

**Changes in Crime and Punishment**  
**c.1500 to the present day**



**Revision Booklet**

# 1. Causes of Crime

## Key Words:

**Vagrancy** – Wandering from place to place without a settled home or job.

**Heresy** – Religious opinions or views that contradict the official religion of the country.

**Impotent poor** – those genuinely unable to work.

**Able-bodied poor** – those capable of work but who were unwilling to find employment.

<b>In a nutshell.....</b>	
16 <sup>th</sup> and 17 <sup>th</sup> Century	Poverty, Protestant Reformation (religion), treason.
18 <sup>th</sup> and 19 <sup>th</sup> Century	Pressures of industrialization and urbanization (changes to the way people lived and worked).
20 <sup>th</sup> Century	Gang culture, changes in technology, misuse of drugs and alcohol, poverty and deprivation, impact of television, lenient sentencing.
21 <sup>st</sup> Century	Growth of terrorism.

## 16<sup>th</sup> and 17<sup>th</sup> Century:

During the 16<sup>th</sup> Century there was a sharp rise in poverty and in the number of people classified as poor. There were two types of poor, impotent and able-bodied. A combination of factors caused the growth in poverty:

- Bad harvests
- Changes in farming methods
- Rack renting
- Rural depopulation
- Ending of foreign wars
- Changes in the cloth industry
- Rising population
- Rising inflation
- Dissolution of the monasteries.

Many left their homes in the countryside to find work in nearby towns, which is known as vagrancy. Unable to find work, many vagrants were forced into begging for food and money and often resorted to petty stealing and fraud. This became a serious problem during the reign of Elizabeth I.

There was also an increase in the crime of heresy. This was largely caused by the Protestant Reformation under Henry VIII. Tudor monarchs changed the official religion of the country. People who refused to follow the official religion were accused of the crime of heresy.

Changes in the official religion of England and Wales under the Tudors:

- **Henry VIII:** Catholic to Protestant, King replaces the Pope as head of the Church, Church services remain in Latin, prayers still in Latin and Priests not allowed to marry.
- **Edward VI:** Protestant, King is head of the Church, Church services in English, new prayer book with prayers in English, Priests allowed to marry.
- **Mary I:** Catholic, Pope becomes head of the Church again, Church services in Latin, new prayer book banned, Priests and their wives have to separate.
- **Elizabeth I:** Protestant, Queen become 'Governor' of the Church, Church services in English and Welsh, new prayer book in English and Welsh, Priests allowed to marry.

Henry VIII introduced a set of treason laws which stated that those who said or wrote things against the monarch, displayed support for the Pope, or questioned his authority, were guilty of treason. Political and religious opinions could now be classed as treason. The punishment was death.

### 18th and 19<sup>th</sup> Century

The Agricultural and Industrial Revolutions had a significant impact upon the causes of crime:

- Changes in agriculture caused many farm workers to lose their jobs and migrate to new industrial towns in search of work.
- Industrial towns such as Liverpool, Manchester, Birmingham, Leeds and Merthyr Tydfil grew rapidly.
- This urbanisation changed the way people lived and worked.
- It resulted in over-crowding and squalid living conditions in many industrial towns.
- This led to a rise in levels of crime and in the emergence of new types of crime.

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

While crimes common in previous centuries such as theft, robbery, assault and murder continued into the twentieth century, changes in society related to the development of technology provided criminals with new opportunities for crime.

Crime figures suggest that crime increased during the twentieth century but this was due to:

- The increased reporting of crime
- The increased recording of crime
- Increases in some types of crime.

The reasons for the increase in crime are:

- Inner-city gang culture resulting in increased gun and knife related crime.
- Changes in technology such as cars, computers and the internet provide new opportunities for crime.
- The impact of TV, people sometimes copy what they watch.
- Environment factors such as poor quality housing, high rise flats in inner-city areas.
- Quicker and faster communications.

- Misuse of drugs and alcohol
- Break up of social structure and a decline in traditional values and moral standards.
- Lenient sentencing for some crimes by the courts.
- Poverty and deprivation forced some individuals into crime.

Changes in technology have provided new and greater opportunities for criminals. These include:

- **Car crime** – Increased car ownership has resulted in motor offences continually growing to become the biggest category of offending. Car crime involves people from across the social classes.
- **Computer crime** – In the 1980s more homes owned a computer and in the 1990s the introduction of the internet led to an increase in computer related crime from stealing computers and modern mobile devices themselves to internet fraud, as well as illegally copying music and films.
- **Football hooliganism** – This has been a particular problem since the 1970s and is often associated with gang culture. It often results in fighting and/or the attacking of property.
- **Drug related crime** – Drug smuggling is an international problem. Gangs use planes, drones, boats, trucks and even people to smuggle drugs. Drug users often had to resort to crime to feed their drug habits.
- **Gun and knife crime** – This is often associated with drug related crime and also juvenile gangs. Members of the gang carry knives and sometime guns for protection. This has happened because of lack of opportunity for young people and a breakdown of family values and discipline.

