

WOMEN, CRIME
AND THE COURTS:
HONG KONG 1841-1941

Patricia O'Sullivan

BLACKSMITH BOOKS

For D. A. C.,
who started me on my Hong Kong journey,
with gratitude, always.

Women, Crime and the Courts: Hong Kong 1841-1941

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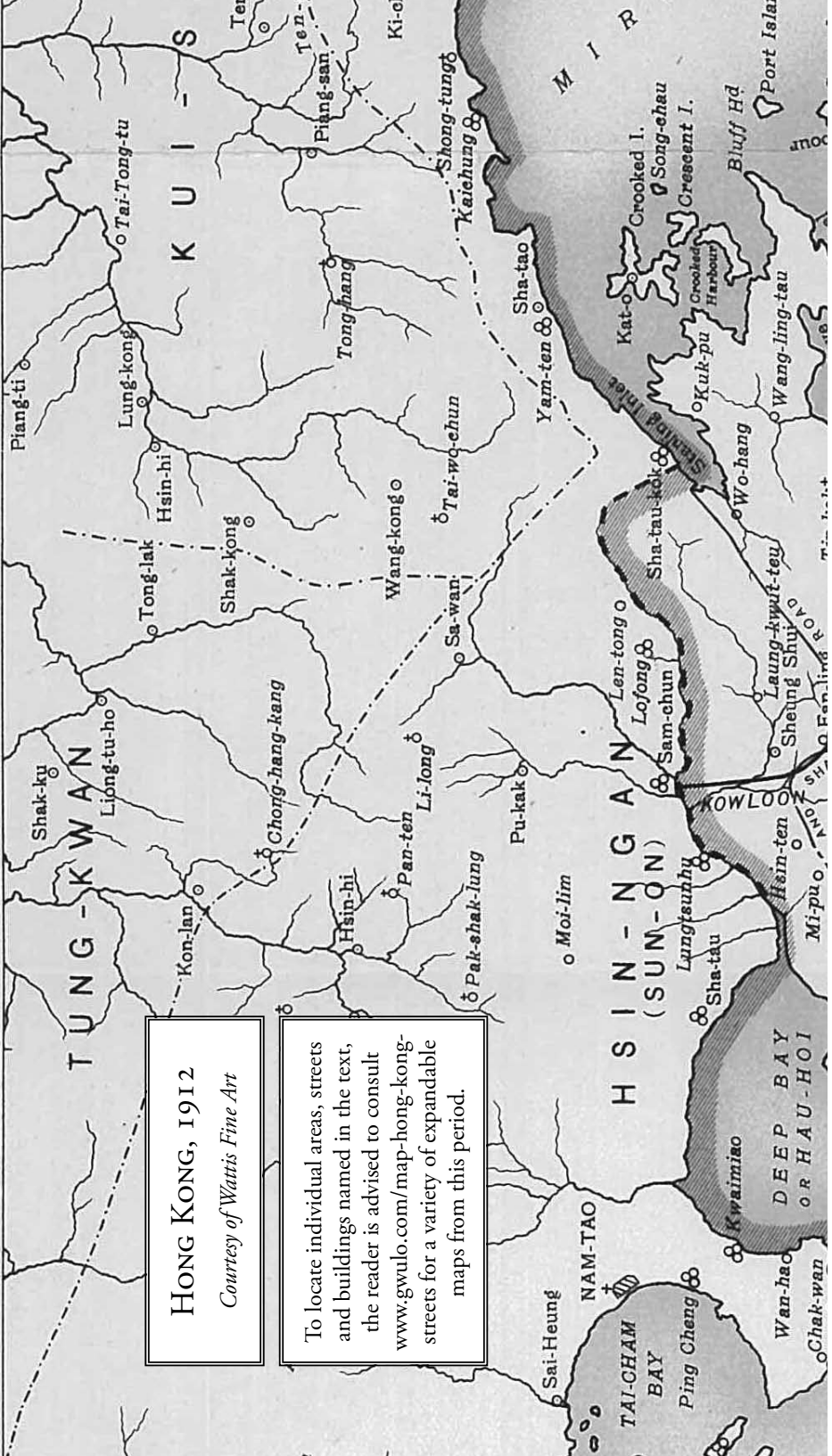
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HONG-KONG, KOWLOON AND ADJACENT TERRITORIES.

