to Brisbane Prison 1922–23, 1936–37 (n = 147) (Column Percent Within Age Group)

	15–24 (%) years	25–34 (%) years	35–44 (%) years	45 years (%) and over	Total
Skilled worker	3 (8.8%)	1 (2.7%)	2 (5.3%)	5 (13.2)	11
Domestic servant	14 (41.2)	9 (24.3)	12 (31.6)	7 (18.4)	42
Home duties	8 (23.5)	18 (48.6)	4 (10.5)	11 (28.9)	41
Prostitute	7 (20.6)	9 (24.3)	18 (47.4)	11 (28.9)	45
Other*	2 (5.9)	0 (0)	2 (5.3)	4 (10.5)	8
Total	34	37	38	38	147

Note: *Barworker, laundress, clerk, nurse, unemployed χ^2 = 25.730, df = 12 , p < 0.05
Source: Reception Registers, Brisbane Prison. QSA PRI 1/18, A/19868

TABLE 4

Comparison of Specific Offences of Younger (Under 25 Years) and Older Women Committed to Brisbane Prison 1922–23, 1936–37 (Column Percent Within Age Group)

	Young women n = 34	(%)	Women 25 years and older n = 113	(%)
Manslaughter/murder	5	(14.7%)	1	(0.9)
Stealing	12	(35.3)	18	(15.9)
Break and enter	3	(8.8)	1	(0.9)
Fraud	3	(8.8)	1	(0.9)
Robbery	1	(2.9)	4	(3.5)
Vagrancy	1	(2.9)	5	(4.4)
Loitering	2	(5.9)	8	(7.1)
Assault	0	(0)	5	(4.4)
Drunkenness	2	(5.9)	49	(43.4)
Obscene lang./disorderly conduct	1	(2.9)	10	(8.8)
Other offences	4	(11.8)	11	(9.7)

Note: $\chi^2 = 42.776$, $df = 10$, $p < 0.05$
Source: Reception Registers, Brisbane Prison. QSA PRI 1/18, A/19868

Saving Familied Women

Nevertheless, the numbers of women actually imprisoned continued to decline in the interwar period. The Comptroller-General reasoned that magistrates endeavoured to impose fines upon married women (which might be paid) in preference to prison (*QPP*, Vol. 1, 1933, p. 926). Other commentators made similar observations: "Some people say it is because there is less crime among women here, but others maintain that it is due to the extra leniency of Queensland courts" (*Sunday Mail*, 23/5/37). The burden of holding families together (or, at least this expectation) fell especially on women (Macintyre, 1986, p. 279), and it is likely that magistrates were increasingly mindful of this when sentencing. The familied woman with dependent children tempted into larceny through desperation was often portrayed as the typical shop-lifter of the period. Women with obvious family responsibilities were deserving of some leniency, as in the example of Mrs D whose case was recounted by a police prosecutor:

> Mrs D — wife of a relief worker with a large family. Detected in first attempt to steal groceries from a cash and carry store. Case investigated and found to be genuinely one prompted by need. Convicted and discharged. No likelihood of further offence (*Sunday Mail*, 19/7/36).

On the other hand, stealing that appeared to be systematic and "not done on impulse" attracted a prison term and signs of defiance or lack of contrition (despite a guilty plea) would also likely result in prison. Ella Norris (44 years) was described as an "almost destitute" housewife, but one who had planned carefully her criminal activities. She stated in court that she intended to continue stealing clothing as, in

her view, "she was only doing what all the unemployed were doing". She received two weeks imprisonment, the magistrate stating that such thefts were becoming too frequent and that store managers were too often "hoodwinked by stories of poverty" (*Daily Mail*, 16/1/32). Thus, thieves who were "good" women could apparently be distinguished from those who were not. Good women might be driven by desperation to steal for the sake of their families, but they also displayed contrition when apprehended and processed. They did not display premeditation, criminal ingenuity and defiance. In short, there are indications that familied women were being increasingly processed in judicially different ways and diverted away from the prison.