## 21<sup>st</sup> Century

The worst crime faced in the twenty-first century is that of terrorism. Terrorism is where violence and aggression is used to achieve political objectives. Although terrorism existed in the twentieth century, the nationalist group, the IRA, carried out a number of attacks in Northern Ireland in a bid to end British rule, in recent decades there has been an increase in global terror with Al-Qaeda and ISIS at the forefront of many attacks.

There are many reasons as to why terrorist groups emerge and used violence to fulfill their aims. These include:

- There is a belief in violent action to achieve a political aim.
- It is a form of direct action.
- Terrorist actions often attract widespread media attention.
- It is a way of putting pressure on governments and organisations.
- There has been a growth in fundamentalism resulting in the appearance of terrorist groups with strong beliefs.
- Terrorist groups have proved willing to work together.

## 2. Nature of Crimes

**Key Words:**

**Smuggling** – The secret trade in goods to avoid paying customs duties.

**Highway robbery** – Stopping people as they travel along a road, usually in a coach, and robbing them.

**Industrial Revolution** – A time of great change where people began to make goods in factories using machines.

**Tithe** – A tax paid by farmers of one-tenth of their produce/income.

**Hooligan** – A person who acts in a violent way and causes damage, often without thinking.

**Mule (drug trafficking)** – A person who agrees to carry illegal drugs into another country in return for payment.

Century	Nature of Crime
16 <sup>th</sup> and 17 <sup>th</sup>	<ul style="list-style-type: none"> <li>• Sharp rise in poverty.</li> <li>• Increase in Vagabonds.</li> <li>• People felt threatened by them.</li> <li>• Types of vagabond included the angler, the counterfeit crank, the clapper dudgeon and Abraham man.</li> <li>• Vagrants were dealt with through the use of flogging and branding.</li> <li>• Sometimes towns were left to tackle the problem.</li> <li>• Local parishes given the duty to aid their own poor.</li> <li>• After the Reformation, heresy increased.</li> <li>• Religious disputes.</li> <li>• People refused to follow the “official” religion.</li> <li>• Heresy was punishable by death.</li> <li>• Each monarch made religious changes.</li> <li>• Some people fled abroad into exile.</li> <li>• Others were willing to die for their beliefs.</li> <li>• Some pretended to conform.</li> </ul>
18 <sup>th</sup>	<ul style="list-style-type: none"> <li>• Smuggling was a big issue</li> <li>• Goods smuggled illegally and sold unofficially on the black market.</li> <li>• Gangs employed 50-100 individuals.</li> </ul>

	<ul style="list-style-type: none"> <li>• Each member would have a specific task: venturer (investor), spotsman (directed ship to shore), lander (unloaded to cargo), tubsman (carried the goods), batsman (protection).</li> <li>• Smuggling increased due to the change in customs and excise duties policies.</li> <li>• Smuggling became unprofitable after the government reduced duties.</li> <li>• Highway robbery also became more common.</li> <li>• Footpads attacked pedestrians.</li> <li>• Mounted highwaymen attacked coaches and riders.</li> <li>• Sometimes they were armed and worked in pairs.</li> <li>• Roads became much busier.</li> <li>• Banknotes had to be cash in and could be traced.</li> <li>• In London a horse patrol was set up in 1805 to guard the main roads.</li> <li>• Highway robbery declined as a result.</li> </ul>
19 <sup>th</sup>	<ul style="list-style-type: none"> <li>• During the Industrial Revolution, people moved from rural to urban areas.</li> <li>• Communities were overcrowded with a lot more opportunity for crime.</li> <li>• Areas notorious for criminal activities became known as rookeries e.g. St Giles in London.</li> <li>• Some criminals acquired nicknames such as thimble, prop-nailers and drag-sneaks.</li> <li>• Poor living conditions, low wages and a need for political reform resulted in a real threat of revolution.</li> <li>• Some protesters became angry during protests which resulted in outbreaks of violence.</li> <li>• Examples of protests are: Luddism, Swing Riots, Rebecca Riots, Scotch Cattle and the Chartist protests in Wales.</li> <li>• Criminal activity during protests included attacks on factories and machinery, attacking toll gates and attacking property of industrialists.</li> </ul>
20 <sup>th</sup> and 21 <sup>st</sup>	<ul style="list-style-type: none"> <li>• Crime figures have risen sharply since</li> </ul>

	<p>1900.</p> <ul style="list-style-type: none"> <li>• There has been an increase in the reporting and recording of crime.</li> <li>• Police methods have been improved and the use of scientific technology to detect crime has also improved.</li> <li>• Increased number of cars on the road led to new regulations.</li> <li>• Speed limits were introduced (30mph on residential roads).</li> <li>• Breathalyser was introduced to reduce drink driving.</li> <li>• Use of mobile phones whilst driving was introduced.</li> <li>• Common motoring offences/crimes included: dangerous driving, speeding, car theft, no car insurance, driving without a licence, no tax, no MOT, not wearing a seatbelt etc.</li> <li>• There was also a rise in computer crime including cyberbullying, hacking, identity theft, phishing scams, sexual crimes, copyright infringement.</li> <li>• Terrorism increased dramatically.</li> <li>• Terrorist take part in hijacking, assassinations, taking hostages, bombings, suicide attacks and arson attacks.</li> <li>• IRA</li> <li>• July 7<sup>th</sup> suicide bombings in London. These took place on public transport such as buses and trains.</li> <li>• Other forms of crime include hate crime, hooliganism, drug-related crime, gun and knife crime.</li> </ul>
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Welsh heretics in the 16<sup>th</sup> Century:

