

# History - Crime and Punishment

## Roman Britain (AD 43 – c. 410)

- Roman Britain was a **hierarchical** society
  - Nobles got preferential treatment
    - It was legal to kill a slave
    - While freemen got executed for murder, nobles only got exiled
      - Valentinus, a roman governor, was spared execution in **AD 369** and exiled instead
- Roman Britain was a **patriarchal** society
  - Women were treated unevenly by the law
    - Often punished more harshly for the same crime than men
- Roman law was not based in religion
- Their laws were originally carved into tablets of stone
  - The Twelve Tables
- In the **6<sup>th</sup> century**, Emperor Justinian compiled the Digest of Roman Laws
  - This contained all the roman laws
- Roman Laws were made in the interest of the law makers
- This meant that the most serious crimes were those that threatened authority
  - Rebellion
    - Boudicca – leader of the Iceni Tribe
      - Revolted in **AD 60**
        - Because she was left half of Britain by her husband and the romans took it all
        - When she was captured she took poison
          - Rebellion was treated most harshly because of the fear it may spread
  - Religious non-conformity
    - Refusing to worship the Emperor above God
- Individuals were usually held totally responsible for their own actions
  - No matter what their circumstances were
- There are no records of roman crime rates
  - However, from looking at other times we can extrapolate trends
    - Theft would have been the most common crime
      - Because of large divisions between rich and poor
- Roman punishments had to be: **C**heap, **R**evenge, **E**asy, **D**eterrence

- Prisons were only used for debtors and people awaiting trial or execution
- The Romans came up with some rights that we still enjoy today
  - The right of every person to know what the laws are
  - The right of a defendant to know any charges brought against them
  - The idea of innocent until proven guilty
  - The right to present evidence in court
  - The right to a fair trial in court
- The Romans did not establish a police force as they had a 'Laissez-faire' approach

## The Middle Ages (c. 400 – c. 1500)

### Main Developments

- Hue and Cry
  - Victims of the crime were expected to catch criminals by calling locals to help them
- Tithing
  - Men were divided into tens called tithings and were responsible for each other
- Wergild
  - Criminals paid compensation to their victims
- Trail by Ordeal
  - "Judicium Dei" – Judgement of God
- Justice of the Peace
  - Leading landowners held county courts
- Increasing involvement of the king

### Saxons (c. 400 – 1066)

#### Blood Feud

- Early Saxon kings allowed the victims of crimes to track down and punish the criminals themselves, even by killing them
  - This saved the king have to waste time and money doing it
  - They did not have a police force or army to do it
  - Kinship and loyalty were important in Anglo-Saxon communities
  - Revenge was encouraged
- This led to:
  - Miscarriages of justice
  - An escalating cycle of violence as a family feud takes place
    - The punishment causes more crime itself
  - Families and the community being seriously damaged

#### Compensation

**Wergild** – the blood price if someone was killed or murdered

**Botgeld** – compensation for injuries

- Compensation was introduced in the **9<sup>th</sup> Century** to replace Blood Feuds
- Rates varied according to the social rank of the person killed or injured
  - **Hierarchical** society
  - The wergild of a Noble man was 300 shillings
  - The wergild of a free man was 100 shillings
- If a criminal could not pay he became a slave
- This use of compensation shows the increasing involvement of the king

- Some serious crimes were punished with the death sentence
  - Treason
  - Arson
  - Betraying your lord
- Reoffenders were punished harshly
  - Cutting off a hand, ear or nose
  - 'Putting out' the eyes
- If an accused person did not come to court they became an outlaw
  - This meant they no longer had the protection of the law and anyone could punish them
- Prisons were used to hold the accused before trial
  - They were not used a punishment as it was too expensive

### Tithings

- In the **tenth century**, tithings were created
- A tithing was a group of ten men who were responsible for each other
- If one of them committed a crime the others had to bring him in or pay the compensation fine
- This meant they did not need a police force
- It was effective as people did not want to be caught by their neighbours

### Trails

- The Saxons introduced trial by jury which the Romans did not have
- The Romans did have lawyers which the Saxons did not
- In a Saxon court, if no verdict could be reached they used compurgation to prove guilt or innocence
  - Compurgation is the swearing of an oath that someone is guilty or not based on how trustworthy the individual is