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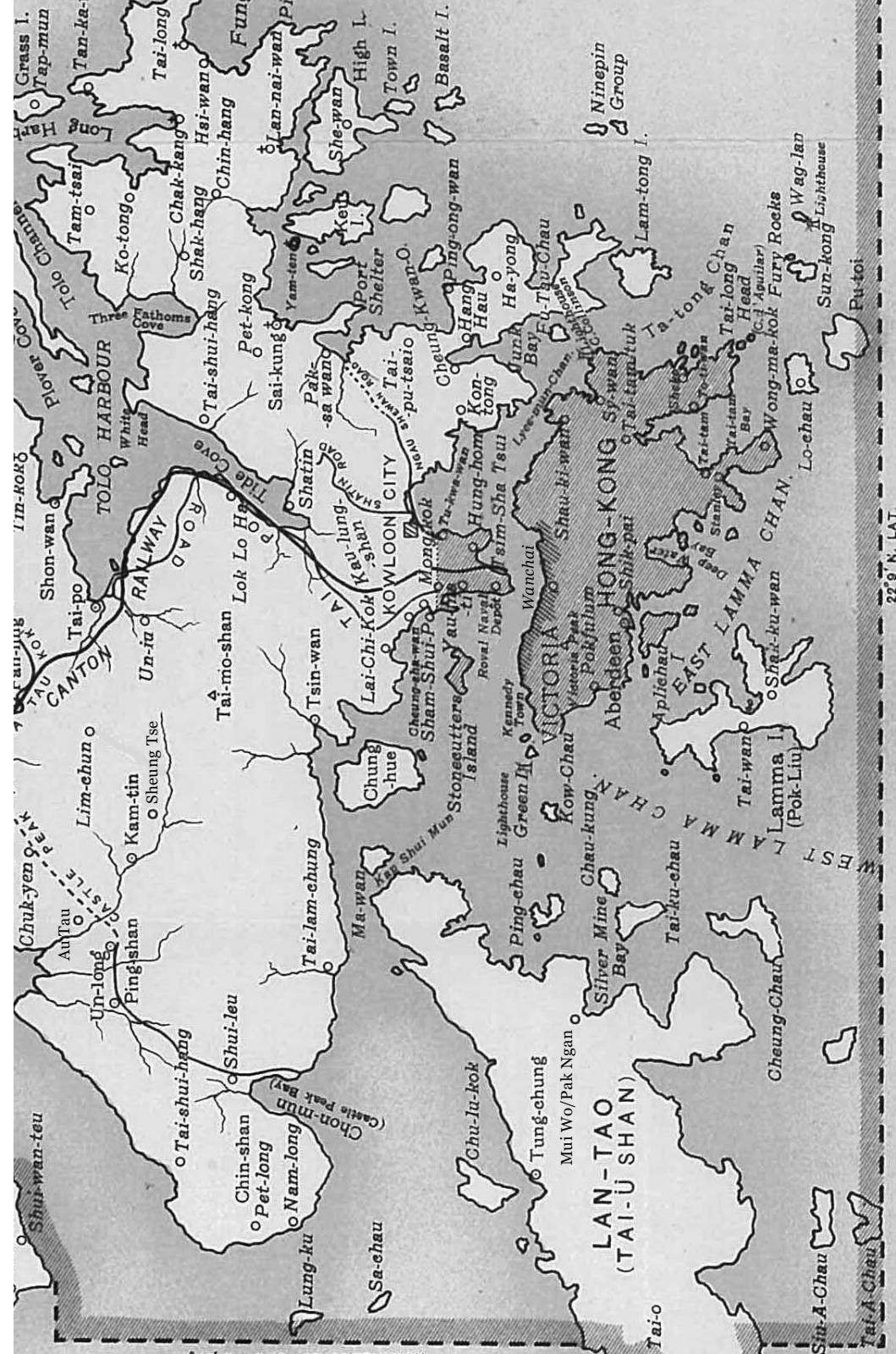
157'



HONG KONG, 1912

Courtesy of Wattis Fine Art

To locate individual areas, streets and buildings named in the text, the reader is advised to consult www.gwulo.com/map-hong-kong- streets for a variety of expandable maps from this period.



113° 52' E. LONG. OF GREENWICH

22° 9' N. LAT.

INTRODUCTION

My interest in this topic was piqued even before I had determined that I would write my first book. Some years ago, I began to unravel the lives of my relatives and their townsfolk who were in Hong Kong from the mid-1860s until just after its reoccupation by the British in 1945. They were ordinary men and women, from farming stock, not poor by the standards of the time, but without any silver spoons to smooth their way. The men came out for good jobs, the chance to send money home to support elderly family and unmarried sisters, and with the prospect of a valuable pension. They returned from home leave with brides, young women from their town who could have had only the haziest notion of what awaited them. I soon became aware how interconnected lives were here – with other westerners and the longer-term residents from Macao, and then with the Chinese community all around them. Necessarily they lived not on the privileged upper reaches of the Peak, but in the very midst of the town itself. I tried to find out how all these other people lived, what their life experiences might be, and in what ways their living in a British Crown colony brought contrasts to the lives of their families in China or Macao. But as with so many aspects of Hong Kong's social history, there were few resources on the subject.

However, because the group I was then studying were mainly policemen, and there turned out to be quite a lot of them, I kept stumbling across crimes they investigated that had been committed (or not) by women. As my reading broadened, I realised that these cases supplied at least a partial answer to my question about the lives of all women in the colony during its first century. True, we're learning about them, both Chinese and western, when things go wrong, and sometimes dreadfully so. But

even the reports about trivial little misdemeanours or transgressions give a glimpse of what was happening day to day. And these crimes were reported – although they were a tiny fraction of the total, newspapers regarded ‘women criminals’ as good copy, so we hear about them, and often with a little more detail than those of their menfolk. So I make no apology for including the brawl for water, the attempt to purchase a few sweets with dodgy five cent coins or the prosecution for illegally hawking a small tray of cakes. They and their ilk have their place in the wider story, just as do the murders and kidnappings which are recounted.