- 1) Robert Ferrer was burned in Carmarthen in 1555 (Mary's reign). He was a Bishop of Saint David's.
- 2) Rawlins White was burned at Cardiff in 1555 (Mary's reign). He was a fisherman.
- 3) Williams Nichol was burned at Haverfordwest in 1558 (Mary's reign). He was a labourer.
- 4) Richard Gwyn was executed at Wrexham in 1584 (Elizabeth's reign). He was a school teacher.
- 5) John Penry was executed in London in 1593 (Elizabeth's reign). He was a Puritan.

Welsh smugglers:

- 1) William Owen operated a smuggling gang along Cardigan Bay and the Llyn Peninsula.
- 2) Sion Cwilt operated along the Cardiganshire coast in the mid-eighteenth century, storing smuggled goods in sea caves.
- 3) Several generations of the Lucus family were involved in smuggling activity on Gower, South Wales, storing their goods in a cave at Culver Hole.

Welsh Highwaymen:

- 1) Dick Turpin was glamourised by the newspapers and broadsheets.

Welsh terrorist groups:

- 1) Mudiad Amddifyn Cymru (Movement for the Defence of Wales). Operated in 1963-69. Attempted a number of bombings. In July 1969 they attempted to disrupt the investiture of Prince Charles in Caernarfon Castle but their bomb exploded prematurely in Abergele.
- 2) Meibion Glyndwr (Sons of Glyndwr). Operated in the 1980s and 1990s. They targeted non-Welsh speakers moving into Welsh communities. They carried out arson attacks on holiday homes.

## **3. Enforcing Law and Order**

### **Key words:**

**Hue and Cry** – Raising the alarm by shouting out when a crime has been committed.

**Thief takers** – People who made money from collecting the rewards offered for the return of stolen goods or the capture of criminals.

**Bow Street Runners** – Part-time paid constables who worked for Bow Street Magistrates Court.

**Genetic Fingerprinting** – The method of matching DNA samples found at a crime scene with a suspect.

### **Medieval times**

The Medieval system of policing was based on community action. Adult men were grouped into tens called tithings. If one of them broke the laws, the others had to bring him to court. If a victim of crime raised the 'hue and cry' then everyone who heard it was expected to help catch the criminal. If local groups failed to track and capture the criminal then the sheriff would call an armed posse to search for them.

### **16<sup>th</sup> and 17<sup>th</sup> Century**

The medieval system of policing was still kept in rural areas. However, when the towns and cities began to experience rapid growth in the 17<sup>th</sup>, this system proved to be less effective. All counties in England and Wales had a system that was headed by JPs. These groups had to oversee local parish constables and watchmen, monitor and control beggars and vagrants,



administer new Poor Laws and punish those who disobeyed government orders. JPs found that their workload grew rapidly. They had to be elected every year and often served their communities for many years. JPs were aided with help from watchmen and parish constables. Due to cities, such as London, growing quickly, the old medieval methods of using unpaid local people became redundant. In 1663, Charles II passes an Act which created a paid force of watchmen to patrol the streets.

### **18<sup>th</sup> and 19<sup>th</sup> Century**

Thief takers, such as Charles Hitchen and Jonathan Wild, acted as unofficial law officers or crime fighters. Both of these men were arrested for abusing their position. Hitchen died in prison and Wild was hanged for his crimes. However, during the second half of the 18<sup>th</sup> Century, JPs began experimenting by setting up private police forces. Henry and John Fielding created a group known as the Bow Street Runners who were a small force of paid officers. They developed the idea of 'preventative policing' and were successful in tackling crime.

After the Industrial Revolution, new systems of law and enforcement were needed. Policing was now seen as being the responsibility of the government. Some people opposed the idea of a national police force. They thought that it could limit individual freedom and that the government would interfere. They were worried that the police would gain too much power which they could use to limit the rights of individuals.

Eventually the Metropolitan Police was set up in 1829. Communities grew used to the idea of police forces especially as some of them feared a revolution and feared crime itself. As the benefits of having an organized police force came to be appreciated, the reputation of the police steadily improved. By the end of the century, England and Wales had 46,800 policemen and 243 separate forces.

### **20<sup>th</sup> and 21<sup>st</sup> Century**

The role of the police by this time was to maintain public order and prevent crime. Between 1900 to 2000 police forces were reduced in order to be more cost effective. The police have experienced pay rises which encourage people to train as part of courses set up in specialist colleges. Women were first used in the police force during WWI, in 1946 women could remain in the force even when married and in 1973 women could become detectives. From 1982 Neighbourhood Watch Schemes were set up to give community policing a boost. In 2002 PCSOs were introduced to help tackle minor crime and anti-social behaviour.