### Trail by Ordeal

- In **AD 663** the Synod of Whitby came over to England and all of the Anglo-Saxon kings converted to Christianity
  - This led to the death penalty being used less and mutilation becoming more common
  - It also led to the introduction of Trail by Ordeal
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- **Trail by Ordeal was only used if trial by jury could not decide the fate of the accused**
  - The idea was that God acted as judge
  - The person taking the ordeal had to fast for three days before
  - Mass had to take place in the church prior to the ordeal
  - A priest oversaw the trail
  - There were four trails:
    - Trail by hot iron
      - This was for Women
      - They had to walk three metres while holding a red hot iron. Then the wound was bandaged and unwrapped three days later
      - If the wound was festering the person was guilty if not they were innocent
    - Trail by hot water
      - This was for Men
      - They had to retrieve an object from a tub of boiling water. Then the wound was bandaged and unwrapped three days later
      - If the wound was festering the person was guilty if not they were innocent

- Trail by Cold Water
  - This was for men
  - A rope was knotted just above their waist. They were then lowered into water
  - If the knot stayed above the water they were innocent if not they were guilty
- Trail by consecrated bread
  - This was for priests
  - A priest prayed to choke if he lied. He ate the bread
  - If he choked he was guilty if not he was innocent
- Trail by Ordeal was a last resort
- It was not a fair test and probably always went the same way

### William the Conqueror

- Did not want to change many laws as he wanted to appear as rightful heir
- The idea of the king's 'mund' was introduced
  - This meant that crimes were committed against the king's peace rather than other people
  - Compensation was paid to king's officials instead of the victims
- Introduced the forest laws
  - The punishment for killing a deer was to be blinded
- Increasing use of the death penalty
  - William ruled with fear
- Introduced Murdrum fine
  - If a Norman was murdered all the people in the area had to join together to pay
- Introduced Trail by Combat to Trail by Ordeal
- Benefit of Clergy
  - Priest could only be tried by Church courts which could not use capital punishment
    - To prove you were a priest you had to read a passage from the Bible
    - Many criminals learnt this verse (neck verse) off by heart
- Right of sanctuary
  - A criminal that could get to the sanctuary of a church could not be arrested
  - If he confessed to his crime he would be able to leave the country within 40 days
- Shires became counties
  - Shire-Reeves are replaced by Sheriffs
    - Sheriffs were loyal Normans and could collect as much tax as they wanted

### Later Middle Ages (1100-1500)

#### Henry II

- Became King in **1154** after a civil war (**1135-1154**), during which law and order had broken down
- Therefore concerned to assert his authority over England
- Needed especially to deal with 'over mighty' subjects such as nobles or sheriffs who had taken the opportunity during the civil war to increase their power locally and to ignore the decisions of the court
- Constitutions of Clarendon **1164**
  - Drew together all previous codes to produce **Common Law**
- Grand Juries
  - Had to report any offenses in their area to the sheriff
- Petty Juries
  - Increasingly used to decide guilt
- Royal Writs
  - Written instructions to sheriffs to ensure the king's wishes were carried out in all regions

- The King's Bench
    - Most important court in England
    - All the most serious crimes were heard in London
  - Red Judges
    - These judges travelled around on a circuit to hear any of the more serious crimes in country courts
    - This ensured that the law was the same over the whole country
  - Replaced church courts with kings court
  - County Gaols were set up to hold people until the Red Judge came to town
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- King Richard I introduced coroners in **1190s** to look into all suspicious deaths
  - Trial by Jury was always used from the **14<sup>th</sup> Century** onwards
  - **1361** Justices of the Peace Act
    - Local landowners were given the power to hear less serious crimes in their own courts
  - **1285** Edward I's Posse Comitatus Act
    - This gave the sheriff the power to raise a posse to chase down a criminal
  - Trail by Ordeal was abolished in **1215**
  - The position of constable was created in **1250**
    - This was a volunteer role to keep peace
    - The role lasted a year
  - Towns had a watch at night to arrest criminals and hand them over to the constable in the morning
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- Treason was punishable by Traitors death (hung, drawn and quartered)
  - Heresy was punishable by being burnt at the stake

