



Book Review

Rachel Dixon (2022) *Infanticide: Expert Evidence and Testimony in Child Murder Cases, 1688–1955*. London: Routledge

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The killing of one's child is often incomprehensible. As a crime, infanticide has historically been associated with women, an offence where time and time again, women outnumber men. Thus, it has received a wealth of attention from historians and criminologists who are interested in exploring women's criminality. A great deal of this research has come from the United Kingdom (UK) and examined nineteenth-century cases, mostly focused on the women themselves or the social contexts throughout the nineteenth century that led to women killing their children. Rachel Dixon's book takes a different and novel approach, instead choosing to focus on the experts in the courtroom and their testimonies in cases of child murders from the seventeenth through to the mid-twentieth centuries in London and Hull.

The book is chronological and moves quickly from the late 1680s through to the nineteenth and twentieth centuries, where the bulk of the attention is on male medical expertise in the courtroom. This is useful for those with minimal or passing knowledge about infanticide and demonstrates the changes taking place within not only the criminal justice system but also societal attitudes towards women. The Introduction and Chapter 1, titled 'A Historiography of Infanticide', set the scene. The argument for the book is that although scientific evidence became more relied upon in the courtrooms, there was no more certainty in infanticide cases than when midwives had been the experts called upon to give their opinions about childbirth and the effects that pregnancy and childbirth could have on the actions of the accused women. In turn, as Dixon argues, juries chose to find more women not guilty of murder because the medical men's uncertainty assuaged the juries' discomfort with acquitting a woman for murder.

These first two sections of the book chart how the perception of infanticide changed from being a crime committed by unwed women in the seventeenth century (with legislation in the 1624 English statute, *An Act to Prevent the Destroying and Murthering of Bastard Children*, introduced to 'target and punish the sexual promiscuity of unmarried women' [Dixon 2022: 24]) through to the *Infanticide Act 1922* (UK), which focused on the accused woman's mental faculties and giving a medical defence for the offence.

Chapter 2 considers midwifery evidence in infanticide cases. For centuries midwives had been considered the experts in women's bodies following childbirth, with their involvement in the justice system stretching back to the Middle Ages. As Dixon points out, midwives were not experts in the bodies of infants, and this was the space where male medical practitioners could enter and exert their scientific knowledge. This chapter demonstrates the various ways in which midwives gathered



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evidence and presented their opinions to courts—she might look for clues of the child being born elsewhere and examine the location where the birth and death took place to decide whether the accused was telling the truth or lying about a child being stillborn rather than merely examining the woman or the body of the infant. Dixon's research into the Old Bailey records between 1688 and 1738 found that where a midwife gave evidence, the likelihood of the woman being acquitted was higher than where a surgeon did. Following 1738, the role of the midwife diminished in the courtroom, and instead, other expert evidence, especially that of surgeons, came to be heavily relied upon, and by 1863, midwives were no longer giving evidence in cases tried at the Old Bailey.

Therefore, Chapters 3, 4 and 5 turn more to the role that medical men had in infanticide cases—initially, their importance to coronial inquests and later trials, especially when examining the body of the infant (Chapter 3), then medical evidence of the mental state of the woman (Chapter 4) and finally, the role of the pathologist in infanticide cases (Chapter 5). As the book progresses, we can observe the evolution of how women's criminality became an issue of the perceived fragility of women's mental state and their need to be protected from not only themselves but the wider world, with the 'application of a general rule ...; where uncertainty remained in infanticide cases, the woman should be given the benefit of the doubt' (Dixon 2022: 166). This meant that, as Dixon presents in this work, the role of the pathologist was actually sidelined due to evidence of a crime being derived not from the body of the infant but the mind of the woman.

This book covers a great deal of ground in a very short space, and as such, there are some drawbacks. Notably, even though Hull is supposedly the location for part of this research, the overwhelming focus is on cases from London's Old Bailey. This is, in part, an issue of access to records (or rather the lack of records from Hull), with Chapter 5 instead based on cases from Lincolnshire (while admittedly close, it certainly does not include Hull), alongside London. Some of this could have been set up in an expanded methods and methodology section (running only four paragraphs in the Introduction), which could have touched upon how many cases there were per century and location, as well as how cases were chosen for closer analysis, and address the absences of the criminal records in the geography.

More specifically, Chapter 1 repeats parts of the Introduction and, at times, reads less as a historiography of infanticide and more as the history of the evolution of the UK legal system. Discussions of how legal cases influenced nineteenth-century literature are interesting but a bit out of place in this chapter. Michel Foucault also seems to be shoehorned into the book. A very short section on Foucault's thoughts about medico-legal practices in the criminal justice system (and their lack of relevance to the UK criminal justice system) appears in Chapter 1, which is then touched upon in other chapters only for the conclusion to state that the cases in the book are anti-Foucauldian—that is, that the cases used by Dixon demonstrate that Foucault's theories about medico-legal practices have little relevance to the British context. This is valid but raises the question as to why this is included throughout the book when it is established early on that Foucault's relevance is extremely limited to the research at hand and then not unpacked in greater detail in later chapters.

However, notwithstanding these issues, Dixon's book offers insights into the evolution of expert evidence in infanticide cases over the centuries and highlights how science (for all the perceived arguments of offering clear answers as to the guilt or innocence of the accused) brought more uncertainty into the courtroom when it came to child murder. It will be a helpful text for anyone studying not only infanticide but also medical evidence and its use in the courtroom.

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