In 1901 fingerprinting was used for the first time and a national register of fingerprints was set up. Scenes of Crime Officers (SOCOs) attend crime scenes to examine and gather forensic evidence. Since the 1980s DNA and genetic fingerprinting have aided the police to solve crimes. DNA National Database was established in 1995.

Although policing is effective, attitudes towards the police can change. Some people see the police as being too powerful or intrusive. They can sometimes be accused of 'picking' on certain sections of society such as ethnic minorities or young people. A few policemen have been shown to be corrupt or dishonest.

# 4. Methods of Combatting Crime

## Key words:

**Petty sessions** – Local courts at which two or more JPs would sit and deal with minor criminal cases so as not to overwhelm the Quarter Sessions.

**Quarter sessions** - Courts held every 3 months by JPs.

**House of correction** – A prison for beggars who refused to work.

**Bobby** – Nickname for a policeman, after Sir Robert Peel.

**CCTV** – Closed-circuit television used for surveillance.

**DNA** – Present in all living things and provides unique genetic code or make-up for each individual body.

## How effective were JPs and other parish officers during the 16<sup>th</sup> and 17<sup>th</sup> Centuries?

JPs in the Tudor Age were unpaid, but this probably did not reduce their effectiveness as most were rich landowners who did the job for prestige and status rather than financial reward. Most did the job in a serious and professional manner. JPs had a key role in arresting and punishing offenders. Their powers increased in 1554, after which time they could arrest a suspect on suspicion of a crime and interrogate them for three days. This made them more effective.

The Petty Constable's job was unpaid and done in addition to a person's usual day job. This made some people reluctant to work hard. There was no training for Parish Constables and they had no uniform or weapons. Some people disliked having to keep a watch on and report their friends and family in the local community. Most Constables were tradesmen or farmers in the local area. As such they knew local people well. They would have also had some limited standing in the local community.

Watchmen were paid little for their job, and therefore many were reluctant to put in a lot of effort. Many were found asleep in pubs and many of them were old people, making them less effective. They became known as Charlies or Charleys after 1663 when Charles II set up a force of paid Watchmen to patrol the streets in all towns and cities. Charlies became objects of fun, and children would attempt to bait them. In Georgian times, Charlies increasingly used watch-boxes and these were an easy target.

## English Law Enforcement in Wales

During Medieval times Wales was governed by the laws of Hywel Dda. This remained unchanged until the Acts of Union were passed in 1536 and 1543. These Acts enforced the English judicial system upon Wales. The country was divided into shires following the English model, and the English system of local government was introduced.

## How effective were the Bow Street Runners? Were they influential?

The crime rate in Bow Street fell whilst the conviction rates increased. The horse patrol was highly effective at reducing highway robbery. In fact, it was so successful the Government stopped funding it because the robbery rate had fallen so much. The success of the Bow Street Runners led to other initiatives following the deaths of the Fielding brothers.

- In 1792, the Middlesex Justices Act meant that seven other JPs were funded to extend the Bow Street Scheme to their areas.
- In 1798, the River Thames Police was set up. This was the result of the influence of another JP, Patrick Colquhoun.
- In 1805, a horse patrol was set up again. This had 54 officers nicknamed Robin Redbreasts because of their red uniform.

However, the work and influence of the Bow Street Runners was limited to parts of London – the same old system of JPs and Constables remained in place everywhere else.

### **The Extension of the Police force in the 19<sup>th</sup> Century**

<b>Act</b>	<b>Development</b>
1835 Municipal Corporations Act	Gave towns outside of London the power to set up their own police force
1839 Metropolitan Police Act	Extended the area covered by the Metropolitan Police to a 15-mile radius from the centre
1839 County Police Act	Gave each county the power to set up their own police force
1856 County and Borough Police Act	Made it compulsory for all towns and counties in England and Wales to set up a proper full-time, paid police force

As in England the setting up of police forces in Wales was piecemeal:

- During the 1840s five of the thirteen counties set up constabularies – Cardiganshire, Caernarfonshire, Denbighshire, Glamorganshire and Monmouthshire.
- Some boroughs also set up police forces – Swansea, Neath and Pwllheli being among the first to do so.
- After 1856 constabularies were set up in the remaining shires.

At first there was a lot of opposition to the new police forces, especially in poorer, working class areas, such as the East End of London. Across the country there was resentment over the increased taxation required to fund the police. In some slum areas the police still had difficulties

winning over the local population. In 'China' in Merthyr Tydfil several police officers were assaulted. One police officer noted, "I went into China and there arrested....but he was taken from me by the mob and I was left senseless".

Despite crime rates increasing in the 19th century, it did not mean the police were ineffective. The whole country now had a full-time, paid, trained, uniformed police force. The increasing specialisation and use of technology was making the police more effective at catching criminals and preventing crime.