I do not read Chinese, and I freely admit that my knowledge of the wider region is relatively superficial. I may have family roots that go back 150 years and more, but my personal experience even of Hong Kong dates only to 2009. Thus I am wary – very wary – of reading into the lives of people whose culture I do not share. Even the temporal distance between myself and my grandmother’s generation, for example, who arrived in Hong Kong over a century ago, feels like a hurdle, although admittedly one easier to surmount. That all said, as I read the varied cases and started making selections from the accounts, I was struck by the common themes that ran through. Looked at with the bird’s-eye view of hindsight, these thread their way through the stories, despite differences in backgrounds and race. Not surprisingly, the main themes are of poverty and powerlessness, of taking control when it was possible, of abusing that control, and of the limitations that women’s isolation and lack of access to education created in their ability to deal with a moral code built on an (alien) philosophical system. I believe that the reader will observe these here, especially in the longer stories recounted.

The women who appear in this book were part of a rare breed. On average, and until 1930s, less than 5% of the defendants appearing at the magistracy were female. Those who stood trial at the Supreme Court were more exceptional again. This contrasts with the situation in England and Scotland during the first half of the period covered, which saw lines of ‘unfortunate females’ waiting their turn before the bench and then accounting for between a quarter and a third of the total prison population. In these places overcrowding was a frequent problem in the women’s prisons. Hong Kong magistrates could ‘rattle through’ cases

with scant regard for the defendants as well as any in the 19th and early 20th centuries, but in cases which had required more investigation or longer consideration, the reader is often left with a suspicion, at least, that the gender of the defendant has played a part in the treatment meted out to her. As the century progressed, there was a real awareness of the limitations under which these women lived, and how that affected their motives and actions. It is also worth noting that, in the English-language press at any rate, women standing trial for murder were not demonised, as frequently happened in the West. Sensationalist language, even in the most dreadful cases, was remarkably rare in the reporting, and absent in the courts.

Many of these cases are 'stories' in their own right. For that reason, the reader will find that some are treated in a more narrative style than those chapters that recount multiple incidents. When speech has been reported in the newspapers I have tried to use it faithfully. Some has been conjectured, but where this has been done, it is only to express the sentiments conveyed in the reports, or to move the story on. No such additions have 'created' events or motives. When I have suggested the latter, these are in my own voice, and not put into the mouths of those who cannot now dispute them.

I do not claim to have included all the most 'significant' crimes which involved women as protagonists during the century 1841-1941. My sources have primarily been the newspapers, the Colonial Office Records and the specialist histories of this region and time. I have given over two chapters to investigating the small Female Prison that existed throughout the 100 years, since there is an almost entire absence of literature on this. Until the recent and very welcome publication of May Holdsworth and Christopher Munn's book, *Crime, Justice and Punishment in Colonial Hong Kong* (sadly appearing too late for the present work to benefit from), books on the subjects of the Prison and their inmates have been very light on research.

I am hoping that my modest efforts might spur others, perhaps with access to Chinese-language material in addition to that I have used, to conduct more in-depth research on the subject. But from the foregoing, I hope it will be apparent why I have not attempted any grand 'drawing

together' in a conclusion at the end of the book. Thus when we get there, we will leave these stories with Molly Cecil sailing off to a new life – heaven help Australia!

Some notes on terminology

The transliteration system used for the names of both places and people from Chinese evolved over the period covered by this book. I have adopted the policy of using the spelling given in the accounts of events being related, but providing the modern usage where this differs significantly to the earlier one. Some newspaper reports of trials include two or even three spelling variations of individuals' names. The 'majority' spelling has then been adopted.

Chinese names are written in the normal form of family name first, followed by given names.

The terms "prison", "gaol" and "jail" have been used in accordance with the period and institution. In the early days, the place of detention was referred to as a prison, but in official records the person in charge of it was the Jailer. The new structure, built in the early 1860s, was named "Victoria Gaol", an appellation which remains until this day. The facilities at Lai Chi Kok and Stanley were always known as prisons. The place where female prisoners were confined was, throughout the whole period, known as the Female or Women's Prison.

All references to dollars are to Hong Kong dollars. Amounts are generally specified in (HK)\$ unless the item (salary, payment, etc) was specifically defined in another currency (normally sterling). One pound (£) sterling was (until 1971, when it became 100 pence) divided into 20 shillings (s.), which were in turn divided into 12 pennies (d.). Where conversions between the two are shown they are at the prevailing exchange rate of the time in question. For reference, this varied from about 4s. 4d. (about £0.22) per dollar in the 1850s and 60s, to a low of 1s. 9d. (£0.08) in 1903, gradually increasing thereafter.