

This is A Few Forgotten Women Story



Concealment of birth

The subject of concealment of birth is a complex and sensitive one. This article explores some of the issues surrounding it, using as case studies two women who were alleged to have concealed the births of their children in Dunster, Somerset in Victorian times.

Sarah Escott

“Considerable excitement was occasioned in this usually quiet little town on Saturday, by the discovery of the body of a child, in the park, near the outlet of a sewer.” So began an article in West Somerset Free Press of Saturday 20 June 1863 [1]. On Saturday 13 June 1863, Samuel Featherstone of West Street, Dunster, was cutting down nettles near the sewer which ran through the old park. He noticed something lying in a ditch, and on turning it over, he discovered that it was the body of a baby boy. It was lying on its face in the mud, above the level of the water, and was unclothed. The body must have been carried down the sewer by recent heavy rains. “Supposed Child Murder at Dunster” screamed the newspaper headlines.

Two men remained with the body while Mr Featherstone went in search of a policeman, returning with Sergeant Hardwick, who removed the body to Dunster Police Station, where an inquest was held. Mr Hole, surgeon, was

sent for, and examined the body. Due to decomposition, and the fact that it had been partially eaten by rats, he was unable to make a full post mortem examination. He was able to conclude, however, that the little boy was fully developed, must have been born two to three weeks previously, and the umbilical cord had been torn away, from which Dr Hole inferred that the mother had not been attended during the birth or during her confinement. He could not say whether it had been born alive, and found no marks of violence. The inquest returned an open verdict. [2]

The police had strong suspicions about Sarah Escott, a 22-year-old dressmaker, and arrested her a few days later. Sarah Escott was born in 1841 in Dunster, one of eight children born to John (a sawyer) Elizabeth (nee Webber, a laundress). Sarah and her family lived in the High Street, a few doors down from The Luttrell Arms, about 130 yards from where the baby's body was found. Adjoining their home was a closet (toilet) which communicated with the main sewer, which emptied into the ditch where the body was found.

Sergeant Hardwick told Sarah that if she wished to clear her character, she should submit to a surgical examination; Sarah said she would, and gladly. The examination was carried out by Mr Hole and Mr Gage, a surgeon from Williton. Mr Hole said that he "had no doubt" that Sarah had, within the last month, been delivered of a child. The condition of the body prevented the graver charge of murder, instead Sarah faced a charge of concealment of birth. Bail was refused, and Sarah was committed for trial at the Wells Assize in August, protesting her innocence. I was surprised to read that given the circumstantial and medical evidence, that the result of the trial was 'Bill ignored'.

On 12 March 1864, seven months later, Sarah married John Payne, a 23-year-old carpenter from Dunster [3]. The couple had 12 children [4]; three died young, of measles, hydrocephalus, and hydrocephalus & convulsions [5]. They lived in Dunster for the rest of their lives. John died in 1912 and Sarah died four years later in West Street, Dunster aged 75. She is buried in George Street Cemetery, Dunster [6].

But what exactly is “concealment of birth”?

Concealment of birth became a crime in 1803, as juries were reluctant to convict mothers of infanticide [7] recognising that they were troubled women, and the circumstances surrounding the deaths were unclear. This often resulted in not guilty verdicts or reduced punishments for guilty individuals. It was amended for the second time in 1861 - misdemeanour for anyone, not just the mother, to conceal a birth.

Offences against the Person Act 1861:

If any Woman shall be delivered of a Child, every Person who shall, by any secret Disposition of the dead Body of the said Child, whether such Child died before, at, or after its Birth, endeavour to conceal the Birth thereof, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour.

The offence of concealment of birth is not concerned with how the baby died, only with the concealment of its body. The reasons for concealing the pregnancy and subsequently the body, are not relevant to the offence. If the child can be shown to have lived (its lungs were inflated) then a murder charge was more likely. Therefore, concealment and infanticide are separate offences, but a woman could be charged with both. Concealment of birth may also occur where a child is stillborn, born alive and dies through no fault of the mother or anyone else, or born alive and killed through an act or omission. Because the offence is closely connected to neonaticide, defendants are often suspected of having caused the child's death [8]. The defendant is usually the birth mother. To understand more about concealment of birth, I have gathered details of every case of concealment of birth which came before the courts in Somerset from 1805 to 1912 [9]. Many of the Somerset women tried were in service; some were domestic servants, dressmakers, cooks, charwomen, or laundresses. Most were single.