Disowning Marginalised Women

Despite the prevalence of stealing, almost half the women in Brisbane Prison were committed for drunkenness, loitering, vagrancy and other street offences. A regular feature of the Comptroller-General's reports was his criticism of the practice of committing women of the "vagrant and drunkard class" constantly to very short prison sentences (he pointed to one case with 152 recorded convictions). As an alternative, he called for a "State Inebriate Home" where women could be treated in a "scientific manner". However, this experiment was very short lived and the Inebriate Institution, which had been established in the 1890s, was seen as an utter failure as far as women were concerned. In the interwar years, the Inebriate Institution, which admitted around 50 inmates per year, was part of the Benevolent Asylum which itself housed about 1000 men and 150 women. George Jackson, chief attendant of the institution, wrote in 1916 that women admitted were so morally inferior that he had:

> … very grave doubts whether anything could be done for such cases. They were compelled to come here against their wills and apparently have no desire to reform. These wretched people were sent here off and on for two years when the magistrates apparently began to realise that it was useless to continue to send them and since then the female portion of the institution has practically become a dead-letter (QSA A/31745).

Women were not welcome at the Inebriate Institution because they were viewed as trouble-makers who disrupted the good work of the institution, especially the care that was being provided for returned servicemen. By the late 1920s, relatively few women were admitted and these few were said to be a "better class" of inebriate, more like the men who were seen as failed "battlers" seeking escape through alcohol. The larger Benevolent Asylum also complained of the rowdiness of women inmates. As early as 1912, a detention ward had been constructed in the female section of the asylum and the annual reports to parliament referred to the detention ward often being full. Sometimes those admitted to this institution, which existed ostensibly to shelter older and indigent persons, were put in detention immediately on arrival, and this was said to happen because the "mental hospitals were crowded".

It appears that between the wars, numbers of women (in particular), were passed around between institutions that really did not want them. The prisons did not want the inebriates because officialdom rightly saw alcoholism as a health problem; the Inebriates Institution certainly did not want the troublemakers; and

the mental hospitals did not want anyone who was not clearly "insane", especially if such patients were violent or were suspected of "malingering" (i.e., convicted offenders attempting to avoid prison life). It was not so much the case of an expanding carceral network replacing the prison, rather categories of marginalised individuals got moved around among the institutions that already existed. There were ongoing complaints in the early 1930s that the Benevolent Asylum was forced to accommodate the types of inmates not wanted by either the insane asylum or the general hospital, nor by the prison for that matter. These were a "class of older women who (were) thoroughly bad and loved a row". The medical superintendent wrote of the women in the Benevolent Asylum in 1932:

> The Female Division is much the same as usual and will remain so, I suppose, until some other means are devised for dealing with epileptics, mental defectives, outlaws from the State Children Department, and others on the border line of insanity. The Male side gives no trouble in this respect; it is all on the other side (*QPP*, Vol. 1, 1933, p. 903).

Rhetoric and Realities of Punishment Regimes

The situation for women prisoners (in particular) reflects three philosophical approaches to penality that coexisted in the interwar years. Two models — the *domestic* and the *work ethic* paradigms — had rather long histories but they remained very important strands of penal thinking between the wars. The *domesticating* view of punishment grew out of the 19th-century movement for women's prison reform and continued to incorporate a strong leaning toward the spiritual and moral regeneration of the prisoner. The women's prison was considered a "small community" where the matron and warders encouraged inmates to become more complete women, especially in mastering basic survival skills such as cooking and sewing, since many women upon entry were said to have "no idea" about such tasks. Two feature newspaper articles in 1937 focused upon the sense of quiet and orderly domestication which characterised the women's prison: the warders who called inmates by their first names, the smell of cooking wafting across the "sun bathed veranda", the clothes-horse of ironing being aired (*Telegraph*, 12/2/37; *Sunday Mail*, 23/5/37). This was a tranquillity, however, that could always be disrupted by one "disagreeable prisoner" who refused to adhere to the rules of domestic regulation.

Instilling the *work ethic* and a sense of self-respect and self-reliance that supposedly followed from involvement in the world of work was the second main approach to penality. This orientation also strongly informed approaches to male rehabilitation and penality. The declining number of women prisoners over the period was seen as proof not only that Queensland was more law-abiding than other states but also that the drive to instil habits of work was successful. Applications for remission of sentence, increases in gratuities paid for prison labour, promotion through classifications within the institution were all dependent upon the prisoner's "faithful and diligent performance" of the work allocated to him/her. The skills that were imparted were fairly useless in terms of gainful employment since everyone acknowledged that mechanised industry had moved

well beyond the sort of "hand craft" approach utilised in prisons, but it was the development of orderly habits that were considered essential. The response from the Queensland government to a League of Nations survey in 1937 about prison conditions emphasised moral reformation and the inculcation of orderly work habits as the twin pillars of penal policy. There was, in fact, *no* official mention of any other forms of treatment, therapy or rehabilitative efforts on behalf of women or men (QSA A/20032).