## Early Modern Period (1500 – 1750)

### Bloody Code

- The reasoning behind the increased use of the death penalty was to annihilate crime
- The **1723** Waltham Black Act added 50 crimes punishable by death
- However, the number of executions during this period actually fell
- This was mainly due to juries being unwilling to sentence people to death

### Vagabonds

- Beggars, tramps and vagrants who wandered the country without a settled job
- Rich locals payed a 'poor-rate' to buy food for the poor in their parish
  - They did not want to have to pay for poor from outside
- Puritans believed idleness was a sin
- People were suspicious of outsiders
- People feared the vagabonds where committing crime
  - As they had no other way to support themselves

### Reasons for increase

- Problems in the cloth industry
- Inflation caused prices to rise faster than wages
- Landowners kept sheep instead of crops which required less workers

- The reformation closed the monasteries and took away support for the poor
- Wars ended leading to soldiers being out of work
- Population increase put pressure on jobs and food
- There was no national insurance system to help the unemployed or sick
- People were free to travel without needing permission from their lord

### Treatment of Vagabonds

**1531** Vagrancy Act: law stated that all beggars were to be classified as either the 'deserving poor' or should be punished

**1547** Vagrancy Act: Vagrants forced to work or should be whipped and branded! Later repealed

**1576:** House of Correction to be built in every county to punish and employ beggars

### Witchcraft

#### Background – Middle Ages

- Tried in Church Courts
- Light sentences usually given
  - 'Wise women' often used by the poor for medical treatment. They were blamed when someone they were treating died

#### Identification

- 90% of convicted witches were women
  - This reflects the misogyny of the time
- Witches were believed to have the devil's mark where the devil fed on their blood
  - This was found using the needle test as it was said to be insensitive to pain
- The swimming test was also used

#### Witch-hunts

- At this time a large number of witch hunts were taking place in Europe
- The worst witch-hunt in England took place in East Anglia during the English Civil War (**1642-9**)
- Matthew Hopkins was a driving force behind this hunt
  - He was known as the Witch finder general
- For each witch he discovered he received a fee

#### Reasons for decline

- Many people were taking a more rational attitude towards what they now considered as superstitions
- The reign of Charles II saw the creation of the Royal Society which led to many more scientific discoveries explaining what was previously considered magic
- The last execution was of Alice Molland in Exeter in **1684**

## Highway Robbery

Image	Reality
<ul style="list-style-type: none"> <li>• Daring</li> <li>• Masked and Well Dressed</li> <li>• ‘Gentlemen of the Road’</li> <li>• Polite</li> <li>• Passive</li> <li>• Could easily escape on horseback</li> <li>• 100 years after Dick Turpin's death a poem was written glamorising him</li> </ul>	<ul style="list-style-type: none"> <li>• Treacherous</li> <li>• Cruel</li> <li>• Violent</li> <li>• Feared</li> <li>• Dangerous</li> <li>• Disrupted trade</li> <li>• Dick Turpin was ruthless and often robbed women and killed at least one man</li> </ul>

### Factors influencing highway robbery in the 1700s

#### *Growth*

- Horses were cheaper to buy
- Hand guns were easier to obtain and use
- There was no police force and local constables did not try to track highway men across counties
- More people were travelling in their own coaches
- Highway men could hide and sell their loot in taverns
- After wars ended some demobilised soldiers became highway robbers because they could not find any other jobs
- There were many open, lonely areas outside of towns where travellers could be held up

#### *Decrease*

- **Mounted patrols were set up around London and high rewards encouraged informers**
  - **Highway men had more chance of being caught**
- Stage coaches were introduced to carry passengers around the country
- Travellers no longer carried large amounts of money as the number of banks grew and the banking system became more sophisticated
- JPs refused to license taverns that were known to harbour highway men
- Open land around London was built on as the population expanded
  - This cut down the chances to ambush a coach
- Coaches became more frequent as roads improved, reducing a highway man's chances of stopping a coach for long

