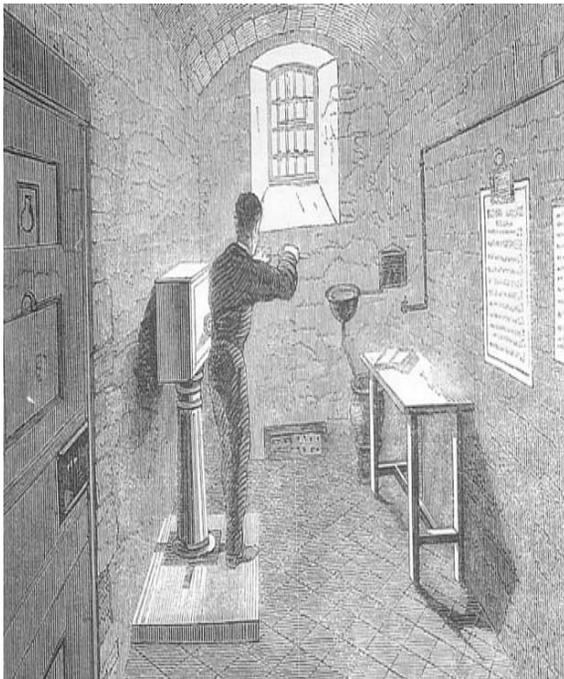




GCSE History

Crime and Punishment

Revision Guide



Name: _____ Date: _____



2 sections on this paper

- Section 1: Local area study of Whitechapel in London in the 19th century (1800s). There are 3 questions on the exam paper for this
- Section 2: Crime and Punishment 1000-present day. There are 3 questions on the exam paper for this too

Section 1 exam questions on Whitechapel

1/ Describe 2 features (4 marks)

2a/ How useful are sources A and B for an enquiry into (8 marks)

2b/ How would you follow up source A (or B) to find out more about (4 marks)

Q1: What to do on a describe 2 features question

- An event would have occurred and you must give 2 features (things) about this event
- You **MUST** describe 2 features
- Give supporting detail/examples/extra information for both points.
- So you make one point then give supporting detail and then make a second point and again give supporting detail
- 6-8 lines should be the maximum that is written

Q2a: What to do on a how useful are source A and B for an enquiry

- You will need to explain the usefulness of each of the two sources
- You will need to explain the limitation to the usefulness of the two sources
- You should have a small judgement on the overall usefulness of both sources
- When considering usefulness you should think is the **CONTENT** useful? Does it give facts or statistics? Does it miss bits out? Think about the **PROVENANCE** of the source. That means who wrote it, when they wrote it and where they wrote it such as in a newspaper. Could the source have bias or a reason to exaggerate? Was the person an eye witness? Lastly the **CONTEXT**. Does the sources information fit in with what you know about the time?

Q2B. What to do on a how would you follow up a source to find out more

- There are 4 bits to this question.
- Firstly you must choose a detail from source A (or it may ask you to use source B) that you would follow up if you wanted to know more
- You must then write a question you would ask to find out more based on the element you wanted to follow up
- You would then need to give an example of a type of source you could use to find out more
- Lastly you need to describe how this would help you to answer your question
- Only worth 4 marks so don't write a lot!!



2 sections on this paper

- Section 1: Local area study of Whitechapel in London in the 19th century (1800s). There are 3 questions on the exam paper for this
- Section 2: Crime and Punishment 1000-present day. There are 3 questions on the exam paper for this too

Section 2 exam questions on crime and punishment from 1000-present day

3/ Explain one way something is similar or different to another time period (4 marks)

4/ Explain why (with 2 prompt points) 12 marks

5/ How far do you agree (with 2 prompt points) 16 marks +4 SPAG

Q3: What to do on a explain one way something is similar or different

- Half a page is the absolute maximum to write in exam booklet so no more than 6-8 lines in your book
- Only worth 4 marks so does not need a big answer
- ONE EXAMPLE ONLY
- Make sure you clearly show the similarity and explain your example

Q4: What to do on a explain why something changed question

- You **MUST** explain about a minimum of 3 things!
- You will be given two prompt points you can use but you will need one more point (you don't have to use the prompt points)
- Simple sentence starter: One reason this happened was because.....A second reason was.....A third reason was.....
- Have a small judgement on trigger or most important reason the event happened
- You can use the 2 points given in the question but you must have one more of your own.

Q5: What to do on a how far do you agree question

- You will be given a quote and asked how far do you agree with it?
- You **MUST** talk about a minimum of 3 things!
- You will be given two prompt points that you can use if you want to
- You must give both sides and an overall judgement
- Simple sentence starter: I partly agree with the statement because...
- Then I partly disagree with the statement because Overall I believe
- Think carefully. If you decide to give 2 reasons when you agree and only 1 when you disagree then your overall judgement should agree. If it was the other way round then your judgement would disagree

DIFFERENT PERIODS OF TIME

MIDDLE AGES 1000-1500

EARLY MODERN PERIOD 1500-1700

INDUSTRIAL REVOLUTION 1700-1900

20TH CENTURY 1900-2000 (BUT also up to modern day)

MAKE SURE YOU KNOW THESE AS SOME QUESTIONS WILL ASK YOU ABOUT THESE PERIODS SPECIFICALLY

POTENTIAL COMPARISON QUESTIONS

- 1) How did crime/punishment/law enforcement change between the Saxons and Normans (OR HOW WAS IT SIMILAR)
- 2) How did crime/punishment/law enforcement change between 1000 and the later Middle Ages (OR HOW WAS IT SIMILAR)
- 3) How did crime/punishment/law enforcement change from the Middle Ages to the Early Modern Period (OR HOW WAS IT SIMILAR)
- 4) How did crime/punishment/law enforcement change from the Early Modern Period to the Industrial Period (OR HOW WAS IT SIMILAR)
- 5) How did crime/punishment/law enforcement change from the Industrial period to the 20th century (Modern Period) (OR HOW WAS IT SIMILAR)

AREA STUDY: WHITECHAPEL

Background/context

Whitechapel is a district in the East End of London. It was a hive of beggars, prostitutes, criminals and alcoholics. There was widespread unemployment. Perhaps up to 1 in 30 people were homeless.