The third model, the *medical* paradigm of penality, emerged in the early 20th century as an integral part of mounting concern about the absence of alternatives to the prison. The demand for some new type of institution might with hindsight be interpreted as a call to add another element to an expanding carceral network. Indeed, the new institution as it was envisaged by contemporaries, certainly sounds like some all-embracing mechanism for detention and confinement, intended for sweeping the streets clean of all manner of deviants. But, many commentators were expressing their genuine concerns about the welfare of repeat offenders for whom there seemed to be no humane alternative to the prison or insane asylum, neither of which, it was claimed, could deter or rehabilitate typical recidivists, particularly marginalised women.

The medico-therapeutic model reflected the themes and concerns of the wider eugenics movement in the interwar years. Eugenicists were mainly professionals and intellectuals who were concerned to promote (or rescue) the racial health of the nation across a range of public policy areas: education, medicine, public health and hygiene, and responses to crime and criminality. Historians (Garton, 1994; Jones, 1999; Watts, 1994) have pointed to the complexity of the eugenics movement. Eugenics advocated what at times appears a seemingly contradictory range of beliefs and practices, spanning progressive and even radical ideas, through to those that were reactionary, right-wing, and racist. Some eugenicists believed that human health and fitness might be improved through environmental manipulation, others believed that heredity (as the key determinant of behaviour) might only be influenced through more drastic interventions into the lives of "deviant" individuals and groups. In terms of penality and the prison regime, these positions tended to translate into, in the first instance, a faith in psychological assessment and therapy. Criminality was the product of stressful and disadvantaged social and/or psychological environments and thus, with appropriate treatment and care, some criminals might be "cured". In the second instance, if behaviour was largely determined through nature and genetic inheritance, then isolation and incapacitation of incorrigible populations (including, if thought necessary, sterilisation) was said to be probably the most effective and realistic response. These two medical responses, at times overlapping and inter-weaving, were reflected in the public discourse in the interwar years about the purposes of correctional punishment in Queensland.

There is little indication in the official reports of the Prisons Department that a medico-psychological paradigm was emerging in the interwar years, but much was reported in the newspapers concerning newer elements in the penal discourse. A range of alternatives to "normal" prisons were touched on: suggestions included a prison farm for women shoplifters. However, the medical paradigm was really manifested in the idea of what the Comptroller-General J.F. Whitney usually called

the "halfway house" (or "psychological reformatory"), an institution that stood midway between the prison and the hospital, where punishment would take second place to observation, treatment, correction and rehabilitation (Whitney, quoted *Sunday Mail*, 21/6/36). The new institution was seen more as a hospital than a prison, one with walls to be sure, but a place where self-renewal would be encouraged and industrious work habits inculcated. According to this view, criminality was a sickness, as an experienced lady visitor to the women's prison observed:

> All crime, in my opinion, is a disease, and eventually, I hope, people who do not obey the law will be treated as sick people and receive medical attention. Experienced medical psychologists should be engaged and the prisoners should be psycho-analysed. Such a humane system would, I believe, reduce crime and save many persons from insane asylums (*Courier-Mail*, 19/6/36).

Other "medical" proponents adopted a more extreme eugenics stance. To them "the prostitute and criminal classes" were the products of mental defect and degeneracy. Comparing the criminal to the leper, they claimed that a healthy state in its own defence must incarcerate offenders until such time as inmates could demonstrate that they had been cured or no longer presented a threat to civilised society. "Normal" prison punishment held no deterrent value for these "subnormal" and "brutish" human beings, and in fact it was claimed that there was probably little hope for reforming most of them. According to this view, the new halfway institution must function somewhere between the prison and a high security insane asylum. A "Leading Brisbane Specialist" was quoted on the need for specialist clinics:

> The establishment of a clinic would make it possible to examine habitual criminals and those found to be mentally defective could be sent to a special institution where they could work for the State and cease to overcrowd the gaols and waste the time of the law courts. Most importantly of all, one of the causes of racial decay — the breeding of mental defectives — could be eliminated to a great extent by the sterilisation of mental defectives and habitual criminals found in the same class (*The Queenslander*, 21/5/36).

