



Crimes

Saxon Period, c.1000-1066

- Crimes against the person, e.g. assault/murder
- Crimes against property, e.g. theft
- Crimes against authority, e.g. treason
- Moral crimes, e.g. drunkenness, adultery, etc.
- Social crimes, e.g. poaching.

Norman Period, 1066-c.1200

- **Murdrum Fine:** Saxon community collectively responsible for murder of a Norman: catch murderer or face steep fine. Deterrent through community pressure.
- **Forest Laws:** Banned hunting, collection of firewood, and grazing of animals in the newly established Royal Forests. Heavy punishments including blinding and execution for repeat offenders.
- **Wergild abolished:** Crimes were now against the king. Compensation was to be paid directly to the king.

Later Medieval Period, c.1200-c.1500

- **Murdrum fine abolished** c.1350. Normans and Saxons no longer distinct people. They are all English.
- Heresy laws introduced from 1382 to deal with challenges to Church beliefs. Increase in heresy across England (e.g. Lollards).
- Increased focus on treason.

Law Enforcement

Policing

Saxon Period, c.1000-1066

- Hue and cry: Witnesses/whole village expected to chase suspect; fines if failure to do so; no organised police force.
- Tithing: All males over 12 in a group of 10 – responsible for each other's behaviour.

Norman Period, 1066-c.1200

- No change after Norman Conquest. Reason for continuity; system cheap and reasonably effective.

Later Medieval Period, c.1200-c.1500

- Parish Constable introduced: Role was to organise hue and cry and link with county sheriff for more important crimes/crimes outside village boundaries.
- Parish watch introduced: Night time patrols.
- Tithing: Fades out by 1400s. Looser feudal ties of peasants after Black Death (1347-51).

Trials

Saxon Period, c.1000-1066

- Local manor courts for most cases; King's Court in London for most serious cases.
- Local juries make judgement based on witnesses/evidence and their knowledge of the accused/accuser.
 - Compurgation was the taking of an oath by a jury that the accused was guilty as the accuser was more honest.
- Religious influence:
 - Oaths taken to ensure honesty.
 - Trial by ordeal: Hot/cold water, hot iron, holy bread. Where jury could not decide, God would.

Norman Period, 1066-c.1200

- Trials essentially as before. Seen as effective by the Normans.
- Trial by combat added to trial by ordeals. Linked to Norman warlike customs.

Later Medieval Period, c.1200-c.1500

- 1166: Creation of Assize/Circuit courts where Royal judges tried more serious crimes in circuits of important towns.
- 1190: Coroners appointed to investigate suspicious deaths.
- 1215: Abolition by the Pope of trial by ordeal.
- 1361: Justices of the Peace (JPs) created. Centrally appointed local judges (magistrates).

Punishment

Saxon Period, c.1000-1066

- Blood Feud: Victim's family take revenge.
- Wergild: Replaces the Blood Feud. Victim's family given compensation according to the victim's status and the extent of the damage.
- Fines
- Corporal punishment: Stocks, pillory, whipping, maiming.
- Capital punishment: Hanging.

Norman Period, 1066-c.1200

- Wergild abolished. Reason for change: fines paid to the king for breach of the King's peace.
- Increase in crimes punishable by death or mutilation (e.g. Forest Laws).

Later Medieval Period, c.1200-c.1500

- Introduction of 'hanged, drawn and quartered' for treason.

The Church



Crimes: Religious influence on moral crimes, e.g. drunkenness, failure to attend church and heresy.

Policing: Sanctuary linked to concept of mercy. Certain holy places left criminals immune from arrest, giving them 40 days to decide whether to stand trial or go into exile.

Trials: Oaths to prove honesty. Trial by Ordeal for God's judgement.

Benefit of the Clergy: Allowed those connected to the Church (or capable of reciting a certain verse) to be tried by Church Courts, where sentences were more lenient and excluded capital punishment.

Key Words

Tithing – grouping of 10 men responsible for making sure they all behave.