Social reformer Charles Booth investigated East End living conditions between 1889-1903 and found that 37.5% East Londoners were living in utter poverty. The police were rarely ready to deal with crime. For example this was a time that Jack the Ripper operated in the East End of London. This was the context that the H Division (the police division that was in charge of Whitechapel) of the Metropolitan Police had to operate

Conditions in Whitechapel

- There was serious overcrowding in Whitechapel. Criminals, very poor families and those that just made enough were all mixed in
- In some homes there were up to 40 people living in one home. Some lived in a cellar or you may find 10 sleeping in the same room.
- Some even slept in sewers. Drunks could sleep on a penny hang. (pay a penny to sleep on something like a hammock in a room). If you did not wake up one end of rope would be cut so you fell to the floor
- There were many brothels (places for prostitutes) & pubs all around
- There was no clean water going into most homes, rats were everywhere, windows were smashed and covered by dirty rags
- A number of people turned to alcohol to escape the conditions
- Diseases were frequent. Some people did disgusting jobs like removal of medical waste without the right protection
- There was a workhouse in Whitechapel where people could go to find a place to stay but they had to work. The work was hard and their treatment was poor. It was designed to make them want to leave and not stay to scrounge
- There were some jobs factories in Whitechapel but no where near enough for all

Rising tensions in Whitechapel

- Thousands of Jews had fled persecution from Europe arriving in Whitechapel. They cut themselves off from other parts of the population causing suspicion
- Jews dressed differently and ate different food. They mainly spoke Yiddish. Locals were suspicious of these different customs
- Jews accepted low paid jobs which some believed stopped others getting work. The Jewish holy day is on Saturday so they still worked on a Sunday. Local shopkeepers suspected Jews were open this day only to steal their business. Jews often charged less for their products breaking pricing laws but as the police could not speak their language and most Jews could not speak English that crime went unpunished. This led to a increase in anti-Semitic (Jewish) violence
- The Irish population grew in the 1840s. They often worked doing labouring jobs. There was often violence amongst them & so they were not well liked by others
- Eastern European Jews and immigrants did not mix well with the Irish immigrants and some areas in Whitechapel became especially violent

(Continued) rising tensions in Whitechapel

- Many people feared Irish immigrants. There had been terrorist attacks from Irish nationalists known as Fenians. They wanted independence from Britain. In 1893 Special Branch was opened partly to do with this threat.
- A socialist group called the SDF wanted to represent the rights of workers and women. This group had been involved in a violent protest against police in Trafalgar Square in 1887. Many protesters were killed. The event was known as Bloody Sunday
- Many socialists in the SDF were keen to whip up problems by highlighting police incompetence. The problems catching Jack the Ripper gave them this opportunity
- Anarchists believe governments should be removed. Anarchists had tried to seize control in Paris in 1871. This had failed but now the leaders had fled to London. Many feared they would try in London. Special Branch was to deal with this too
- With all of this the police really feared riots could break out in London

Policing Whitechapel

Historical context!

- The Metropolitan Police force was split into 20 divisions, each responsible for a district of London and named with a letter of the alphabet. Whitechapel was covered by H Division.
- H Division was run by a superintendent and chief inspector. There were also 27 inspectors, 37 sergeants and 500 ordinary constables

Typical day

- Constables marched into Whitechapel then went to their beat (area) to patrol it
- Questioning what people were up to at night
- Report back to the sergeant on what had happened on his beat. A constable could be fined if he missed a crime or was not on his beat. Sergeants sometimes followed constable to ensure they were doing their job and not sleeping in doorways
- The police often hosted soup kitchens and looked after stray children

Difficulties

- Police were often disliked due to their links to the government which was unpopular due to mass unemployment
- Criminal gangs offered protection rackets. Businesses would be approached & told they would be 'protected' if they gave money. Refusals led to violence or building damage. Ordinary people were too terrified to report it so the police could not get evidence
- Prostitution wasn't illegal but with no contraception there was a rise in illegal backstreet abortions. Criminals often visited prostitutes so there was an increased presence
- Whitechapel was a series of Rookeries (close buildings and flats) and narrow streets and alleys. Criminals knew them well making escapes easier for them.
- With high unemployment many people turned to crime. For the police it was difficult to keep on top of it & so they often ignored fights completely as they were overstretched
- When the police tried to intervene in social issues like controlling prostitution, they were met with hostility as they were seen as interfering
- Alcohol was the only escape for some people in Whitechapel. You could find up to 45 buildings that served alcohol in a 1 mile radius. Drunkenness often turned to violence

Jack the Ripper strikes Whitechapel



Background/context

In 1888 5 women were killed in and around Whitechapel. The police were never able to capture this person. Many people blame this on the H division police force of Whitechapel. The killer's identity has never been revealed and is only known as 'Jack the Ripper'