### **Developments of policing in the 20<sup>th</sup> Century**

During the 20<sup>th</sup> Century mobility of the police force changed. In the early 1900-1909 the police used bicycles to patrol the streets but in the 1930s police cars were commonly used. By 1930 police motorbikes were introduced and they greatly improved police speed and effectiveness. By 1970 the 'bobby on the beat' was replaced by patrol cars and rapid response teams. In the 1980s the police helicopter and other light aircraft were introduced.

There were also major developments in communication and technology. In 1910 telegraph and radio were used. Police phone boxes appeared in the 1920s and the emergency number, 999, was introduced in 1937. In 1901 the first police photographer was employed, now-a-days police cars and helicopters are now fitted with cameras. New computer technologies came into use and the Police National Computer came into use in 1974.

### **The Specialisation of police services:**

- The Metropolitan Police set up the Flying Squad in 1919, so named because they used cars to react quickly to crimes, especially robberies. They were later renamed the Central Robbery Squad.
- In 1946, the Fraud Squad was set up, and in 1965 the Special Patrol Group was set up to deal with major emergencies and inner-city disturbances.
- Since 1878, each force has a Criminal Investigation Department (CID) that are detectives wearing plain clothes.
- There are also specialist murder, bomb and vice squads in each force.
- The Dog Handling Squad was set up in 1946.
- Counter Terrorism Command (SO15) was set up in 2006.

### **The effectiveness of modern-day police**

Each year, Police Forces and the Fire Service are inspected by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). The inspectorate compiles and publishes a report on how effective each force is in certain key areas. Those forces seen as ineffective are given targets in order to improve.

# 5. Attitudes to punishment

## Key words:

**Retribution** – To receive punishment for a crime committed.

**Enlightenment** – Intellectual movement which pushed forward the world of ideas in Europe during the 18<sup>th</sup> Century.

**Pillory** – A wooden or metal frame on a post used to secure people's heads and hands.

**Stocks** – Large hinged wooden boards used to secure people by the ankles.

**Capital punishment** – The death penalty. Crimes carrying this punishment are known as capital crimes.

**Bloody code** – The harsh laws gradually introduced in the 17<sup>th</sup> and 18<sup>th</sup> centuries that made even minor crimes punishable by death.

**Banishment** – To send somebody away from the country and not allow them to return.

**Capital crime** – A crime punishable by the death penalty.

## Retribution and Deterrence

Society generally punishes those who have committed a crime for several reasons:

- To deter
- To protect
- To discipline
- To reform

As society has changed so have attitudes towards punishment. A number of factors have influenced changing views:

- Attitudes of government
- Social change
- Ideas and attitudes to punishment
- Wealth and poverty
- Activities of individuals
- Fear of crime
- Role of the media.

## Harsh Punishments

Before the creation of the organised police force, society thought the best way to maintain law and order was through punishing criminals harshly. It was hoped that this would deter others from committing similar crimes.

Type of Punishment	What it involved.....
<b>Corporal punishment</b>	This involved whipping or flogging, often on market day in the town square, in full public view. It was used as a punishment for minor offences such as drunkenness, petty theft, begging and vagrancy.
<b>Public humiliation</b>	This was common in the 16 <sup>th</sup> and 17 <sup>th</sup> centuries. It was humiliated criminals for committing petty crimes. The aim was to deter others from doing similar. The pillory was used until its abolition in 1837 and the stocks until its abolition in 1872.
<b>Capital punishment</b>	This was death by execution. Between 1688 and 1815 the number of crimes carrying the death penalty rose from 50 to 225. This list of crimes formed the Criminal Code which was also nicknamed the 'Bloody Code'. You could receive the death penalty for stealing sheep or horses and poaching.

## 18<sup>th</sup> century and the use of banishment

During the 18<sup>th</sup> century, attitudes towards punishment changed, capital punishment was changed to banishment but only for some crimes. Banishment was not a lenient punishment. Transportation was seen as the middle punishment. The 1717 Transportation Act allowed for the banishment of criminals to North America and after 1787 Australia became the new destination.

## The abolition of the 'Bloody Code'

Sir Samuel Romilly and Sir Robert Peel were two MPs who are seen as being largely responsible for the reform of the 'Bloody Code'.

There were a number of factors that contributed to the ending of the 'Bloody Code'. It was believed that public executions weren't working. They attracted large and unruly crowds. Prison and transportation were seen to be more effective. Juries were not willing to convict and capital punishment came to be seen as too excessive and out of proportion to the crime.

By 1861 the number of capital crimes had been reduced to just five:

- 1) Murder
- 2) Treason
- 3) Espionage
- 4) Arson in royal dockyards
- 5) Piracy with violence.

### **19<sup>th</sup> century changes**

During the 19th century, attitudes towards punishment began to change. There was an increasing use of prisons, and a greater belief in reforming prisoners. The ideas of retribution and revenge became less important in punishments.

In 1823, Sir Robert Peel abolished the death penalty for over 180 crimes. Further laws in 1832 and 1861 reduced the number of capital crimes to just five:

- murder
- treason
- piracy with violence
- espionage
- burning down a weapons store or a navy dockyard

This shows several developments in attitudes to punishments.