Capital Punishment – when someone is executed.

Clergy – anyone who is a member of the church (priests etc).

Constable – a local official responsible for law and order.

Corporal Punishment – physical punishment (non-lethal)

Heresy – Crime of going against the laws of God and the church.

Hue and Cry – Witnesses to a crime had to raise the hue and cry – Stop, thief!. Anyone who heard had to join the chase to catch the criminal or face a fine.

Jury – a group of men who decided in a trial innocence or guilt.

Justice of the Peace – local official in charge of law and order.

Sanctuary – criminals could claim sanctuary in a church if accused of a crime.

Wergild – compensation paid to a victim/ their family in the Saxon era.



Crimes

The majority of crimes from the previous period continued. The following were new crimes in the early modern period.

Heresy: Even more important in context of the Reformation. Used by Henry VIII (1509-47) and Mary I (1553-58). Both Protestants and Catholics burned alive. Not as significant after c.1560.

Treason: Linked to sense of threat to the state from religious and political opponents. Used by Elizabeth I (1558-1603) against Catholics. Used by James I (1603-25) against Gunpowder Plotters.

Witchcraft

- Roughly 500 executed in England between 1566-1684.
- Rise linked to religious, social and political developments.
 - **Religious:** Massive change and division of Reformation; Protestant belief that Devil active in people's lives (e.g. familiars); James I's *Demonologie*, 1597.
 - **Social:** Growing rich/poor divide; growing hostility to women - 'cunning women' become witches.
 - **Political:** Disorder of Civil War in 1640s; 'the world turned upside down'.
- Individuals: James I; Matthew Hopkins in East Anglia (1645-47).
- Parliament: 1542 Witchcraft Act, 1563 Act against Conjurings; 1604 Witchcraft Act.
- Decline in accusations after 1660s linked to rise in scientific ideas.

Vagabondage

- Linked to social and religious developments.
 - **Social:** Rich/poor divide; rising population, unemployment, field enclosure, homeless searching for work, belief in links to crime, role of press/pamphlets; costs of Poor Relief.
 - **Religion:** Protestant belief in work/hostility to laziness - 'the Devil makes work for idle hands'.
- Parliament: 1495 Vagabonds and Beggars Act; 1547 Vagrancy Act; 1597 Act for Relief of the Poor; 1602 Poor Law Act.

Law Enforcement

Policing - Generally as before:

- Community-based, unpaid.
- Hue and cry.
- Town Constables and the Town Watch - named Charlies, after Charles II (1660-85).

CHANGES:

- **Decline in the effectiveness of community-based methods** because of the growth in size and number of towns. People were anonymous and a lesser sense of close community.

Trials - Much stayed the same BUT the following were important changes.

- **Benefit of the Clergy:** Increased literacy and the printing of English Bibles allowed more people to read the 'neck verse'. The law was changed and benefit of the clergy was ended.
- **Habeas Corpus:** Passed in 1679, anyone arrested must stand trial within a given period of time. You could no longer be locked up indefinitely with no charge.

Case Study - The Gunpowder Plot 1605

- Catholic plot aimed to kill James I and the ruling class (Church, political and social leaders) and establish a Catholic monarchy.
- Cause - religious conflict - Protestant v Catholic.
- Plotters included Robert Catesby and Guy Fawkes. Aimed to blow up Parliament.
- Plot discovered by Robert Cecil from the Montague Letter. Fawkes captured and tortured, tried and found guilty. Hung, drawn and quartered.
- Other plotters killed in a siege of Holbeche House.
- Public executions - warning to others. Possibly used as excuse to crack down on Catholics?

Case Study - 1645-47 Witch Craze

- Matthew Hopkins carried out approx. 300 executions of witches across East Anglia.
- Targeted the most vulnerable people: old, poor, widowed women.
- Animals claimed to be a familiar, scars, boils or spots labelled as proof of the 'Devil's Mark'.
- Suspects were forced to stay awake and stand until they confessed.
- Number of witches found, caused a panic resulting in MORE trials.
- Hopkins was paid when a witch was found guilty.