Why the ripper was never caught. Police's fault

- There was rivalry between police forces. A key piece of evidence, (a message written in chalk on a wall) that was located just outside Whitechapel was wiped away. This was done on orders from the London Police Commissioner Charles Warren who didn't want a rival police force using it.
- 2 murders happened on the same evening in the same area. The police were on the streets after the first murder but still failed to spot or stop the second murder.
- The police used bizarre methods to catch the Ripper. They dressed as prostitutes to lure the Ripper into a trap. Some wore strips of rubber on their boots so they could sneak up on the murderer
- The police failed to pay the dog's owners of the sniffer dogs they used so they refused to work with the police anymore

Positives

- Police now ensured they took mug shots as well as physical measurement (Bertillon System)
- Introduced telephone lines so communication was quicker. Bikes were later introduced too
- Slum Housing & public Health was improved meaning that with people living in better conditions they were less likely to turn to crime

Why the ripper was never caught.

Not police's fault

- 300 letters or postcards were sent to them or newspapers claiming to be the murderer. These would need to be all investigated, taking time.
- Key witnesses gave evidence of spotting the victims talking to a man just before they died. This sometimes contradicted doctor's reports on the time of death.
- Police came up with clever ways of trying to get information from the public by setting up soup kitchens that attracted the poor who could then be questioned. They even went into lunatic asylums to try and find evidence .
- The police followed up on many leads. For example they went to jewellers to see if the rings missing from one victim's finger had been sold. Although a medical background was likely for the Ripper the police even went to slaughterhouses or butchers on the chance he could be one of those
- The police did use expert advice from doctors who did post mortems. They did learn the Ripper was left handed was likely to have had medical training.
- The Police did house to house searches and spoke to over 2000 residents
- The Police used specialist Bloodhound dogs to sniff for clues. There was a complete lack of forensic science at this point in time so no fingerprints, DNA evidence, identifying blood types. Crime scene photography had just started so they were inexperienced at this
- Some Whitechapel residents set up the Vigilance Committee to try the ripper. They offered rewards. The Committee took to the streets and were very noisy making it less likely to catch the Ripper in the act.

PART 2: CRIME AND PUNISHMENT THROUGH TIME

(MIDDLE AGES) Saxons Background

Kings made the laws & decided penalties & had a duty to keep peace (King's peace)

Nobles assisted the king in keeping law

Church important to people and wanted to save the souls of criminal

Capital punishment (death penalty) increased

(MIDDLE AGES) Saxon crimes

- Crimes against the person (e.g assault, murder)
- Crimes against property (e.g theft, robbery, arson)
- Crimes against authority (e.g such as monarch, nobles, landowners)

(MIDDLE AGES) Saxon law enforcement

1: Community had to take responsibility for upholding law

- People were divided into tithings. A group of 10 men who monitored each other and if one broke the law the others would bring him to a court to be punished
- A local official (the reeve) then carried out the decision made by local courts
- Hue and Cry. If a victim raised the hue and cry by calling out the whole village had to track down the person who committed the crime. If the villagers refused they would be fined

2: Court trials: Saxons used trial by jury.

- Both side could present their evidence before jury reached verdict
- Religion important. You could take an oath calling on God as you witness
- Witnesses were allowed to be called too

3: Trial by ordeal: If no verdict was reached it was handed over to god to decide

- Trial by hot iron or hot water. The accused could hold a red hot iron or put hands in boiling water. If the wounds took a long time to heal you were guilty
- Trial by cold water. Accused was put into water & if they floated they were guilty as the water rejected them. If they sunk they were pure & so innocent

(MIDDLE AGES) Saxon Punishments

- **Capital punishment** (death penalty). Hanging most common, Used for crimes like treason or arson
- **Corporal punishment** (physical punishment). Mutilation was the worse. Removing a foot or eye. Was meant to be harsh to put off others from committing crime (deterrent)
- **Stocks** (for legs) **and pillories** (for arms). Use to humiliate as out in public and people would throw rubbish at the criminal
- **The Wergild**. A system of fines for assault or murder paid to the victim in compensation. The more important the body part injured the bigger the fine. The fine was bigger if the person hurt was more important like a noble

(MIDDLE AGES) Norman Background

Normans replaced the Saxons after the Battle of Hastings

King William (the conqueror) made almost all the laws

Increase in capital punishments to deal with rebellion against the Normans

Clear social structure. King - barons and nobles - knights - peasants

King was supposed to keep his people safe. Known as the King's Mund

(MIDDLE AGES) NEW Norman crimes

- Poaching in the King's forest (needed a permit to hunt there now). William brought this in as he loved hunting
- Illegal for peasants to leave a lord's land to go elsewhere for work
- Slander. Illegal to make false claims against others
- Rise in outlaws (people who fled justice) Folville Gang most famous outlaws

(MIDDLE AGES) Norman law enforcement

- CHANGE. The Murdrum. Communities still responsible for catching criminals but now if they failed they were fined
- CONTINUITY & CHANGE. Trial by ordeal continued but a new one was added. Trial by combat. Usually a fight to the death to settle disputes over land or money
- CHANGE. Royal Forest Laws. Forests strictly controlled by the king and a licence was needed to hunt there. Illegal for peasants to carry weapons or hunt animals in a forest (this is a crime known as poaching). Law was unpopular and many ignored it
- CONTINUITY. Tithing system remained
- CONTINUITY: Hue and cry and remained
- CHANGE. Anyone who ran away from a crime was an outlaw. It was legal for anyone to kill an outlaw