#### Poaching

- Poaching was punishable by death due to the **Waltham Black Act**
- Even the possession of snares or dogs that could be used in hunting was a crime
  - Punishable by a £5 fine or 3 months imprisonment
- In order to hunt you had to own land worth £100 pounds a year
- Poaching was a **socially acceptable crime**
  - As people considered it a right and tradition
  - It was thought to be aimed at the poor
- Rural communities united in defence of poaching warning
  - Warning each other and maintaining silence when questioned
- Juries were also sympathetic and did not want to convict people as they thought the sentence was too harsh

## Smuggling

- Goods with high import tax were smuggled
  - Tea – Most
  - Rum
  - Tobacco
  - Coffee
- Smugglers were generally from low income backgrounds
- However, wealthy people also took part
  - Robert Walpole (prime minister) smuggled wine

## Organisation

- Goods were brought near in big ships
- Then unloaded to smaller ships
- Various methods were used to get goods in land including:
  - Sinking and picking up by land party
  - Cancelling goods in the false bottom of barrels
- The land crew would collect the goods
  - They could number up to 200 men
- They would then take them in land to sell
- They sold it on to duffers
- These duffers would have massive coasts and fill the lining with contraband such as tea
- These duffers also supplied hawkers that carried it around town selling it

- Smuggling was also a socially acceptable crime
- So people protected them
- There were also not enough custom officials to catch them

- A smuggler could earn 6-7 times a labourers daily wage in a night
- They could also get goods cheaper for themselves

## Industrial Britain (1750 – 1900)

### Rising Crime rate

- The crime rate rose in this period especially at the end of the Napoleonic wars with the demobilisation of many soldiers
- This rise was attributed to many factors by people at the time:
  - Evil influences on society
    - Alcohol
  - Urbanisation
    - The loss of community
      - People were less well known
  - Poverty
    - Caused people to turn to crime to support themselves
  - Crime payed a lot more than honest paid work
  - Weather conditions made labour difficult
    - People turned to crim instead
  - Idleness leads to crime
  - “Penny Dreadfuls” where influencing/encouraging crime
  - The difficulty of supporting large families

- Sport hooliganism
- Based on Darwin's theory of evolution criminals were believed to be a less evolved 'under class'
- The crime rate is difficult to determine in this period because:
  - The magazines were exaggerating and glorifying crimes in "Penny Dreadfuls"
  - The dark figure
    - Unreported crimes
  - More crimes were introduced to reduce more violent crimes
    - Making it illegal to carry a knife
  - New crimes were possible to commit
    - 1870-1890 500,000 people were prosecuted for not sending their children to school

### Abolition of the Bloody Code

- The bloody code was abolished by Robert Peel (home secretary) in the 1820s
- The following factors led to its abolition:
  - Severe executions were not deterring criminals with many attending executions as a form of entertainment
  - As crowds increased there was a greater chance of the criminal escaping or riots
  - It was an opportunity for pickpockets
  - Some crimes were regarded as socially acceptable so juries were reluctant to convict criminals
  - Many people felt that criminals could be reformed by suitable punishments

### Transportation

- Juries were prepared to sentence people to transportation
  - All ages were sentenced from 9 to 82 but mainly 26 year olds
  - People were sentenced for even petty theft such as stealing 12 cucumbers
    - 738 convicts were sent with the first fleet
    - 1831-1840 1200 people were transported compared to 109 people hanged
- People thought it was too soft
- They lived in slave conditions for 7 years, 14 years or life
- Crime increased despite people hoping removing the criminals would reduce it
- People saw it as an opportunity to start a new life as there was a better climate and jobs once you had won your ticket of leave
- It stopped other counties colonising Australia
- It offered cheap labour to exploit the natural resources
- Settlers did not agree with transportation as it made them look like criminals
- You could get pardoned early if the convicted showed signs of reformation
- If you stayed with a settler family the conditions were a lot better than the prison camps
- The worst prison camp was Tasmania
- Lord Ellenborough viewed transportation as **"no more than a summers excursion to a happier and better climate"** in 1810

### Challenges to authorities

- After the French Revolution (1789) the government felt very vulnerable
- Harsher responses to protest and an attempt to repress individuals seen to be challenging authority
- Laws were used to prevent protest
  - Tolpuddle Martyrs

- They had no police force so they used the militia to stop protests
  - Peterloo Massacre