Punishment

Continuity

- Fines.
- Corporal punishment: Stocks, pillory, whipping, maiming.
- Capital punishment: hanging, beheading (for higher status).

Changes:

- Beginning of the **Bloody Code**, c.1688.
- **Bridewells/Houses of Correction:** For vagabonds, made to do hard labour.
- **Transportation:** 50-80,000 sent to America.

Purpose of punishment:

- **Retribution:** severity of punishment matched the crime (e.g. Treason - hanged, drawn and quartered).
- **Deterrent:** Painful and humiliating public punishment.
- **Removal:** Return to parish, Houses of Correction, transportation.
- **Reform:** To an extent Houses of Correction and transportation.

Key Words

Bloody Code description of the large number of crimes that were punished the death penalty that begin to grow at the end of the period.

Catholic a Christian who has traditional views and sees the Pope as the head of the church.

Habeas Corpus from 1679 you could not be locked up forever and had to be given a trial within a certain amount of time.

House of Correction a place that vagrants would be sent and forced to do hard labour.

Hung, Drawn and Quartered - punishment used for treason - horrific and meant to deter.

Protestant form of Christian who opposed many Catholic ideas, such as the power of the Pope.

Reformation period of massive religious change that saw England become Protestant instead of Catholic

Transportation - new punishment used at the end of the period, with the guilty sent to America.

Treason - the crime of trying to kill the monarch



Crimes

A MASSIVE growth in population had a major impact on crimes at this time.

Smuggling increased compared to c1500-c1700 (cloth, wine and spirits were taxed) and development of large smuggler gangs – eg Hawkhurst Gang (Kent) controlled long stretches of the south coast. **SOCIAL crime** – did the government create this crime by introducing and extending import duties?

Highway robbery increased in 1700s (few banks, no cheques or debit cards, isolated country roads and more travel on improved roads) but decreased in 1800s (1772 – death penalty, banking system & mounted patrols).

Poaching continued to be a widespread crime – rise in gangs.

- **1723 Black Act** – made poaching a capital offence but viewed as unfair as only rich could hunt. 1823 Black Act repealed.

Case Study Crime– The Tolpuddle Martyrs

- George Loveless and five others arrested for ‘administering an illegal oath.’
- The real reason was to stop their political activities – complained of their low wages (6 shillings compared to average of 10 shillings per week).
- Sentenced to 7 years’ transportation to Australia.
- Mass protest in London – 100,000 and petition presented to Parliament – 200,000.
- Pardoned 4 years later and they received a ‘hero’s welcome.’

Law Enforcement

Policing – Generally as before *Early in period* – the law continued to be enforced using constables, watchmen and part time soldiers.

New developments due to increased population = the old system wasn’t working effectively.

Bow Street Runners 1748 – crime fighting team by the Chief Magistrate in London, Henry Fielding. Volunteers attended crime scenes and detected criminals. Thief takers appointed as principal officers. At first charged fees and collected rewards from victims but by 1785 paid by the government – first modern detective force.

The Metropolitan Police

1829 – England’s first professional police in London – uniformed, 17 districts with their own police division with 4 inspectors & 144 constables.

1856 Police Act – local police forces had to be set up across the country.

1878 – CID set up to investigate crime for the first time.

Key Words/Individuals

Elizabeth Fry – a campaigner who worked to reform conditions in prisons, with a particular focus on women.

John Howard – a prison reformer who visited prisons across the UK showing how poor conditions were. His work was published and helped force parliament to reform prisons.

Magistrate – official in charge of an area, who sat as a judge in minor court cases.

Poaching – the crime of killing animals on land you do not own.

Reformer – someone working to change something ie the prison system.

Separate System – new prison system where criminals were locked up in isolated cells.