Ultimately, the outcome of these cross currents and diverse points of view about the purposes of penality was that there was little change in the lives of prisoners. Again, the case of women incarcerated in Brisbane Prison is instructive. In the mid-1930s, former prisoners described the place as "antediluvian". While they agreed that the matron and warders were "kindly", the institution was portrayed as a small, isolated colony of women hidden away in the inner suburbs, forgotten by all except those confined there. Work was supposedly the main reformative instrument, but inmates complained that they were confined to the dormitory or cells for 17 out of the 24 hours in the day. The sense of being neglected by officials beyond the prison walls was described by one woman as typifying the "mild malignancy" of the Queensland government. She claimed that:

> An ideal gaol is one that the world remembers, and in which the prisoner forgets. But this women's gaol is one that the community has forgotten. Only its inmates will remember it, and the lessons learnt within its dilapidated walls (*Truth*, 4/8/35).

The Home Secretary and the Comptroller-General denied the allegations of neglect, although they were less than enthusiastic in their defence of the women's prison. Women continued to inhabit the "dilapidated" structures until 1951 when they were moved to the former venereal diseases lock hospital located only a few hundred metres from the wooden structure they had inhabited since 1921. To outsiders, such as the International Prison Commission, the system in Queensland in the interwar years was portrayed as conforming generally with the best international standards. Yet in 1929, the Superintendent of Brisbane Prison wrote in his annual report to the Comptroller-General (comments that never found their way into the Department's annual report tabled in parliament for that year):

> I desire to mention that the staff at the female prison is very small and will not admit of an officer remaining on duty between the hours of 10 p.m. and 6.30 a.m. I have, however, arranged for the warder coming off duty at 10 p.m. to sleep in the prison in a room adjoining the cells so that if anything is required during the night, this officer can give the alarm to the Matron who resides just outside the prison. I am of the opinion that there should be an officer on duty all night, more particularly to look out that the place does not catch fire, which would be a very serious matter, as it might be difficult to get the prisoners out in time (QSA A/19588).

Conclusion

Prisons and the wider system of penality were enlisted in the interwar years in Queensland to support familied concepts of masculinity and femininity. The stability of family life was considered essential for riding out the distress of the depression years. It might, of course, be argued that the relationship worked more the other way: that familied concepts were enlisted to manage/organise the punishment regime (and the role of the domestic model is usually interpreted in this way). No doubt there was a two-way process here, but there is certainly enough evidence to confirm that officialdom looked intentionally to the punishment regime to underscore respectable family and gender arrangements. In turn, this endeavour meant that male and female offenders often experienced very different punitive outcomes from interwar penality. Familied men, particularly first-time property offenders and maintenance defaulters, were given the opportunity to participate in the rehabilitative ethos of the state prison farm. The women's prison population declined, apparently because of an increasing array of judicial diversionary practices. Diversion again was intended especially to rescue familied and "respectable" female property offenders.

The interests of other offenders were not so well-served. Young men disappeared from the pre-war prison discourse once the authorities decided to focus their reformative efforts on family men. And, if anything, penal conditions for marginalised women deteriorated over the first half of the century. Their prison became a place where those not wanted by other institutions were dumped, and when not confined to the prison, then they were shunted between other institutions. Early on, this was perhaps most obvious in the case of inebriates, but by the 1930s there were calls for a new type of "psychological reformatory" which was intermediate between the prison and the hospital, aimed at the "treatment" of a range of recidivists. While interest in

such a scheme (which did not eventuate) can be read as part of some relentless drive to expand a grand system of penality, there is no doubt that many contemporaries between the wars saw this alternative to the prison as a humane step. Even the eugenicists believed that inflicting imprisonment upon the feeble minded, alcoholic or morally degenerate was, in fact, itself immoral as well as pointless.

A medical paradigm emerged, portraying criminality as pathology where offending was a sign of sickness requiring close observation and study, followed by "scientific" treatment. At the same time, other penal paradigms, some with long histories, very decidedly retained their appeal, coexisting with and often feeding into "modern" debates about penality. In truth, however, contemporary debates about appropriate models of punishment, rehabilitation and treatment appear to have had little impact on the realities of life for prisoners between the wars.