The Bastardy Clause in the Poor Law Amendment Act (1834) meant that putative fathers were no longer made to take responsibility for their illegitimate children, who were now the sole responsibility of their mothers until the age of 16 [10]. At the time of the case studies in this article, all forms of abortion were illegal, and termination after the fifth month of pregnancy was a capital crime (Mitchell, 1998). It has been suggested that this may have contributed to a woman concealing the birth of her child - but this implies a deliberate killing - which would be neonaticide, not concealment. The number of convictions did rise after 1834, from 1805 to 1833 there were rarely more than one court case a year; after 1834 there were 34 court cases a year.

At face value, perhaps it seems reasonable to assume that a crime has been committed; suspicion is aroused because a woman has concealed her pregnancy, given birth in secret, and the child has tragically died. But as I will attempt to demonstrate, these are complex situations. An unassisted labour and birth can result in a fatal outcome for mother and/or child, regardless of the mother's intention, due to complications such as postpartum haemorrhage, undetected abnormalities, unattended delivery, prematurity, low birth weight, or birth injuries [11, 12].

I have struggled to find any contemporary studies of concealment of birth in Victorian times. Recent studies focusing on neonaticide have found that concealed pregnancies have preceded neonaticide, but others [13, 14] argued that neonaticide is NOT a typical outcome of concealed pregnancy. So, we need to maintain an open mind that women who have concealed the births of their children have not necessarily killed them. I thought the male-dominated criminal justice system would have “thrown the book” at these young women whose babies had died in unclear circumstances, but they clearly recognised the complexity of the situation, and the law limited their punishment to a maximum of two years hard labour.

Sarah Davis

In 1866, three years after Sarah Escott's trial, Sarah Davis was born in Dunster [4]. Her father William had died aged 46 of “brain wasting” and

coma [5] when she was five years old in 1871. Five years later her mother Susan married again, to Alfred Bridge [3]. By 1881, Sarah (15) was working as a housemaid in Acton, Middlesex [15], and later returned to Somerset to take up a position as a cook at Weston-super-Mare [16]. In September 1893, aged 25, Sarah moved back home to Dunster with her mother and step-father. They lived in a 'double cottage', shared with another family - my great great grandparents, Robert and Sarah Thomas (who for clarity I'll call Mrs Thomas) lived in another part of the cottage. Each family had two rooms upstairs, separated by a passage, there was a common stair case and front door, and each family had a kitchen downstairs. As these cottages were due for demolition, Sarah & her family had move to Carhampton.

At 9 or 10 o'clock in the morning on 23rd September 1893, masons erecting two new houses behind two old cottages at "Rock Foot" in St George's Street, Dunster, were startled by a scream from Mrs Thomas [17] who came out of the cottage looking very frightened and said she had found a human foot in the fireplace in the corner of the room. Running into the cottage, they found the body of a baby girl, blackened by fire, amongst some ashes and burnt rags in the fireplace.

Mrs Thomas said that she had noticed that Sarah was rather stout, and "considered her to be in the family way". Mrs Thomas recalled that recently Sarah had stayed in bed all day and had called for her mother to bring a workbasket, cotton and scissors. Mrs Thomas had not heard any crying or sound from anyone. Mrs Bridge asked Mrs Thomas to look in on Sarah, who was in bed looking tired and ill. There was no sign of a child; Mrs Thomas mentioned her suspicions to Sarah, who replied that she "would not have come home to Dunster had that been the case. When Mrs Thomas next saw Sarah, she looked thin and ill. The following day Mrs Thomas was away all day, but noticed when she returned home that there had been a fire in the grate. Sarah was going to clear it, but Mrs Thomas said there was no need, as the house was due to be pulled down [16].

Mrs Bridge when questioned by police on the 4th October 1893, denied any knowledge: "I know nothing about it. They did say my daughter was in the family way but 'tis no such thing." Sarah immediately confessed and said

“my mother knows nothing about it. I am the only one who knows anything about it. I placed it there.” She explained that “It was born alive, but I became so exhausted that I don’t know what I did. I did not know what to do with it, so I put it in the fireplace to get it out of the way.” Sarah was arrested and was charged with “Being delivered of a female child did unlawfully endeavour to conceal the birth thereof by secretly placing the dead body in a fireplace, in a cottage, at Dunster, on 23rd September 1893”.