Smuggling – the crime of bringing goods into the country and avoiding any duties (taxes) you should pay on them.

Punishment

Changes

Many people questioned the role of punishment and alternatives to the death penalty began to be more common.

Increased Transportation

- Now to Australia, seen as fairer alternative to the death penalty for petty crimes.
- 160,000 transported to Australia and 1/6 were women
- Prisoners would populate the new colony – Britain secure its ownership. Seen as criminals being removed BUT didn’t deal with causes of crime.

Introduction of regulated Prisons

- When transportation became too expensive and declined, prisons were reformed and regulated.
- New prisons were introduced, with criminals locked up.
- Debate on purpose – teach skills (avoid crime) or HARSH (deter criminals)

End of Public Executions

- Crowds that came to watch were often drunk and disorderly.
- For most spectators, public executions were a fun spectacle.
- Provided opportunities for pickpocketing and prostitution.
- Reformers argued public execution was inhumane, and that those condemned to death should have more dignity during their execution.

Case study – Pentonville Prison London Separate System 1842

- Prototype for the ‘separate system’.
- Prisoners were kept apart as much as possible. They lived in separate cells up to 23hrs a day.
- Purpose – provide prisoners with an opportunity for individual improvement – to encourage reform via religious faith and self-reflection – prisoners not influenced by other criminals.
- The prison could accommodate 520 prisoners. The cells had a floor area of just 4m by 2m – small high window to allow natural daylight and window had thick glass fixed with iron bars.
- Cells featured some of the most up to date domestic technology – heating system – piped water and small basin & toilet – mechanical ventilation system – no need for prisoners to leave their cells.
- Thick building walls – no communication between prisoners.
- Impact – mental illness – depression, psychosis and even suicide. Prison reformers including Elizabeth Fry concerned about purpose and design of Pentonville.

Case Study Individual– Robert Peel & His Reforms

- Prime Minister 1834-35 and later 1841-46 (previous home secretary 1822)
- Well – informed and open to new ideas
- 1823 Gaols Act: prisoners get regular visits from prison chaplain, gaolers to be paid, female wardens for female prisoners & prisoners not to be held in chains.
- Metropolitan police force formed 1829. (1826 economic downturn) Similar standards of policing across London.



Crimes

Changing attitudes in society and technology had a huge impact on crime during the modern era.

1960s – changing social attitudes – sexual revolution.

1967 Sexual Offences Act – decriminalised homosexuality for men aged over 21.

1968 Race Relations Act – illegal to refuse jobs, housing or public services to anyone based on their race/ethnicity.

Increasing immigration – need to define a new crime.

1967 Abortion Act – abortion made legal – child was going to have serious disabilities or mother was at risk.

1976 Domestic Violence Act – victims could ask for an injunction against a violent partner.

1991 – rape in marriage recognised.

2005 Criminal Justice Act – severe sentences for homophobic crime. **2014** – controlling behaviour towards a partner became a crime.

New opportunities for old crimes?

Older crimes that are carried out using different means:

Terrorism – violence and fear to publicise a political cause.

People trafficking – people from poor countries UK forced to work. **Cybercrime** – internet or other digital technology.

Fraud – impersonating individual/business to make illegal money. Copyright theft – illegal downloads of music, games and films. **Extortion** – making someone pay money via threats or blackmail.

Law Enforcement

Policing – gradually changed in the period, building on developments in previous period.

1900 – every area across Britain had its own police force BUT 200 separate forces had no central records and rarely shared information.

1920s – women recruited to join the police force.

1947 – Police Training College – better training

Technology - breathalysers, CCTV, mass video surveillance and biometric screening – preventing crime. Improved communications, forensic science, data management and improved computer software – solving crime.

Increased Specialisation

Fraud squad – 1946 in London – crime in business and the stock market.

Specialist drug-trade units – aim to disrupt the trade with raids on buildings where dealers store and supply drugs.

Dog handling units – sniff out drugs, find explosives, track and catch criminals and search for missing persons.