### Peterloo Massacre

- 50 000 people gathered to hear a speech from Henry Hunt about democracy
- The authorities saw it as the start of a revolution and sent in the militia to break it up
- In doing so, they killed 18 people and injured 500
- In response the government passed six acts of Parliament that:
  - Banned civilians training with weapons
  - Reduced rights to bail
  - Banned unauthorised meetings
  - Increased sentences for criticising the government
  - Made it expensive to publish magazines

### Tolpuddle Martyrs

- A peaceful group of farmers set up a union to try and stop their wages going down
- They were convicted for swearing an oath and were accused by an old law designed to stop mutiny in the navy

### Prisons

#### Problems with Prisons in the 1780s

- Prisons were mainly used to hold debtors
  - They were expected to repay their debt whilst in prison
- Irrespective of the nature of the crime, major and minor offenders were mixed
  - Prisons often acted as schools of crime
- The release fee from prison was unfairly applied and unrealistic in some circumstances
  - Debtors
- Gurnish
  - Experienced prisoners forced new convicts to do jobs for them
- Insufficient number and quality of prison wardens
  - As they were unpaid
- Prison wardens charged prisoners for services
- Dilapidated prison conditions caused widespread disease
  - In the Hulks, 1 in 3 died

#### Changes in the 1800s

- Prisoners were given tasks or jobs to perform whilst imprisoned
- Professionally trained and paid prison wardens were introduced
- Purpose built prisons operated in an orderly manner
  - Pentonville (1842)
- Improved conditions with regard to lighting and basic sanitation
- Crank and the Tread Wheel were introduced
  - They were pointless tasks that were designed to demoralise the convicts
- Religious instruction to morally reform prisoners was introduced
- Oakum Picking was introduced
  - Picking apart old ship rope
- Prison conditions were inspected on a regular basis

1815 – Starts to pay gaolers; ends fee system

1835 – First prison inspectors introduced

1839 – General rules for all prisons established

1857 – Government ends use of hulks as prisons

1864 – In light of the Garrotting Crisis, the Penal Servitude act was introduced ensuring harsher conditions for criminals and reintroducing corporal punishment to prison

1878 – Government take complete control of the prisons

### Reason for Reform

- Stopping prisoners paying fees to gaolers
  - So the prisoners would be given equal rights and privileges as many of them were debtors and so could not pay fees before
- Hard Labour
  - To make prison seem less of a soft option
  - To try and reform prisoners so they would not want to come back
- Keeping Prisoners in isolation
  - To prevent prisons becoming schools of crime with experienced criminals passing on their experiences
  - To try and reform them as they have lots of time to think about their crimes
- Regular visits by churchmen
  - To try and reform prisoners and educate them
- Ticket of leave system ended
  - It was seen as a soft option
  - They did not want people to think prison was easy as you could get out early
  - After the Garrotting Crisis (1860s) the government tightened down on prisons and made them harsher

### Reformers

#### *John Howard*

- Wrote a book called the State of Prisons in England and Wales in 1777
- It recommended several changes:
  - Clean running water in prisons
  - Prison doctors to be appointed
  - Regular visits from churchmen
  - Food for all prisoners
  - Prisoners to work hard and have lots of time to reflect on their crimes
- These ideas had no immediate effect and reforms were not introduced until after his death
- This provides evidence of the growing campaign for criminal rights

#### *Elizabeth Fry*

- Campaigned to improve the conditions for criminals in prisons especially women
- This led to changes to Newgate prison including clothing, furniture, female wardens and religious prison schools

#### *Sir Robert Peel*

- Home secretary
- Created the **1823 Gaol Act** which stated that:
  - all prisons must be clean and healthy
  - gaolers were to be paid
  - Women were to be separate to men
  - Churchmen must visit
  - Attempts must be made to reform prisoners

## Separate

Reformers wanted to keep prisoners in separate cells which they only left for church and exercise while out they were not allowed to see each other.