(MIDDLE AGES) Norman Punishments

- CHANGE. The Murdrum Fine replaced the Wergild. Fines were paid to the king's officials rather than to the victim in compensation
- CONTINUITY & CHANGE. Capital punishment remained but was used more often, including for new crimes such as poaching (aimed at deterring others)
- CONTINUITY AND CHANGE. Mutilation continued but became more severe such as castration, blinding, branding or chopping off body parts such as a tongue for slander.
- CONTINUITY. Stock and pillories remained for less serious crimes such as stealing. Beaten and hangings continued for repeat offenders

Later Middle Ages

Power of the king's continued to increase

Parliament did assist the king in making some laws too

The king sometimes worked with the Church when it came to crime

NEW Later Middle Ages crimes

- Statute of Labourers. This made it a crime to demand higher wages. The Black Death has killed millions and so now the peasants were desperately needed. This made them believe they could demand higher wages. The King wanted to stop this
- Heresy. Some people questioned the Church. The Kings wanted to support the Church so made this illegal to go against the Church

Crimes like violence, murder, poaching would have continued

Later Middle Ages law enforcement

- **CHANGE.** Constables were introduced. One person who led the Hue and Cry. Constables only served a year before someone else took the role
- **CHANGE.** A shift from local communities dealing with crimes towards a system where crimes were dealt with by government appointed officials
- **CHANGE.** The Coroner was a new role. They investigated suspicious deaths
- **CHANGE.** Keeper's of the King's Peace. These were men assigned to particular areas that had a lot of trouble to assist the constable
- **CHANGE.** Prisons were set up (this was known as the Assize of Clarendon). They were holding blocks for suspects before their trial (NOT A PUNISHMENT. THEY DIDN'T GO BACK THERE IF FOUND GUILTY)
- **CHANGE.** Justices in the Eyre. These were royal judges sent to towns to deal with the most serious of crimes
- **CHANGE.** Trial by ordeal largely stopped by order of the Pope. Only the cold water one remained
- **ALL CONTINUITIES.** Tithings were still used but less than before and were now known as wards. Townspeople still played an important part as the Hue and Cry was still used
- Manor and Royal Courts were still used as were Church courts

Later Middle Ages Punishments

- **CHANGE.** Hung, drawn and quartered was a new punishment (for most serious of crimes like treason. This was hanging until almost dead then cutting open and removing intestines and bowels and then beheading. Was very harsh to stop others from committing the crime in future (a deterrent)
- **CHANGE.** Burning at the stake (most commonly used for heresy as it purified the soul)
- **CONTINUITY.** Still relied heavily on fines, corporal punishment such as mutilation and hanging executions for other crimes



The Church's role in Crime and Punishment in the Middle Ages

The Church was very important because people believed the Church could save them from hell. Its buildings looked huge and impressive. The Church was even allowed to collect taxes from the people

Trial by ordeal

The Church could decide if someone was guilty of a crime by using hot iron, hot water and cold water. This was used if the local court's could not decide guilt. In the later Middle Ages the Pope ended trial by ordeal much to the anger of the King who relied on this justice.

Church courts

The Church claimed the right to put on trial any churchman that committed a crime. Churches also dealt with moral crimes such as drunkenness and adultery. Church courts never sentenced people to death. The King could do nothing to stop any of this.

Benefit of the Clergy

If someone had committed a crime but could prove they had a connection to the Church they could claim benefit of the clergy. This meant they avoided the King's courts and would be tried in the more lenient Church court. You would have to prove you were a member of the Church however. To do this you had to read a verse from the bible. Most could not read but Church members could.

Sanctuary

If someone was on the run from the law and made it to a Church that offered sanctuary then the Church would keep that person safe for 40 days. Again the King could do nothing. After 40 days the criminal could either hand themselves over to the King's authorities or leave the country walking to the nearest port barefoot carrying a cross never to return

EARLY MODERN PERIOD 1500-1700 CRIMES

- **HERESY AND TREASON:** Monarchs were now the head of the Church. If you followed a different religion to the monarch that made you a traitor for questioning them and a heretic for going against their religion
- **WITCHCRAFT:** Due to a lack of scientific knowledge and religious hatred Henry VIII passed the witchcraft Act that made witchcraft punishable by death. Elizabeth eased this with a law starting only witchcraft that caused death had the death penalty. However, James I who strongly believed in witches passed a law called the Witchcraft and Conjurament Act in 1604 that gave the death penalty to anyone summoning evil spirits. The hysteria was worsened with the witchfinder Matthew Hopkins who used tricks to find witches.. With the enlightenment (using science) this hysteria ended by 1700
- **POACHING:** Was due to enclosure (fencing off fields) but many people still poached food from there. The 1671 Game Act made this illegal and a crime
- **VAGABONDAGE:** Due to a rising population and a lack of jobs there was a rise in vagabonds. Poor, sometimes beggars, travelling from town to town. The Vagrancy Act of 1547 made it illegal to beg
- **SMUGGLING:** To avoid paying custom duties (tax) some people smuggled goods into the country to be sold at a cheaper rate (without tax)
- **MORAL CRIMES:** Puritan government took over after the English Civil. It was now illegal to attend sports on Sunday, drink alcohol, celebrate Christmas.