Special Branch – MI5 – terrorism.

Neighbourhood Watch – from 1982 this began to be introduced, increasing the role of local communities again.

Key Words

Borstal – a prison for young offenders first used in 1902

Broadmoor – the first specialised prison for prisoners with mental illnesses

Conscience – your sense of right/wrong and morality.

Hate Crime – Crime motivated by prejudice against victim's race, gender, disability or sexual orientation.

Homophobic - Prejudice against people who are gay.

Miscarriage of Justice – when it is shown that the law has punished an innocent person.

Specialisation – in the police, development of more focussed police units.

Punishment

Changes in the prison system

- Prison use continued to increase from 1900, but became more varied.
- Currently, reoffending rates are very high and it costs £40,000 per prisoner per year.
- 1896 – mentally ill prisoners treated separately – specialisation
- Kent Borstal 1902 – prison for boys only to ensure young convicts kept away from older criminals.
- Youth Justice Reforms 1940s – graduated system of prison depending on the seriousness of the crime.

End of the death penalty

- Homicide Act 1957 restricted the death penalty to the most serious cases of murder (capital murders – eg committing two murders on different occasions)
- Controversial executions – Timothy Evans 1950 – hanged for murdering his wife and baby. Later evidence proved they had been killed by a serial killer and Evans was innocent. Huge public outcry at the miscarriage of justice.

Case Study – Execution of Derek Bentley

Convicted of the murder of PC Sidney Miles, a policeman who was shot during an attempted burglary. Bentley (18) was executed in 1953 because Craig was too young. Many MPs at the time believed Bentley should not be hanged. Bentley eventually pardoned in 1993.

Case study – Conscientious objectors in the First and Second World Wars

- 1916 – **Military Service Act** introduced conscription for the first time. All unmarried men aged 18-41 were called up to join the armed forces. Extended in May 1916 to all married men aged 18-41 and in 1918 the upper age limit was raised to 51.
- **Some men refused to fight**, because they said their conscience would not allow it – COs. Some refused to carry weapons but were prepared to support the war – **alternativists** - eg stretcher bearer, ambulance driver and helping distribute food supplies. Some refused to do ANYTHING linked to the war – **absolutists**.
- Around 20,000 men had to appear before a special court but the tribunals were not very fair. Many imprisoned – solitary confinement and some COs sent to fight in France. Casualty rates very high for soldiers, refusing to fight presented as 'unmanly' and COs unfairly shirking their responsibilities.
- WW2 – COs offered alternative occupations such as farm work and prison only used as last resort. Peace Pledge Union posted anti-war posters were put on trial but the judge dismissed their case. Public opinion was still hostile – some COs verbally abused in public.

Subject: History

Topic: Crime & Punishment, Whitechapel c.1870-c.1900



Living in Whitechapel

- **Rookeries:** Overcrowded slums. Poor quality, filthy housing. Disease and crime common.
- **Lodging houses:** A place where you could rent a bed. Squalid conditions and used by prostitutes.
- **Flower and Dean Street:** A notorious rookery that had 31 lodging houses.
- **Peabody Estate:** Model housing built in 1881. Rates were high, meaning it catered for skilled workers and not the poorest.
- **Whitechapel Workhouse:** Could take 400 people. Tenants had to do hard work (e.g. picking oakum), families were separated, a uniform was worn and the food was horrible.
- **Orphanages:** Dr Thomas Barnardo began opening orphanages in 1870. to keep children out of workhouses. They were taught a trade so they could get jobs when they were adults.

Policing Whitechapel

- H Division covered Whitechapel.
- Understaffed: 500 police constables, meaning 1 officer per 300 people.
- H Division had 15 plain clothes detectives, 37 sergeants, 27 inspectors, a Chief Inspector and a Superintendent.
- Main police station was on Leman Street.
- Police work was low-paid, hard and dangerous.
 - Officers had to walk a beat and report to the sergeant on what they had seen.
 - Questioning people at night to find out what they were doing.
 - Officers could be fined or sacked if found absent from their beat.
- Unpopular. Officers faced violence, drunkenness and racial tensions.