- Extremely expensive
  - Prisons had to be built with separate cells
- Pentonville Prison is a model separate prison and by the 1850s over 50 prisons used this system

## Silent

Some critics thought the separate system was too harsh and had too high a suicide rate. They suggested letting prisoners work together but in silence

- This was much cheaper
- However, it required very effective discipline

## Useful Work

Reformers believed this was better for prisoners as it made them more likely to work after they had been released. Useful work included:

- Making boots
- Making Mats

## Pointless Work

Critics though this was better because prisoners hated it and were less likely to reoffend. Pointless work included:

- Oakum Picking
- Tread Wheel
  - Walking nowhere to make a wheel turn
  - Abolished in **1902**
- The Crank
  - Prisoners had to turn the crank 10,000 times a day or it was tightened to make it harder
  - Abolished in **1902**

## Changes for women and children

### *Before (1800)*

- Women and children were all mixed together with men in large prison cells
- Minor and major criminals were mixed
- At Parkhurst children wore leg shackles

### *After (1900)*

- There were separate prisons for women and men
- Children were sent to Borstals to be reformed
- In **1823** female warders for women became compulsory
- In **1835** inspectors were appointed to supervise conditions in goals
- Parkhurst prison was opened solely for children in **1838**
- Conditions on convict ships improved
- Women were no longer shackled during long voyages
- In **1850** reformatory schools were set up in the hope that they would convince children to give up crime
  - They convinced them with labour and harsh punishments
- In **1853** Brixton prison was opened solely for women

## Police

### Johnathan Wild

- Was the leader of a criminal gang
- Ordered people to steal stuff
- Went to the victims and offered to hunt down the criminal in return for a reward
- Caught and turned in the criminal
- Claimed the reward
- He was eventually hung in **1725**
- After his death there was a sharp increase in crime

### Fielding Brothers

- Henry Fielding
  - Chief Magistrate
  - Believed that London was overrun with crime because constables were useless
  - He employed a team to work for his force by arresting criminals and serving summons to appear in court
    - Bow street Runners
- John Fielding
  - Became chief magistrate after Henry
  - Added a horse patrol against highwayman (**1805**)
    - Bow street Horse Patrol
  - Created the “Hue and Cry” newspaper to publicise information about criminals and stolen property

### Sir Robert Peel

- Felt London needed a police force
  - Increased crime rate and fear of crime following French wars
  - Wealthy worried about a British Revolution
  - Rapid growth of towns makes watchmen and constables obsolete
  - Increased taxation
  - Less Laissez-faire
- So he created the Met Police in 1829
  
- Originally, had 3 200 men
- They wore a uniform to be a visual deterrent
- They wore a tailcoat to appear as a civil servant
- They wore a top hat to show their authority
- Their main effect was to deter crime
- In 1824 a detective force was set up
- In 1856 it was compulsory for all towns and cities to set up police forces
- By 1884 there were 39 000 policemen

## 20<sup>th</sup> Century

### Policing

- Diversified role
  - Only 18% of calls were crime related in 1993
    - Noisy neighbours
    - Crowd control

- Police community Support Officers
- Communication improves
  - Radios are available to help police force
    - Used radio to catch Dr Crippen who fled to Canada where the police were alerted via radio and arrested him
- Emphasis on causes of crime
- Specialisation
  - Fraud Squad (1946)
  - Anti-terrorist Squad (1971)
  - Special Patrol Group (metropolitan patrol group)
- Detection Improved
  - 1901 fingerprint bureau
  - DNA
  - CCTV
- Weapons
  - Armed Units
  - Officers carry minor weapons such as CS gas or a taser
- Improved transport
  - Rapid Response
  - 999
  
- Still act as a deterrent
  - Uniform
  - CCTV
- Still patrol
- Still used to break up riots
  - London Riots
  - Bloody Sunday
- Organisation keep same format
- Officers are still not armed with firearms
- Powers are still the same
  - Questioning
    - Officer can ask someone to come to the police station for questioning
  - Arrest
    - Officer can arrest people if they suspect them
  - Reporting
    - Police can impose a fine on the spot for minor offences that are not arrestable
  - Search
    - Police need a warrant from a magistrate to search private property

## Conscientious Objectors

### WWI

- Conscription was first introduced in 1916
- Quakers objects to conscription on a religious basis
  - “Thou shalt not kill”
- Pacifist objected to conscription on a moral basis
  - Gandi
- Socialist’s objected to conscription on political basis
  - They thought the war was imperialistic