While discourse(s) about punishment in any period can be explored from a "history of ideas" perspective, it is likely that empirical research on specific penal regimes will recast some important questions about penality, or reshape the answers to standard questions. For example, wider social arrangements at any historical point certainly shape penal mentalities but what happens in context-specific ways in the arenas of punishment (prisons and otherwise) underpin and reinforce those wider social arrangements, aspirations and anxieties. The outcomes of the society/penality nexus are often complex, confused and contradictory as illustrated by the Queensland case. This is partly because of the competing models or strands of penality which might coexist at any time. Indeed, below the level of rhetoric these compounding ideologies seem to create inertia in day-to-day penal practices. It is also partly because of the drive by penal regimes to both incapacitate and isolate those deemed undesirable or dangerous, while also endeavouring to enhance the wellbeing of others. What these tensions and cross-currents in penal mentalities and practices actually mean for the lived experiences of offenders, as well as the experiences of the correctional workers charged with their supervision and control, can only be explored more fully through empirical investigation of specific punishment regimes in their historical settings.

Acknowledgements

Endnotes

1   Male and female prisoners in Brisbane Prison were mainly Anglo-Australian. Seventy per cent of men were Australian born, 20.0% in the UK and Ireland, and 10.0% in other countries, mainly European and especially Germany. For women, the corresponding figures were respectively: 63.0%, 33.0%, and 4.0% foreign-born. Foreign-born men and women in our sample display lower rates of property offences and drunkenness than Anglo-Australians, offences against the person were roughly similar, but foreigners were imprisoned more for a range of minor (e.g., obscene language) or regulatory offences (e.g., infringements of railway bylaws). Indigenous Australians were committed to Queensland prisons, and appear to have

constituted between 1.5 to 2.5% of the annual prison population in the interwar years. But, in the main, Aboriginal "incorrigibles" were, by the late 1920s, increasingly deported to the Palm Island reserve, described by Finnane & McGuire (2001, p. 292) as "a peculiar mix of prison, protectorate and concentration camp". Prison admission registers do not identify race specifically, unless one assumes that the complexion category "dark complexion" was a euphemism for Aboriginal or Islander. In short, any meaningful comments upon foreign-born or Indigenous prisoners requires either a larger sample or different source material than those used for this study.

2   Prison farms or "open prisons" had been established elsewhere in Australia for more than a decade. New South Wales had certainly established them by 1920 (see, Lynn & Armstrong, 1996, p. 129; Ramsland, 1996, pp. 209–229). In fact, J.F. Whitney, the new Comptroller-General at the time Palen Creek was established, had come from a senior position in NSW, and thus would have been very familiar with similar establishments there. Nevertheless, local print media and the reports of the Prisons Department championed the concept of Palen Creek as essentially a home-grown Queensland contribution to penological theory and practice. Interestingly, NSW established very early separate farms for younger and older prisoners, unlike Queensland which quickly moved away from concern specifically for the needs of young prisoners.

References

Allen, J. (1990). *Sex and secrets: Crimes involving Australian women since 1880*. Melbourne: Oxford University Press.

Bosworth, M. (1999). *Engendering resistance: Agency and power in women's prisons*. Aldershot: Ashgate

Carrabine, E., & Longhurst, B. (1998). Gender and prison organisation: Some comments on masculinities and prison management. *Howard Journal*, *37*(2), 161–176.

Connell, R.W. (1996). New directions in gender theory: Masculinity research, and gender politics. *Ethnos*, *6*(4), 157–176.

Costar, B. (1989). Controlling the victims: The authorities and the unemployed in Queensland in the Great Depression. *Labour History*, *56*, 1–14.

Daly, K. (1989). Rethinking judicial paternalism: Gender, work-family relations, and sentencing. *Gender and Society*, *3*(1), 9–36.

Daniels, K. (1998). *Convict women*. St. Leonards, Vic: Allen & Unwin.

Dobash, R.P., Dobash, R.E., & Gutteridge, S. (1986). *The imprisonment of women*. Oxford: Basil Blackwell.

Finnane, M. (1997). *Punishment in Australian society*. Melbourne: Oxford University Press.

Finnane, M. (1991). After the convicts: Towards a history of imprisonment in Australia. *Australian and New Zealand Journal of Criminology*, *24*(2), 105–118.

Finnane, M., & McGuire, J. (2001) The uses of punishment and exile: Aborigines in colonial Australia. *Punishment and Society*, *3*(2), 279–298.

Forsythe, W.J. (1995). The Garland thesis and the origins of modern English prison discipline: 1835–1939. *Howard Journal*, *34*(3), 259–273.

Foucault, M. (1977). *Discipline and punish: The birth of the prison*. New York: Pantheon Books.