Jack the Ripper

The Murders:

- The five victims are known as the 'Canonical Five'.
- All killed between August-November 1888.
- All victims suffered similar wounds – slashing wounds on the neck and removal of organs.
- Traditional suggestion they were prostitutes BUT recent scholarship suggests they were not.

Police Actions:

- Chalked message next to a victim was scrubbed clean for fear of anti-Semitic riots: 'the Juwes are the men that will not be blamed for nothing'.
- Catherine Eddowes was killed in the boundaries of the City of London Police, not the Met. The Met kept this quiet because of a bitter rivalry between the two forces.

Problems:

- Newspapers: Journalist theories widespread, which the police often followed up – e.g. Manchester Guardian naming notorious Whitechapel criminal 'Leather Apron'.
- Over 300 letters were received claiming to be from the killer. The press often published these.

Policing Methods:

- Following up clues: Visited pawnbrokers and jewellers to find missing rings.
- Visiting lunatic asylums: Assumed the Ripper was insane and may have escaped.
- Coroners reports: The Ripper's anatomical knowledge suggested he was a surgeon.
- Interviews: More than 2,000 interviews carried out.
- Soup kitchens: Police offered meals in exchange for witnesses as financial rewards were prohibited.
- Houses-to-house searches.
- 80,000 leaflets issued.
- Experimented with blood hounds.

Working in Whitechapel

- Work was typically low paid and casual (no fixed job). Many worked as dockers or in the 'sweated trades' e.g. tailoring, shoe making, match box making.
- In the 1870s there were high levels of unemployment because of a long economic depression.
- It was even harder for women to find work than men, and so many became prostitutes. In 1888, there was an estimated 1,200 women working as prostitutes in Whitechapel.
- The only escape many people had from their terrible lives was alcohol, and it was cheap.

Tensions in Whitechapel

- By the 1880s, many Irish and Jewish immigrants had settled in Whitechapel. Immigration was deemed a threat to local people's jobs and housing. Immigrants were often stereotyped as dangerous criminals.
 - Fenians: Irish nationalists who wanted freedom from British rule. They used terrorism to intimidate and were predominantly Catholic.
 - Eastern European Jews: Fleeing persecution in Russia and Poland, they found work quickly and worked Sundays as their holy day was Saturday. Locals resented the success they seemed to find.
 - Anarchists: Seeking the overthrow of governments, those that were unsuccessful often fled to Britain. Many lived and spread their ideas in the London East End.
 - Socialists: Claimed to represent agricultural and industrial workers. Wanted to end the capitalist system and viewed the police as the face of an incompetent government who did not care for the poor.
- There was a general feeling that by the 1880s, the East End had become a refuge for other nations' terrorists and political extremists.



Policing the Nation

National:

- Many different police forces at this time – counties had their own, as did many towns and cities.
- These were usually run by watch committees. And independent of the Home Secretary.
- Exception was the Met, which reported directly to the Home Secretary, who also appointed its head.

The Met:

- By 1885 the Met had 13,000 officers for a population of over 5 million.
- CID (Criminal Investigation Department) set up by 1878 with 216 officers.