When she appeared before Mr G. F. Luttrell at the police court to be committed for trial, Sarah looked worn and ill, and was weeping bitterly, so her case was heard in private. It seemed that she was hardly able to listen to the evidence. Her trial took place on the on the 2nd November. Owing to the number of cases, Sarah’s case wasn’t heard until 20 minutes to midnight [18]. Doctor Francis Hayes gave evidence: there were some wounds on the body, probably after death, and that the baby had likely only lived a short time, perhaps one or two minutes, as the one lung was not inflated at all and the other only partially. Sarah confessed to endeavouring to conceal birth of hr child, and was sentenced to 5 months hard labour [19].

Three years later Sarah married James Small, who worked variously as a labourer, soldier, pit labourer, Colliery Fireman, and Colliery Stoker. They had five children, three died in infancy – of convulsions and teething, pneumonia and pertussis, and inanition after haemorrhage of the cord. The couple lived in Litton, Somerset, later moving to Bristol.

Why do some women conceal their pregnancies?

There are many factors which potentially contribute to a concealed pregnancy; the subject could easily be a blog post (or a thesis!) on its own. Some studies [20, 21] found that women who conceal/deny pregnancy come from all social classes, and are not determined by age or marital status; however, the vast majority of those who appeared before the Somerset courts were single working-class women. A study in 2012 found that 65% of women who concealed their pregnancy were from a rural background [22].

There is a lack of studies of concealment of birth in Victorian times, but findings from some modern studies may be applicable. Modern studies define a difference between a pregnancy which is deliberately concealed and one which is subconsciously denied. A denied pregnancy is one where the woman perceives the pregnancy as a crisis and uses avoidance tactics as a mental coping mechanism, because they are unable to cope with the thought of being pregnant, in the same way as someone might (through fear) delay dealing with a breast lump or rectal bleeding [23]. Some may have been aware that they were pregnant but for various reasons, decided to conceal their pregnancy, perhaps planning to have the child adopted [24]. Others may genuinely not have known they were pregnant, and attribute their symptoms as irregular periods or weight gain. It has also been suggested that many illegitimate infants found dead may have died naturally and were abandoned to save burial expenses [25].

Fear is a frequent precursor of concealed pregnancy [26, 27]; this may be a fear of parental or societal reaction, or could involve fearing for the safety of the child or herself. A 2012 study found that 79% of women who had concealed a pregnancy feared a negative parental reaction to the pregnancy compared to 40% in the control group. Perceived lack of support is another contributory factor.

Concealment of birth is likely to involve several factors including: mental illness, learning disability, domestic abuse, sexual abuse/assault, religion and cultural beliefs, isolation, incestuous or extra marital paternity, adverse childhood experiences, immature coping styles and a tendency to dissociate, controlling relationships, or the knowledge of the pregnancy may panic the woman to such an extent that she feels unable to respond to her pregnancy [12, 29, 30].

It seems likely that concealment occurs through a combination of external pressure and psychological conflict although some researchers [21, 31] suggest that a denied/concealed pregnancy could occur in any well-adjusted woman if the right circumstances arose.

Some women use various tactics to disguise their pregnancy; this may involve them living in a mother and baby home in another area, they may move away claiming that they have been offered work, and they may avoid contact with family or friends. This may limit their access to support networks. To hide their pregnancy, some women may wear loose clothing to detract from their bump, or tight corsets or bandages to minimise it [26, 27]. They may come up with excuses to justify symptoms or detract attention [32]. Examples of this include tumours, menopausal symptoms and weight gain (Hatters Friedman et al 2007); in a denied pregnancy, the anticipated symptoms and bodily changes of pregnancy can be misinterpreted, significantly reduced or absent [36].