Freedman, E. (1981). *Their sisters' keepers: Women's prison reform in America 1830–1930*. Ann Arbor: University of Michigan Press.

Garland, D. (1985). *Punishment and welfare: A history of penal strategies*. Aldershot, UK: Gower.

Garland, D. (1990). *Punishment and modern society: A study in social theory*. Oxford: Clarendon.

Garland, D. (1995). Penal modernism and postmodernism. In T.G. Blomberg & S. Cohen (Eds.), *Punishment and control: Essays in honor of Sheldon L. Messinger* (pp. 181–210). New York: Aldine De Gruyter.

Garton, S. (1996). The convict taint: Australia and New Zealand. In C. Emsley & L. Knafla (Eds.), *Crime history and histories of crime: Studies in the historiography of crime and criminal justice in modern history* (pp. 271–290). Westport, Connecticut: Greenwood Press.

Garton, S. (1994). Sound minds and healthy bodies: Re-considering eugenics in Australia, 1914–1940. *Australian Historical Studies*, *26*(103), 163–181.

Garton, S. (1986). The rise of the therapeutic state: Psychiatry and the system of criminal jurisdiction in New South Wales, 1890–1940. *Australian Journal of Politics and History*, 32(3), 378–388.

Goodnow, J., Burns, A., & Russell, G. (1989). Australian families: Pictures and interpretations. In K. Hancock (Ed.), *Australian Society* (pp. 23–43). Cambridge: Cambridge University Press.

Hudson, B. (1996). *Understanding justice: An introduction to ideas, perspectives and controversies in modern penal theory*. Buckingham: Open University Press.

Ignatieff, M. (1985). State, civil society and total institutions: A critique of recent social histories of punishment. In S. Cohen & A. Scull (Eds.), *Social control and the state: Historical and comparative essays* (pp. 75–105). Oxford: Basil Blackwell.

Jones, R.L. (1999). The master potter and the rejected pots: Eugenic legislation in Victoria, 1918–1939. *Australian Historical Studies*, *31*(113), 319–342.

Lake, M. (1986). The politics of respectability: Identifying the masculinist context. *Historical Studies*, *22*(86), 116–131.

Lynn, P., & Armstrong, G. (1996). *From Pentonville to Pentridge: A history of prisons in Victoria*. Melbourne: State Library of Victoria.

Macintyre, S. (1986). *The Oxford history of Australia* (*Volume 4, 1901–41*). Melbourne: Oxford University Press.

McConville, S. (1995). The Victorian Prison: England, 1865–1965. In N. Morris & D. Rothman (Eds.), *The Oxford history of the prison: The practice of punishment in western society* (pp. 131–167). Oxford: Oxford University Press.

Mukherjee, S.K. (1981). *Crime trends in 20th-century Australia*. Sydney: Australian Institute of Criminology, George Allen & Unwin.

Mukherjee, S.K., & Fitzgerald, R.W. (1981). The myth of rising female crime. In S.K Mukherjee & J. Scutt (Eds.), *Women and crime* (pp. 127–166). Sydney: Australian Institute of Criminology, George Allen & Unwin.

O'Connor, I. (1992). *Youth, crime and justice in Queensland*. Brisbane: Criminal Justice Commission.

Pratt, J. (1992). *Punishment in a perfect society: The New Zealand penal system, 1840–1939*. Wellington: Victoria University Press.

Pratt, J. (1997). *Governing the dangerous: Dangerousness, law and social change*. Sydney: Federation Press

Ramsland, J. (1996). *With just and relentless discipline: A social history of corrective services in New South Wales*. Kenthurst, NSW: Kangaroo Press.

Reiger, K. (1985). *The disenchantment of the home: Modernizing the Australian family, 1880–1940*. Melbourne: Oxford University Press.

Scott, J. (1993). A place in normal society: Unemployed protest in Queensland in the 1930s. *Labour History*, *65*, 136–149.

Thomas, J., & Stewart, A. (1978). *Imprisonment in Western Australia: Evolution, theory and practice*. Perth: University of Western Australia Press.

Toch, H. (1998). Hypermasculinity and prison violence. In L. Bowker (Ed.), *Masculinities and violence* (pp. 168–178). Thousand Oaks, CA: Sage.

Watts, R. (1994). Beyond nature and nurture: Eugenics in 20th century Australian history. *Australian Journal of Politics and History*, *40*(3), 318–334.

Zedner, L. (1991). *Women, crime and custody in Victorian England*. Oxford: Clarendon.