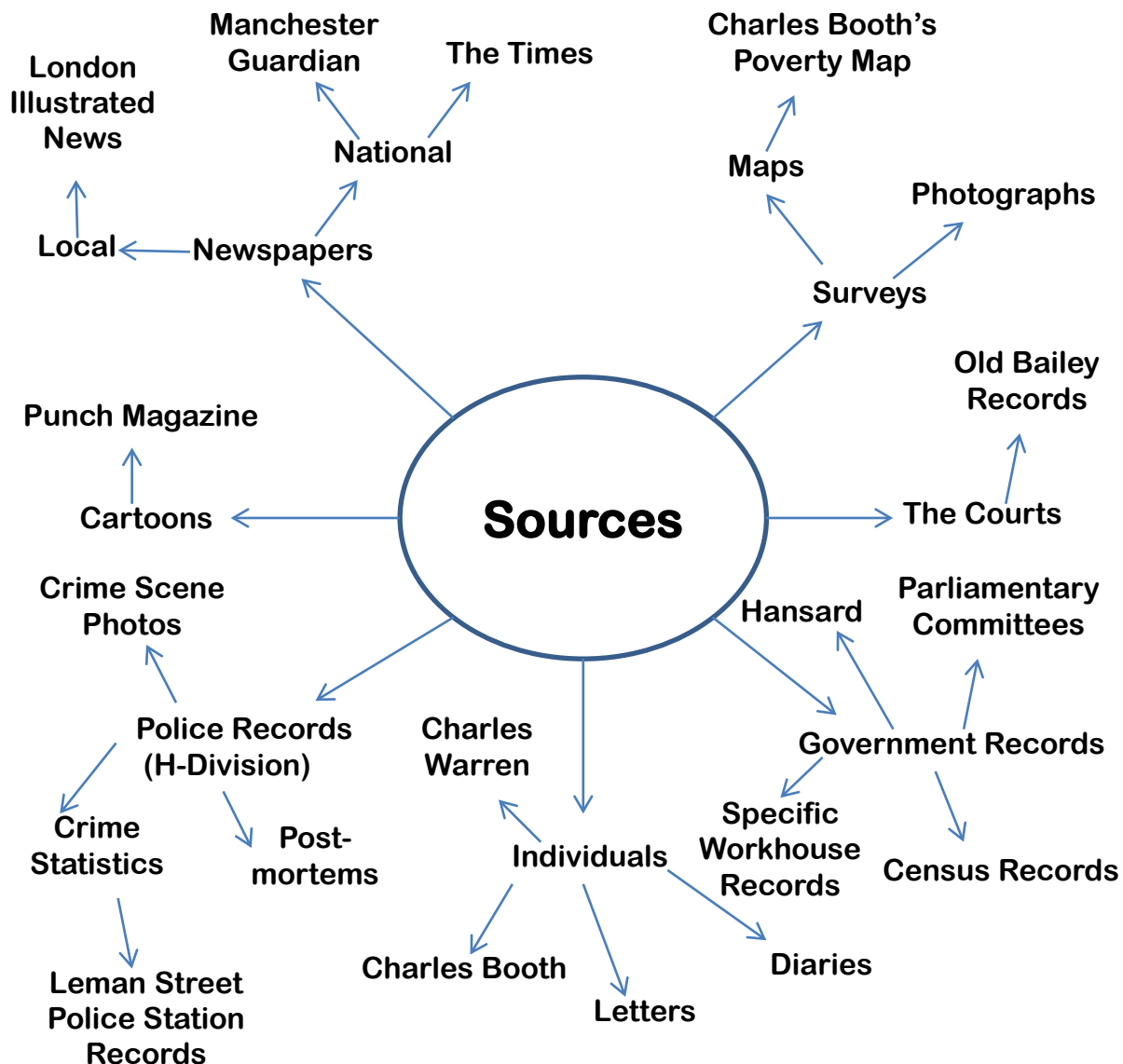
Police Commissioners:

Edmund Henderson:

- Appointed Commissioner in 1870 and forced to resign in 1886.
- String of scandals involving entrapment (encouraging someone to break the law, and then arresting them for it) and failure to stop Fenian terrorism.
- Accused of relaxing police discipline.

Sir Charles Warren:

- Appointed Commissioner in 1886.
- Called in the army to control a large protest in Trafalgar Square on Bloody Sunday (75 badly injured).
- Widely disliked both by the public and the police due to focus on military discipline.
- Forced out as Commissioner in 1888 after his failure to catch Jack the Ripper.



These are examples. There are many other sources that you could use.