EARLY MODERN PERIOD 1500-1700 LAW ENFORCEMENT

CONTINUITY: Hue and Cry continued

CONTINUITY AND CHANGE: Town constables continued but they sometimes hired others to help. This was the very start of a professional police force

CONINUITY AND CHANGE: Night watchmen. They were unpaid volunteers who reported to town constable and patrolled towns at night with a bell to warn people to go home. Role expanded due to rise in number of criminals

CHANGE: Professional thief takers. These were groups of men who were hired by victims to hunt down criminals if a towns constable had been unsuccessful. Thief takers would be paid a reward. They were often criminal themselves however

CONTINUITY: Rewards for the most serious crimes were still used

CONTINUITY: Justices of the Peace. Important local men. Used in larger towns. Constable assisted them. Could hand out punishments like stocks and pillories

EARLY MODERN PERIOD 1500-1700 PUNISHMENTS

- **PRISONS:** First purpose built prisons made. Did not imprison the very worst offenders. Used to punish the poor. Inmates forced to do hard labour
- **TRANSPORTATION:** Sent to do hard labour in America helping build the new colonies. Unlikely to be able to afford to come back after sentence was served. Many died on harsh voyage there or the harsh conditions there
- **BLOODY CODE:** Means the increase in crimes carrying the death penalty. It was supposed to deter people from crime. It didn't as people were desperate

OTHER PUNISHMENTS

- Vagrants faced corporal punishment. Public shaming's if you broke Puritan moral law. Hung, drawn and quartered for heresy and treason,

Industrial Period 1700-1900

BACKGROUND

During the eighteenth and nineteenth centuries, there was a **huge growth** in Britain's **population**. More people meant the need for **more efficient methods of farming**. There were **protests** against new machinery which then meant **new crimes**. During times of **economic hardship**, riots and demonstrations became more common. This period also saw the start of a professional police force

Industrial period crimes

- CHANGE AND CONTINUITY: Smuggling. Smuggling continued but intensified. More goods now had import duties (taxes) on them. Many people struggled for money so avoiding paying tax on goods. This led to a rise in smuggling gangs who took advantage. This was viewed as a social crime (not hurting anyone and out of necessity). This crime began to drop when the government lowered import taxes
- CHANGE AND CONTINUITY: Poaching. Poaching continued but intensified. Again this was a social crime. Poor people poached out of desperation. Poaching gangs took advantage. There was even a black market for poached good
- CHANGE: Highway robbery. Although these sorts of robberies existed. Due to the improvements in roads it became a huge problem. More people travelled and had their money on them as there were no banks at the start of this period. Highway were robbers on horseback. There were also footpads. Robbers on horseback. This was seen as a serious and violent crime

Industrial Period law enforcement (1700s)

In the early 18th century the law continued to be enforced with a combination of methods used previously. For example

- Parish constables dealt with disorderly behaviour and petty crime
- Night watchmen who protected private property
- Part time soldiers who dealt with rebellions or riots

In some places there were salaried constables and watchmen so there was the beginnings of a modern police force. However this was to develop much further as the 18th century progressed and then went into the 19th century

Industrial Period law enforcement (1700-1900)

CHANGE: Bow Street Runners:

- Started by Henry and John Fielding who were London magistrates based in Bow Street
- They believed there was a need for men patrolling the streets to stop crime
- They started a crime fighting team called the Bow Street Runners in 1748
- Fielding's used professional thief takers but monitored them to make sure they were not corrupt
- The objective was to stop crime by having a more visible force on the streets
- They initially charge a fee for their service or collected rewards. Eventually the government paid them and it led to the first detective agency being set up
- A newspaper called the Hue and Cry shared news about crimes, criminals and stolen goods. This was the start of a network helping to solve crimes nationally. The Bow Street Runners used this
- Bow Street Runners were the first steps to a professional police force

CHANGE: Robert Peel and the Metropolitan Police Force (the Met)

- Replaced the Bow Street Runners
- Home Secretary Robert Peel set up the first professional police force in 1829
- Peel was big believer in criminal being able to reform and was a supporter of prisons (penal reform). He also helped end the Blood Code
- Initially set up in London. Each of the 17 districts in London had 4 detectives and 144 constables. This large number was supposed to deter criminals or catch them in the act
- In an effort to be visible and seen in a good light. Police wore a blue uniform and a top hat
- In 1842 a specialised detective unit was set up to solve crimes. The detectives wore plain clothes
- In 1878 the Criminal Investigation Department (CID) was set up. Over 1000 detectives belonged to this and they now used fingerprints and handwriting investigations to solve crimes
- Outside London improvements were slow until the government introduced the 1856 Police Act. All police forces were now inspected by the government and all agreed the main aim of policing should be deterrence.

OTHER LAWS

1. It was now illegal to blacken or disguise face, have animal capturing items or hunting dogs. This was related to poaching. The government tried to deal with this problem by passing the 1723 Black Act that made poaching a capital offence (execution). Anti-poaching laws were hugely resented and in 1823 the Black Act was dropped. Poaching was still illegal but was no longer punishable by death
2. For highway robbery mounted patrols (police on horseback) made the roads more secure and the growth of the banking system meant people no longer had to carry their money (Highway robbery)



Robert Peel



Industrial Punishments (1700-1900)

CHANGE AND CONTINUITY: Transportation to Australia

- A punishment for petty crimes such as theft. Seen as a more humane alternative to the death penalty. Early prisons could not hold large numbers. Prisoners could populate the new colony and be forced to do work there. Before transportation prisoners were often held in disused ships known as hulks. They would then be transported below decks in cramped conditions for up to 3 months. The sentence was usually for 7 years but released convicts could not afford to return home so stayed in Australia.
- **Transportation** to Australia ended in 1868 due to changing attitudes. In Australia many people believed ex-convicts were responsible for crime in new towns. Free settlers in Australia also argued convict workers were making it so there were less jobs or employers could pay lower wages. In Britain the ships and voyage to Australia were seen as inhumane and some people believed Australia was not a deterrent to crime as it could be a desirable place to live. Furthermore running prison colonies were expensive whilst better purpose built prisons were being built in Britain