- A movement away from harsh physical and capital punishment.
- A movement towards the idea of fitting punishments to the seriousness of the crime.
- The realisation of the need for practicality, so courts would follow it.

The reduced desire for retribution can also be seen in the reduced number of corporal crimes. Only flogging remained as a physical punishment in this century. Judges could, and did, order offenders to be whipped until 1948 when an Act of Parliament ended it as a punishment. Punishments also began to be carried out more often in private, showing the reduced emphasis on revenge and deterrence. Public executions ended in 1868. After that, executions happened inside prisons out of the sight of the public. However, 19th century lawmakers still wanted punishments to be harsh enough to be a deterrent. Capital and corporal punishment were still used.

### **20th and 21st centuries**

These days, punishments are still aimed at deterring criminals, but not through pain, humiliation or death. Loss of liberty through prison, fines and community service are now the main types of punishment. The modern attitudes towards punishments are to reform and rehabilitate prisoners and the aim is to prevent reoffending.

A turning point was when the death sentence was abolished. This happened during the twentieth century as attitudes towards the abolition strengthened.

Arguments in favour of abolition	Arguments against abolition
<ul style="list-style-type: none"> <li>• An innocent person could be hanged.</li> <li>• It was not a deterrent as most murders happen impulsively.</li> <li>• Even the worst person may be reformed.</li> <li>• The crime rate did not increase in countries which abolished capital punishment.</li> <li>• It can make martyrs of criminals and terrorists.</li> </ul>	<ul style="list-style-type: none"> <li>• Hanging is the ultimate deterrent.</li> <li>• A dead murderer cannot kill again.</li> <li>• Keeping a murderer in prison is expensive.</li> <li>• It satisfies the victim's family and the public.</li> </ul>

Cases that boosted the support for the abolition of capital punishment:

- Timothy Evans (1950) – hanged for murders that he did not commit.
- Derek Bentley (1953) – hanged for a murder carried out by his juvenile accomplice.
- Ruth Ellis (1955) – hanged for the murder of her lover in circumstances that some saw as a 'crime of passion'.

The last hanging in the UK place on 13 August 1964 when Peter Allen in Walton Prison, Liverpool, and Gwynne Evans in Strangeways Prison, Manchester, were hanged after being found guilty of the murder of John Alan West.

### **Rehabilitation and restitution**

Rehabilitation is a term which means to restore someone to a normal crime-free life. Restitution means to restore something that has been lost, or to compensate someone for something. These are the modern attitudes to punishment.

Prison, community service, fines and court orders all aim to rehabilitate offenders and prevent them from reoffending. Victims are more often compensated for crimes, and convicted criminals are given community service which aims to compensate the local community through helpful work.

### **Attitudes to young offenders in the 20th and 21st centuries**

In previous centuries young offenders had been treated the same as adult offenders. However, this attitude began to change in the 20th century. Young offenders were given different trials through special youth courts, and this continues today.

Young people do not go to adult prisons. Borstals and Young Offender Institutions were established in 1902 to deal with young people.



Since 1909, people below the age of 18 years old have been treated differently to adults, and the youth justice system has developed separately from the adult criminal justice system. This evolved alongside a greater understanding of the development of the brain through neuroscientific and psychological research, and clinical practice in psychiatry and psychology.

Attitudes towards the age of criminal responsibility have also changed. In 1908, an age of criminal responsibility was introduced for the first time at seven years old. This age was raised to eight years old, then ten years old, and then 14 years old in the mid-20th century. By 2017, the age of criminal responsibility was 10 years old.

## **6.Methods of Punishment**

### **Key words:**

**Flogging** – Punishment by beating.

**Transportation** – Sending convicted criminals overseas for punishment.

**Hulks** – Ships used as prisons.

**Convict** – Someone who is in prison because they are guilty of a crime.

**Chain gang** – A group of prisoners chained together and made to do hard labour.

**Bridewell** – A house of correction, or prison, for persistent beggars.

**Debtor** – Someone who owes money to another person.

**Jail fever** – Typhus, an infectious disease common in 18<sup>th</sup> century prisons.

**Solitary confinement** – When a prisoner is kept separate from other people.

**Crank** – Turning a crank handle a set number of times in order to earn food.

**Shot drill** – Heavy cannonballs were passed from one to another down a long line of prisoners.

**Treadwheel** – A revolving staircase in which prisoners walked for several hours.

**Birch** – A type of cane used for punishment.

## Treatment of Vagabonds in Tudor times

Year	Punishment
1495	Vagrants were put into the stocks for three days. After that they were sent back to the parish of their birth.
1531	Vagrants were whipped and sent back to the parish of their birth. Repeat offenders were punished more harshly.
1547	Vagrants caught begging were branded with a V on their forehead and enslaved for two years. Repeat offenders would be executed. This law was repealed after three years.
1601	<b>The Elizabethan Poor Law</b> - local taxes were put in place to provide money to support the poor in the area and to provide work for them. However, those who refused work were whipped and sent to a house of correction. Beggars were whipped until their back bled, and were then sent back to their place of birth.