- The government responded by setting up military tribunals to judge if people had a genuine reason for objecting to conscription
- However only 400 conscientious objectors were ever granted full exclusion
- The rest were ostracised by society and often imprisoned

**Alternativists** – People that were against fighting but were fine helping in other ways such as driving the ambulance or being a stretcher bearer

**Absolutists** – People that absolutely refused to assist in the war. They were treated as criminals and usually imprisoned

## WWII

- They were treated much less severely by government
- They exempted roughly 48,000 people
- The treatment from the public was just as bad as before

## Changing crimes and punishments

- In 1922 the separate system of confinement of prisoners was abolished
- Prison officers were given training on how to re-educate prisoners
- Since 1907 probation officers have worked with offenders to monitor their behaviour
- Putting offenders on probation is a big change
- New high security prisons for dangerous criminals
- In 1948 the criminal Justice Act abolished hard labour and corporal punishments
  - It also setup new Detention Centres for youths
- Only about 6% if the prison population is female, even though there has been a rise in the number of women going to prison
- These women are usually sent to prison for crimes connected to poverty, drugs and mental health problems
  - This has led to a large number of self-harm incidents
- Women prisoners got the same treatment as men except better healthcare and more time with their children
- In 1908 prisons called Borstals were setup to hold juvenile prisoners
  - They were mainly focused on education
- Some alternative forms of punishment
  - Community Sentences – Aim to make offenders understand the effects of their actions
  - ASBO – Humiliation
  - Electronic Tagging – restrict movement

## New and Old Crimes

- International Smuggling
  - New things smuggled
    - Illegal drugs and cigarettes
  - People have been smuggling as long as duty taxes have existed
- People trafficking
  - Many women or children sold as sex slaves
  - New form of slavery
- Computer Crime
  - Piracy
  - Phishing
  - Hacking
  - New version of fraud or trespassing

## Capital Punishment

**1868** – Public hanging ended

**1908** – People under 16 no longer hanged

**1910** – Dr Crippen executed and thought to deserve the death penalty

**1933** – People under 18 no longer hanged

**1947** – House of Commons voted for abolition but House of Lords overruled

**1950** – Timothy Evans: Evans was executed for murder of his wife and baby. Later evidence revealed he was innocent and that Christie had killed his wife and five other women. He was post humorously pardoned in 1966.

**1953** – Derek Bentley: Bentley and Craig broke into a warehouse. Craig shot and killed a policeman. Derek Bentley had serious learning difficulties and a mental age of 11. Both men were found guilty of murder but only Bentley was executed as Craig was under 18. He was post humorously pardoned in 1998.

**1955** – Ruth Ellis: Suffered violent abuse from her boyfriend who she shot. However, the killing was planned and Ruth was sane so she was executed. People were sad there was no alternative.

**1956** – House of Commons voted for abolition but House of Lords overruled

**1957** – Hanging abolished for except for: murdering a police officer, murder by explosion or shooting, murder while resisting arrest

**1964** – Last executions: Peter Anthony, Allen Gwynne, Owen Evans

**1965** – Capital punishment suspended for 5 years

**1969** – Parliament confirmed abolition

For	Against
<ul style="list-style-type: none"> <li>• We cannot do without this ultimate deterrent                             <ul style="list-style-type: none"> <li>◦ Murder will rise</li> </ul> </li> <li>• We do not execute many people only about 4 a year</li> <li>• Unless you give life in prison they could reoffend</li> <li>• The majority of the country support it</li> <li>• Life imprisonment is expensive and worse than death</li> <li>• British legal system makes few mistakes</li> <li>• Public may attempt to lynch murderers</li> <li>• 5 years is not long enough to see the full impact</li> <li>• Some murders deserve hanging</li> </ul>	<ul style="list-style-type: none"> <li>• The legal system makes mistakes</li> <li>• Execution is barbaric and unchristian</li> <li>• No evidence it would cause murders to rise</li> <li>• Abolition of the death penalty would increase the number of convictions</li> <li>• Death penalty places a stigma on the criminals family</li> <li>• Half those convicted were reprieved</li> <li>• Execution is not really a deterrent</li> <li>• Prisons have improved</li> <li>• Execution makes people nationally famous for a bad reason</li> </ul>