CHANGE AND CONTINUITY: The Bloody Code

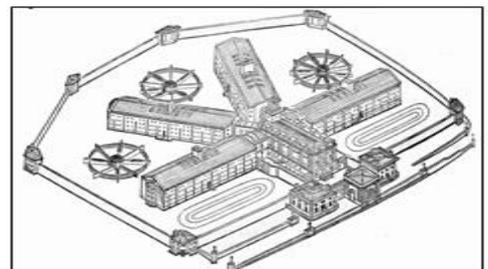
- The number of crimes carrying the death penalty increased through the 1700s. Many executions done in public. These executions were supposed to strike so deterring others from committing crime. This punishment was even for crimes such as theft or cutting down trees. It was known as the Bloody Code.
- By 1868 public executions had stopped and the amount being executed decreased. This was because the public executions were often seen as entertainment. The crowds that turned up were often drunk and often mocked the authorities. Ironically the executions led to more crime as pick pockets would steal from the crowd gathered there. Many people also argued that public executions were inhumane. Some argued that the Bloody Code did not give criminals the chance to reform as it was so final. So the Bloody Code ended

CHANGE AND CONTINUITY: Prisons

- In the 1700s prison was rarely used as a punishment. It was mainly just for holding a suspect in the run up to their trial or punishment. There had been exceptions to this such as the Bridewell Prison built in the 16th century that was built to hold criminals for a longer period.
- During the late 1700s and 1800s the use of imprisonment grew. This was largely due to the decline of the Bloody Code and concerns over transportation. Prisons gave offenders the chance to reform and it made society safer as criminals were separated from the rest of society. Prisoners were expected to do hard labour such as the treadwheel where prisoners had to continually walk up a wheel whilst it turned. This in turn could provide the power to pump water for the prison. Prisons largely became about rehabilitation. The prisons were soon run by the government and each prison followed national rules and prisoners were held in categories (eg violent, non violent, women)



Treadwheel at Pentonville Prison, 1895



Pentonville Prison

OTHER PUNISHMENTS

1. Transportation for smugglers. Death penalty if they resisted capture
2. Execution for poachers. Wearing a disguise, hunting dogs, animal capturing items led to prison
3. From 1772 execution for men found armed or in disguise on highway (highway men)

Industrial Period CASE STUDY 1 Tolpuddle Martyrs

Context: The French Revolution in 1789 saw the French monarchy being overthrown. The government became terrified it happening in Britain. Landowners and politicians viewed every protest as a potential riot uprising.

They were particularly anxious about the Grand National Consolidated Trades Union, which aimed to give workers **better conditions**. **Trade unions were not illegal but** employers believed that by demanding better pay & conditions, unions threatened their interests.

What happened with the Tolpuddle Martyrs

- Life was tough for farm workers in the town of Tolpuddle
- Local labourers led by George Loveless asked for their wages to be increased. The request was denied and their wages were cut even more
- Loveless set up a trade union, *the Friendly Society of Agricultural Labourers*, that was designed to protest against their low wages. They took an oath to help each other
- The government didn't like this new Friendly society and used an old navy law about not taking secret oaths and applied it to Loveless and his men to make up a crime.

This showed the government could just the change the law and crime to suit their purposes

- Loveless and his men were sentenced to transportation to Australia to do hard labour for 7 years and Trade Unions were seriously weakened
- There was outrage at their treatment in Britain and after 4 years of protest they were pardoned and eventually allowed home
- The trade union movement eventually recovered

This showed that public opinion could also affect laws and punishments

Industrial Period CASE STUDY 2 Pentonville Prison (1842)

WHY THE PRISON WAS BUILT:

Pentonville Prison was built to keep prisoners separate. First prison to do this. Prisoners stayed in separate isolated prisons up to 23 hours a day. Separate conditions Intended to:

- Give prisoners solitude so they could reflect on what they had done wrong
- Ensure prisoners were not influenced by other criminals
- Deter people from committing crimes because of the serious nature of the punishment
- Ensure the criminal 'paid' for their behaviour and crime(s) they had committed

THE PENTONVILLE PRISON BUILDING

- There were 5 wings. Each could accommodate up to 520 prisoners.
- The cells were small with only one small window high up to let in a little natural light. The window had thick glass with iron bars to protect it
- There was heating & a ventilation system and there was piper water to each cell. This comfort was added to ensure the prisoners did not need to leave their cell

LIVING CONDITIONS

- Isolated and their work was boring and repetitive
- Allowed out to do exercise but had to wear masks so they could not communicate
- Due to isolation many developed mental conditions. Some committed suicide

REFORMS AND CHANGE

- Reformers like Elizabeth Fry said prisoners needed to be able to talk about what they had done. 1833 Gaol's Act by Robert Peel also improved conditions. It said prisoners: Receive visits from chaplains, not be in chains, female prisoners watched by female guards