## The use of capital punishment up to the 19<sup>th</sup> century



Criminals were usually taken to the gallows on the back of a cart. On the way, people could throw things at the criminal and often shouted or jeered. A vicar would often encourage the condemned criminal to apologise for his or her crimes. The criminal would then be hanged and would die from strangulation. Often the criminal's relatives would pull on his/her feet to speed up the death.

Other methods of execution included burning at the stake, which was the punishment for heresy. Offenders would be tied to a stake and a fire would be set around them. Often gunpowder would be put between the condemned person's legs to speed up the death.

Catherine Murphy, a counterfeiter, was the last woman in England to be officially burned at the stake on 18 March 1789. She was actually strangled first as the act of burning to death was now distasteful. The punishment of burning at the stake, which at the time applied to women and not to men, was abolished a year later.

The method of execution for the crime of treason was beheading or hanging drawing and quartering. Royalty were beheaded, usually with an axe. Mary Queen of Scots was executed in this way in 1587.

Commoners found guilty of treason were hanged but cut down whilst still alive. They would then have their entrails (intestines) pulled out. They would then be beheaded and their body would be chopped into four parts (hence the term 'quartered'). The traitor's lands and money would be confiscated by the monarch. Guy Fawkes was sentenced to be executed in this way, but avoided it by breaking his neck after throwing himself from the platform in January 1606.

One famous Welshman who was executed was the Chartist leader Richard Lewis, otherwise known as Dic Penderyn. Dic was accused of injuring one of the soldiers sent to end the Merthyr Rising. He was the only leader of the rising to be sentenced to death. He was hanged outside Cardiff Gaol in August 1831. His last words were 'O Arglwydd, dyma gamwedd' which translates to 'Oh Lord, this is an injustice'.

### **Capital punishment in Wales**

Most towns in Wales had gallows for public executions. Some were permanent fixtures, and others would have been removed and rebuilt when needed. In Cardiff, convicts would walk from the Castle gaol to the gallows in an area in Roath still known locally as Death Junction.

By the late 18th century, executions were more commonly held just outside the town prison or gaol, probably for convenience.

In Swansea, the last public execution was 18-year-old Robert Coe, who was hanged in April 1866 on sand dunes just outside the town gaol. Executions after this took place in private inside the prison. In Caernarfon, the hanging tower in the town wall was used for executions.

### **Modern prisons**

Prisoners are categorised as either A, B C or D depending on:

- the severity of their crime
- their age
- the level of threat they pose to the public
- their risk of escaping

Prisoners are then sent to a prison for their category.

Category	Type of prisoner	Type of prison
A	Most serious, a significant danger to the public	Traditional closed prison, most secure
B	Serious crimes but do not require maximum security	Traditional closed prison

Category	Type of prisoner	Type of prison
C	Not likely to escape but not suited to open prisons	Traditional closed prison
D	Low-risk first-time offenders, minor crimes	Open prison

There are no category A prisons in Wales. HMP Belmarsh in London is a category A prison. HMP Cardiff is a category B prison while HMP Swansea is a category B/C prison. HMP Berwyn near Wrexham opened in February 2017 and is a category C prison. It is the largest prison in England and Wales and can hold 2,106 prisoners.

### **21st Century punishments**

Due to the massive increase in the prison population, high reoffending rates, inmates influenced by contact with other criminals and the expense of running prisons, other alternative punishments have been introduced. These include:

- Parole
- Probation
- Suspended sentences
- Community service
- Electronic tagging

## **7. 'China': The Growth of Crime in Industrial Merthyr Tydfil in the 19<sup>th</sup> Century**

### **Overview**

By 1820, Merthyr was producing 40 per cent of Britain iron exports, while in the second half of the nineteenth century, many of the works converted to the production of steel.

As a result of the rapid expansion of industrial production and mining activities, the population of Merthyr Tydfil increased dramatically. The 1801 census recorded 7,000 people in the parish – by 1910 Merthyr Tydfil had almost 90,000 inhabitants.

Due to cramped living conditions in the terraces of workers housing and the lack of proper sanitation, disease was rife and life expectancy low. The low wages of the industrial workforce, poor working conditions and the implementation of the 'truck system' by the iron masters, in which workers were not paid real money, but vouchers and tokens valid only in their masters' own shops, contributed to ongoing social unrest. In 1831 the increasing tension came to a head, triggering the Merthyr Rising. For the first time, workers united under the red flag and effectively took control of the town for four days. The situation spun out of control as soldiers were moved in to suppress the movement. One of the leaders, Dic Penderyn (Richard Lewis) was arrested and hanged while others were sentenced to transportation to Australia.