Concealment of birth today

Concealment of birth still happens today. Data from the Office for National Statistics (2016) using data from 2002 – 2016 indicates a mean average of 6 per year. The most well-known case is that of Kim Woodburn, half of the Kim & Aggie duo known for co-presenting the Channel 4 series *How Clean Is Your House?* Kim said: "Being an unmarried mother years ago was terribly shameful. You were a whore and a man would only marry a virgin. You had to be a virgin on your wedding day and to be pregnant and single, there was an enormous stigma. I had no family to turn to. I was ashamed and frightened" [33]. Kim went into labour three months early and delivered a stillborn baby. Unmarried at the time and terrified of what her abusive parents might say or do to her, Kim buried the child's lifeless body in a park. The following day she went to work at a department store and, that night, "in my confused state, I still felt that this was my sole responsibility". She wrapped the baby in a tea towel, took a spoon from the kitchen drawer and went to her favourite park. She writes in her autobiography: "I put the baby on the ground and then knelt down and started digging with the spoon. As I gouged the earth, tears streamed down my face. I brushed them away with my dirty hands. When I felt I had dug down deep enough, I lowered my precious little boy into the hole and wrapped the towel around him before slowly replacing the earth. When the job was done, I still couldn't leave" [34].

Conclusion

These are two of several cases of concealment with a Dunster connection; two others (from Minehead and Ellicombe) were tried at Dunster Police Court. Another case occurred in Dunster in the 1930s, which I have not described here for privacy reasons, in which the jury were so moved by the woman's plight that they donated her their fees. Sentences varied, from one day's imprisonment (effectively an immediate release), being discharged into a [recognizance](#), and the maximum sentence two years hard labour. In an effort to further understand these women's experiences and the reasons for the variations in sentencing, I have extracted the details of every case of concealment of birth in Somerset from 1805 to 1912 and have started compiling data and background information; when time permits, I will explore this issue further.

Concealment was (and is) a complicated event which is not fully understood even now. There doesn't appear to have been any historical studies and very few in modern times which shed any light on this phenomenon. The Victorians, who I'd expected to come down on these women like a ton of bricks, actually showed remarkable understanding, leniency and tolerance. They recognised that the woman had undergone some trauma and, although they didn't necessarily understand it, they realised that a harsh, punitive sentence would serve no purpose.

Sarah Davis and Sarah Escott both went on to marry and had children. Both had children who died in infancy of natural causes. We will never know whether they how they felt about what happened and how it affected their lives, but I am sure they carried the sadness with them always. Many women later described their concealed pregnancy as a life altering and traumatic experience and are likely to internalise their feelings after the birth [23, 35]. Kim Woodburn described her experience as the worst of her life: "I had never felt more wretched. I still talk to my son now. The deep sadness doesn't go away...It was a very sad part of my life. I would never go back to visit the spot where is happened. That would just be too much. I couldn't do it" [34]. So, if in your research, you discover a woman who has concealed the birth of her child, I urge you not to assume the worst, take a

gentler approach, and explore her story with an open mind. There are likely to have been many factors at play which the dusty documents and newspaper reports do not capture.

In memory of Baby Davis and Baby Escott

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This blog post first appeared on Liz's one-place study website 'Dunster Ancestors': <https://dunsterancestors.co.uk/2021/04/21/concealment-of-birth/>

References

1. West Somerset Free Press - Saturday 20 June 1863
2. Newspaper describing the inquest into Sarah Escott's body
3. Dunster marriage register, original accessed via Ancestry
4. Dunster baptism register, original accessed via Ancestry
5. Death certificates
6. Dunster burial register, original accessed via Ancestry
7. Wiener, Martin J. (2008), *Reconstructing the Criminal: Culture, Law, and Policy in England, 1830–1914*, Cambridge University Press
8. Milne, Emma (2019) *Concealment of Birth: Time to Repeal a 200-Year-Old 'Convenient Stop-Gap'?* *Feminist Legal Studies*, Durham Law School

https://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID3686812_cole2331612.pdf?abstractid=3686812&mirid=1