20th CENTURY/MODERN 1900-TODAY CRIMES

CHANGES

- **HOMOSEXUALITY:** This was illegal until 1967. Crimes against homosexuals then intensified. The government passed 2005 Criminal Justice Act that made this a hate crime
- It became a **crime to deny a person job due to their race** due to the 1968 Race Relations Act (there had been an influx of immigrants from the British Commonwealth countries). Attacks on immigrants became hate crimes
- **DOMESTIC VIOLENCE.** Governments used to largely ignore this as accepted men were dominant. Due to the domestic Violence Act of 1967 this became a crime. In 1991 the government also recognised rape in a relationship and in 2014 a further law was added to stop a partner controlling another
- **ABORTION:** Up until 1967 it had been illegal to have an abortion. To stop dangerous illegal (backstreet) abortions, it was legalised under the 1967 Abortion Act so long as it could be proved the child would have a disability, birth risked the woman's health and the pregnancy had not gone past 28 weeks
- **DRINK DRIVING:** This had been illegal since 1925. The government passed further laws that limited the amount of alcohol in their system. Many ignored this until the government's media campaign against it. The same applied with speeding and using a mobile phone
- **DRUGS:** Many drugs were not illegal until 1971. The government's 1971 Drugs Misuse Act changed this. It caused controversy as some argued drugs were a personal choice. Others said it caused other crimes & led to social issues
- **CYBERCRIME:** A crime using the internet. Tricking victims into giving their personal details. Also now linked to hate crimes due to misuse of social media
- **FRAUD:** At the start of the 20th century tricksters usually conned people out of their money or got bank details. This was done face to face. This is now usually done via the Internet or over the phone
- **COPYRIGHT THEFT:** Taking/copying someone's else work without permission after they have copyrighted it. This ranges from photocopying, recording or today this would be downloading music or films illegally for example

CONTINUITIES

- **TERRORISM:** Had existed for centuries. It is used for fear to bring about political or religious change. For example Guy Fawkes and Gunpowder Plot in the Early Modern Period. Terrorist attacks have intensified in 20th century. The IRA used violence to try and get independence for Northern Ireland. Al-Qaeda and Islamic State have carried out attacks in recent times. Animal activists have also used violence
- **PEOPLE TRAFFICING:** Black slaves had been taken as part of the Triangular Trade in the Industrial Period or even girls sold into prostitution. It still occurs in more recent time as people are sold as slaves into work or forced to work for very low wages
- **EXTORTION:** Threatening or blackmailing for money. In the past this would have been done by letter or in person. In the 20th century this would most likely happen by phone or over the internet

20th century to Modern day (1900-Present) LAW ENFORCEMENT

CONTINUITY AT THE START OF 20TH CENTURY

- At the start of the 20th century there were no central records for crime and police officers, who were all male, travelled by foot and used a whistle to call for assistance.

CHANGES AS 20TH CENTURY WENT ON

- Women were recruited to join the police force in the 1920s
- More emphasis put on training and the Police Training College was set up in 1947 to train new recruits.
- The police force now used science to help them. Officers first used bikes and then by the 1930s cars. 999 number was used by 1930s. The discovery of different blood types, use of fingerprints & later the use of DNA samples allowed the police to catch more criminals. There is now a national DNA database & computerised central records
- Specialist departments were set up. The Bomb Squad was set up in 1971 to deal with the growing terrorist threat of the IRA.
- The Fraud Squad was set up to tackle crime in business. The Fraud Squad have evolved to now tackle other high value crime like art theft too. Officers need to be experts in this.
- There is a specialist drugs-trade unit within the police, they monitor known drug users & prevent the further spread of drugs. The National Crime Agency (set up in 2013) targets drug production and dealers. Raids are common
- Dogs had been used since the 1930s. By the 1950s most police forces had dog units. Today trained sniffer dogs are used
- Every police force has its own Special Branch to tackle national security threats and terrorism. The work with the MI5 (security service) and often use the most modern surveillance techniques

PREVENTION AND SOLVING CRIME

- **CONTINUITY AND CHANGE:** Today the police heavily rely on prevention of crime (just as the Bow Street Runners and MET believed in). Today through the police go into schools, confiscating alcohol, removing abandoned cars. PCSO's do a large amount of this work
- **CONTINUITY AND CHANGE:** A neighbourhood watch was set up in 1982 meaning that the local community helped to reduce crime by neighbours looking out for crime & reporting it to the police. (Hue and cry had used the community in previous eras but neighbourhood watch is voluntary
- **CHANGE:** police can now use smart phones, cctv, breathalysers, speed cameras to help prevent or solve crime. Eye scanners and fingerprint recognition also helps reduce crime
- **CHANGE:** A huge DNA database and forensic teams mean that crimes can often be tracked backed to an individual. Facial and voice recognition means officers can quickly find a criminal from hours of videotapes or recordings

20th CENTURY-MODERN PUNISHMENTS

- Use of death penalty began to decrease from the start of the 20th century.
- The 1908 Children's Act said under 16s could no longer be executed. By 1933 a second Children's Act made it no under 18 to be executed.
- In 1922 the Infanticide Act was passed meaning mothers that kill their new born babies would not be executed. The law took into account a woman's mental health after child birth
- Due to the work of the Home Secretary, Roy Jenkins, The Homicide Act of 1957 declared the death penalty only for the most serious cases of murder.
- By 1965 the death penalty had been removed for almost all crimes (apart from high treason and piracy) in an act known as the Murder Act.
- By 1998 the death penalty was removed for all crimes completely.
- Life imprisonment became the harshest punishment available to courts and judges
- Community service and fines now heavily used