## **Living conditions**

The 1801 census records the town of Merthyr Tydfil, located on the river Taff in the south of Wales, as having 7,705 inhabitants. Although this is very small when compared to many towns in England, Merthyr Tydfil was significantly bigger than other towns in Wales many of which had fewer than 1,500 residents; incredibly Merthyr itself had only 40 homes in 1760. By 1801, Merthyr Tydfil was the largest town in Wales and its famous iron works were the most productive in the world. Life for the workers in Merthyr was extremely hard and living conditions very poor; in 1841 there were over 1,500 families of up to five people living in single rooms measuring only 1.4m x 2.1m. The 1851 census reveals a population of 46,378 people, thus emphasising just how rapidly Merthyr Tydfil expanded in the late eighteenth and early nineteenth centuries.

There were no toilets; the streets were open sewers; people were infested with lice and in such overcrowded conditions infections and diseases such as typhus, dysentery and cholera spread at terrifying speed.

Small wonder, then, that the slums which grew rapidly around the ironworks that in the first decade of the 19th Century powered Britain's Napoleonic war effort came to be known as Little Hell.

Created by the proximity of coal supplies and a river system, the iron industry sprung up in Merthyr in the mid-18th Century and attracted workers from rural Wales, Ireland, England and Scotland.

What had been a village of just 40 homes in 1760 grew within 40 years into the iron capital of the world, with a population of almost 8,000 people.

With such a rapid influx of workers slum conditions were inevitable.

"The new urban settlements that arose very rapidly had very little urban infrastructure," says Dr Evans, a history professor at the University of Glamorgan.

In those days ironmasters provided housing, but it was not very common in south Wales, and the pace of expansion was so fast that housing was provided by private speculators. It was designed to turn a fast buck and was not built to the highest standards.

Living space in the town was by modern day standards extremely cramped, it was common for people to share living space. The idea of having your own individual bedroom would have been odd. It was taken for granted that you would sleep alongside other people. Living cheek by jowl (close together) was the norm, but it was obviously exaggerated in Merthyr.

Such overcrowding left the workers and their families dangerously exposed. Life expectancy was extremely low. That reflects the high mortality rate among newborn babies and children under two.

If you could survive being a baby or a toddler you could survive into your forties or fifties. But being a baby in Merthyr Tydfil was not a good idea. Epidemics spread very, very quickly. There was not inoculation against child killers such as small pox and measles. And yet for decades

people flocked to the town in hope of a better life. A town like Merthyr Tydfil was a byword for squalor, dirt and poor housing, but during the good times you could earn a good living there. It was a town of great opportunity. But these were scary places; unstable, volatile, dangerous places. Also, in political terms, they were a crucible of unrest.

### **The Truck System**

The Truck System was when ironmasters did not pay their workers with a monetary wage. Instead wages were paid in the form of payment in kind; credit with retailers; or a money substitute, such as script, vouchers or tokens. The tokens that would be paid could only be spent or exchanged for goods in special 'tommy shops' which were owned by the iron companies.

### **'China'**

The worst area in Merthyr Tydfil was the slum area called "China", which was also known as "Little Hell". Its narrow, badly ventilated and overcrowded streets had some of the most squalid living conditions in Britain. It was a 'no go' area, the most notorious district in the whole of Wales – "a den of drunkards, thieves, rogues and prostitutes". In his 1845 report, Sir Henry de la Beche noted that there were few privies (toilets), particularly in the poorer areas, so the inhabitants threw their waste into the streets which were like open sewers. The very poorest slum dwellers lived in cellars, in the worst conditions of all. When the new Glamorgan Constabulary was created in 1841, 12 out of the 34 constables were placed in Merthyr – an indication of Merthyr's criminal reputation.

'China' had a criminal underworld and the criminals ruled themselves. This 'celestial empire' was dominated by the most powerful criminals who were given titles such as 'Emperor' or 'Empress'. China became a hiding place for criminals trying to escape arrest. A wanted person could stay hidden and protected in the criminal underworld that operated within 'China'. Constables would enter this district at their peril for its occupants would gang together to resist the arrest of any of its inmates.

### **Developments in Policing in Merthyr in the 19<sup>th</sup> Century**

In the early 19th century Merthyr had the reputation of being the most lawless town in Wales. As the town grew, the old system of law and order – based on the roles of the J.P. and the parish constable – was unable to deal with the rise in crime.

After the 1831 rising, three former Metropolitan police officers were appointed. However, in 1834 the number was reduced to two as ratepayers complained about the expense. This again proved insufficient to control crime.

In 1841 the Glamorgan County Constabulary was founded and 13 of its 34 officers were posted to Merthyr – a sign of the poor reputation of the town. In 1844 a police station was opened. Superintendent Davies, a former Metropolitan Police sergeant, was in charge. However, even a force of 13 men found Merthyr challenging in terms of policing. Finding men who were literate in both English and Welsh and possessed "honesty, sobriety and a sound constitution" was also difficult – particularly as they could earn more in the ironworks. In the 1840s the police only went into areas like China in strength, but by the 1850s these areas were part of regular beats.

By the 1860s Merthyr was becoming far more law-abiding, partly due to its police force and partly due to the increasing influence of the chapels and the Temperance movement. By the last quarter of the 19th century Merthyr had become a much more law-abiding town.