

## Crime and Punishment revision notes...

### Punishments across time.

#### Early modern period...

Punishments included **CORPORAL** and **CAPITAL** forms of punishment:

<b>CORPORAL</b>	<b>CAPITAL</b>
Whipping / flogging Carting Ducking stool	Execution <ul style="list-style-type: none"><li>- Burning (typically for heresy)</li><li>- Hanging (typically for treason)</li><li>- Beheading (typically for treason)</li></ul>

**Stocks and pillories** widely used to punish a range of criminals – e.g. drunkards, vagrants, corrupt traders etc.

Prisons at this time were mainly used for debtors and not as a punishment in itself. Bridewells (houses of correction) were developed to house vagrants and un- married mothers.

Punishment (both corporal and capital) mainly took place outside in **public** – this was to humiliate the offender and provide a deterrent to others through fear of them receiving the same punishment. Large crowds would gather and public executions were seen as good ‘entertainment.’ The community could be involved in punishments, e.g. through throwing things at people in stocks.

#### 1700s / 18<sup>th</sup> century...

Development of the **BLOODY CODE (also known as the CRIMINAL CODE)**. Over this time many more crimes became capital crimes (punishable by death). By the early 1800s there were over 200 capital crimes (risen from just 4). A huge range of crimes were now punishable by death, including small scale theft, violent behaviour and protests, etc...

#### Industrial period...

**Transportation** – initially sent criminals to America, but this changed after the 1776 Wars of Independence. From 1787, convicts were sent to Australia for a period of 7 / 14 years or life. In reality, very few people came back to Britain. The purpose was to remove the convict from society and give a chance at reform through very hard work in Australia. Judges were becoming less likely to use the death penalty, so transportation was a good alternative to this. Last convict ship left England in 1867. In total, about 162,000 convicts were transported to Australia.

**Reform of the Bloody Code (Criminal Code)** – attitudes were changing about punishments and people were more focused on reform / moving away from overly harsh punishments (especially for ‘smaller’ crimes). Death sentences would be given, but in reality the executions didn’t happen and a less severe punishment was given (e.g. transportation or prison). The law was changed to reflect this, e.g. in 1823, 1832 and 1861 Acts of Parliament greatly reduced the number of capital crimes. By 1861 there are only 5 capital crimes.

**Prisons** – used more and more as executions were used less. Led to overcrowding and people became aware of problems within prisons. Individual prison reformers helped raise awareness and worked to improve conditions in prisons. Purpose of prisons was to remove convict from society, but more and more it became to reform through very hard work and solitary conditions.

Prison reformers – John Howard, G.O. Paul, Elizabeth Fry.

Prison systems – separate and silent systems.

Prisons Acts – 1823, 1839, 1865, 1877.

**Decline of public punishments and corporal punishments** at this time – public execution stopped from 1868. Pillories used until 1837, stocks abolished after 1872. Whipping stopped as a punishment for women in 1820, but continued into the 20<sup>th</sup> century for men.

## 20<sup>th</sup> century / modern period...

**Prisons** = key form of punishment. Purpose should be to remove criminal from society, but also to REFORM. In practice, issues with funding and overcrowding can make this ineffective. Prisons categorised for different types of prisoners, including prisons for young people or open prisons.

Overcrowding has led to the need for **alternative punishments** to prisons – suspended sentences (from 1967), parole (from 1967) and community service (1972). Community Service developed into Community Payback (in 2003).

**Abolition of capital punishment** – execution had been used as an official punishment for hundreds of years. The Bloody Code (1700s) saw the rise of this and the use of execution fell in the 1800s (reform / abolition of the Bloody Code). Capital punishment still existed, though, and was used in Britain until the 1960s. Attitudes to capital punishment were changing, but not enough to abolish it completely until this point. Case studies (such as Timothy Evans and Derek Bentley) helped move public opinion towards full abolition. The last hangings in England happened in 1964. Execution was ended on a temporary basis in 1965, and made permanent in 1969.

### **Suggested revision activities...**

- Add to these notes, e.g. can you describe all the punishments in more detail? Can you describe the work / impact of prison reformers? Can you describe what happened for each Act of Parliament?
- Use this information to answer example exam questions – see your revision guide for a range of questions.
- Turn this core information into a timeline / road map diagram.
- Summarise the key changes and key reasons for change.