PUNISHMENTS FOR YOUTHS

- The first Borstals were set up in Kent in 1902. They were purpose built to keep young male criminals away from older criminals
- Hard labour was ended in 1902 for mentally ill youths
- In 1908 the Prevention of Crime Act made sure borstal gave education, work and exercise to help offenders reform. By 1922 this had improved further and by 1933 the aim was to prepare offenders for returning to society
- The Criminal Justice Act of 1946 created alternatives to prison. For example detention centres were created (like borstals but more relaxed). Attendance centres were also made that were for young offenders to attend at weekends who had committed minor crimes only. These reforms focused on rehabilitation
- The Children and Young Person's Act of 1963 raised the age of criminal responsibility from 8 to 10 years. It stressed caring for young offenders
- A second Children and Young Person's Act in 1969 brought in specialised juvenile courts, care and supervision orders (remove the child from a harmful environment that has encouraged their crime). Another alternative to prison
- In 1982 the Criminal Justice Act abolished the borstal system and replaced it with youth custody centres

N.B. Although you may be asked to compare crimes/law enforcement/punishments from the Industrial Period of 1700-1900s to 20th century and Modern. A lot of change happened within the 20th century/Modern Period so you could be asked about change within this one time period They could also do that in the Industrial Period (1700-1900)

COMPARING CRIMES ACROSS THE COURSE

MIDDLE AGES 1000-1500	EARLY MODERN PERIOD 1500- 1700	INDUSTRIAL PERIOD 1700-1900	MODERN 1900-TODAY
<p><u>SAXONS</u> Crimes against individuals, property authority</p> <p><u>NORMANS</u></p> <ul style="list-style-type: none"> • Poaching • Slander • Leaving a lord's land • Outlaws (fleeing justice) <p><u>LATER MIDDLE AGES</u></p> <ul style="list-style-type: none"> • Statute of Labourers • Heresy 	<ul style="list-style-type: none"> • Heresy and Treason • Witchcraft • Poaching • Vagabondage • Smuggling • Moral Crimes 	<ul style="list-style-type: none"> • Smuggling • Poaching • Highway robbery 	<ul style="list-style-type: none"> • Homosexuality • Abortion • Domestic violence • Drink driving • Drugs • Cybercrimes • Extortion • Fraud • Copyright theft • Terrorism • People trafficking • extortion

COMPARING LAW ENFORCEMENT ACROSS THE COURSE

MIDDLE AGES 1000-1500	EARLY MODERN PERIOD 1500- 1700	INDUSTRIAL PERIOD 1700-1900	MODERN 1900-TODAY
<p><u>SAXONS</u></p> <ul style="list-style-type: none"> • Tithing • Reeve • Hue and cry • Court trials • Trial by ordeal <p><u>NORMANS</u></p> <ul style="list-style-type: none"> • Trial by combat • Trial by ordeal • Tithing • Royal Forest Laws • Hue and Cry • Court trials <p><u>LATER MIDDLE AGES</u></p> <ul style="list-style-type: none"> • Constables • Night watchmen • Hue and Cry • Trial by ordeal ends • Coroners • Keeper's of King's Peace • Assize of Clarendon (prison) • Justices in the Eyre • Court trials • Wards (tithings) 	<ul style="list-style-type: none"> • Town constable • Hue and Cry • Night Watchmen • Professional thief takers • Rewards • Justice of the Peace 	<ul style="list-style-type: none"> • Town constable and night watchmen (in the 1700s) • Bow Street Runners • Metropolitan Police (MET) • Mounted police (for highway robbery) • It was now illegal to blacken or disguise face, have animal capturing items or hunting dogs. 	<ul style="list-style-type: none"> • Women in police • Police training college • Use of science and forensics (e.g DNA, fingerprints) • Specialist departments • Fraud squads • Drug units • Sniffer dogs • Modern surveillance equipment • Special branch to deal with national threats • Prevent strategies (going into schools) • Neighbourhood watch

COMPARING PUNISHMENTS FROM MIDDLE AGES TO EARLY MODERN PERIOD

MIDDLE AGES 1000-1500	EARLY MODERN PERIOD 1500- 1700	INDUSTRIAL PERIOD 1700-1900	MODERN 1900-TODAY
<p><u>SAXONS</u> Capital Punishment (hangings) Corporal punishments (whippings & mutilation) Stocks & pillories Wergild (fines)</p> <p><u>NORMANS</u></p> <ul style="list-style-type: none"> • Capital punishment • Corporal Punishments (whipping and mutilation) • Stocks & pillories • Murdrum (Fines) <p><u>LATER MIDDLE AGES</u></p> <ul style="list-style-type: none"> • Capital Punishment (hung drawn and quartered) • Burning at the stake • Murdrum Fine ended but fines continued 	<ul style="list-style-type: none"> • Prisons (rarely used) • Transportation to America • Bloody Code • Public shamings including stocks and pillories • Whippings 	<ul style="list-style-type: none"> • Transportation to Australia (ends in the 1800s) • Bloody Code (ends in the 1800s) • Prisons (heavily used from 1800s) 	<ul style="list-style-type: none"> • Prison (most severe punishment by end of 20th century) • Death penalty slowly reduces and finally ends • Youth borstals and then youth custody centres • Detention centres • Community service • Fines

N.B. Although you may be asked to compare crimes/law enforcement/punishments from the Middle Ages to Early Modern, you may also be asked to compare the Saxon to the Normans or the start of the Middle Ages to the later Middle Ages as so much changed in that first period

N.B. Although it is true to say crimes like murder or theft continued. The examiners will be looking for more than just general statements. You will need to be specific