9. Calendars of Trials at Sessions and Assizes for the County of Somerset
10. Seaton, Sarah (2017) *Childhood & Death in Victorian England. Pen & Sword History*
11. Murphy Tighe, S and Lalor (2015) Concealed pregnancy: a concept analysis. Volume 72, Issue 1. Pages 50-61
<https://smad6740.files.wordpress.com/2016/01/concealed-pregnancy-a-concept-analysis-21.pdf>
12. Sussex Child Protection and Safeguarding procedures - 8.14 Concealed Pregnancy
<https://sussexchildprotection.procedures.org.uk/tkyplq/children-in-specific-circumstances/concealed-pregnancy> [Accessed 28 Jan 2021]
13. Vellut N, Cook JM and Tursz A (2012) Analysis of the Relationship Between Neonaticide and Denial of Pregnancy Using Data from Judicial Files. *Child Abuse & Neglect*. 36(7-8): 553-63.
14. Milne, Emma (2017) Suspicious perinatal death and the law: criminalising mothers who do not conform. [131242077.pdf](#) ([core.ac.uk](#))
15. 1881 census
16. West Somerset Free Press – Saturday 7 October 1893
17. Taunton Courier and Western Advertiser – Wednesday 4 October 1893
18. West Somerset Free Press – Saturday 11 November 1893
19. HO140 Piece 148 Calendar of Prisoners Tried at The Assizes for the Year 1870 (original accessed on FindMyPast)
20. Hatters Friedman S., Heneghan A. & Rosenthal M. (2007) Characteristics of women who deny or conceal pregnancy. *Psychosomatics* 48(2), 117-122. doi:10.1176/appi.psy.48.2.117

21. Wessel J., Endrikat J. & Buscher U. (2007) Denial of pregnancy characteristics of women at risk. *Acta Obstetrica et Gynecologica* 86, 542–546. doi:10.1080/00016340601159199.
22. Thynne C, Gaffney G, O'Neill M, Tonge M, Sherlock C (2012). Concealed pregnancy: prevalence, perinatal measures and sociodemographics. *Ir Med J* 105(8):263-5
23. Murphy Tighe, Sylvia (2020) "Concealed Pregnancy: Lessons to be Learned" in the *Irish Nursing Times: The Keeping it Secret Study (KISS)*
24. Hatters Friedman S., Heneghan A. & Rosenthal M. (2007) Characteristics of women who deny or conceal pregnancy. *Psychosomatics* 48(2), 117–122. doi:10.1176/appi.psy.48.2.117.
25. Gould, Rosemary (1997) The History of an Unnatural Act: Infanticide and 'Adam Bede', *Victorian Literature and Culture* 25.2 (1997): 266
26. Conlon C. (2006) *Concealed Pregnancy: A Case Study Approach from an Irish Setting*. Crisis Pregnancy Agency, Dublin.
27. Thynne C. (2006) *Exploring the experience of women who undergo a late disclosure of pregnancy*. Doctoral thesis. Retrieved from <http://www.lenus.ie/hse/handle/10147/210730> on 9 September 2013.
28. Rattigan C. (2012) 'What else could I do' *Single Mothers and Infanticide, Ireland 1900–1950*. Irish Academic Press, Dublin.
29. Riley L. (2005) Neonaticide: A Grounded Theory Study, *Journal of Human Behavior in The Social Environment*. 12: 4
30. Spinelli MG: A systematic investigation of 16 cases of neonaticide. *Am J Psychiatry* 2001; 158:811–813
31. Jenkins A., Millar S. & Robins J. (2011) Denial of pregnancy- a literature review and discussion of ethical and legal issues. *Journal of the Royal Society Medicine* 104, 286–291. doi:10.1258/jrsm.2011.100376.

32. Ali E. & Paddick S.M. (2009) An exploration of the undetected or concealed pregnancy. *British Journal of Midwifery* 17(10), 647–651.

33. Tansley, Janet (25 Aug 2006) *Liverpool Echo*. Available from:

<https://www.liverpoolecho.co.uk/news/liverpool-news/felt-like-mass-murderer-3515814>

[Accessed 2 April 2021]

34. Woodburn, Kim (2006), *Unbeaten: The Story of My Brutal Childhood* Hodder & Stoughton

35. Murphy Tighe, S. & Lalor, J. (2019) Regaining agency and autonomy: A grounded typology of concealed pregnancy. *J Adv Nurs*. 2019 Mar;75(3):603-615. doi: 10.1111/jan.13875. Epub 2019 Jan 31.

36. Brezinka C., Huter O., Biebl W. & Kinzl J. (1994) Denial of pregnancy: obstetrical aspects. *Journal of Psychosomatic Obstetrics & Gynaecology* 15, 1–8.