

Patterns of Change: Crime and Punishment

Headings	Notes
<p>ANCIENT ROME</p> <p>WHO MADE THE LAW?</p>	<ul style="list-style-type: none"> • The Romans had a written code of law (<i>the Twelve Tables</i>) which were made by the emperors and the Senate, outlining what Romans could do legally. • Rather than a police force, soldiers were responsible for keeping order. • Vigiles (firefighters) patrolled the streets at night to watch out for fires and to prevent crimes. • Courts ruled on guilt or innocence. In serious crimes, people were entitled to a trial by jury while less serious crimes were tried before a magistrate (judge). Romans had to catch the criminal and bring them to trial, with victims collecting their evidence.
<p>WHAT WERE THE CRIMES?</p>	<ul style="list-style-type: none"> • Rome was a very crowded city with a distinctive division between the patricians and the plebians which resulted in crimes such as robbery and burglary. • Other minor crimes included fraud in trade, such as cheating about goods that were sold. • More serious crimes included arson and murder. • Due to the number of slaves in Ancient Rome, slaves running away was a crime. • Being Christian was also regarded as a crime until Emperor Constantine's conversion to the religion on his deathbed.
<p>WHAT WERE THE PUNISHMENTS?</p>	<ul style="list-style-type: none"> • Punishments for crimes were serious in order to act as a deterrent (discouragement) to commit future crimes and often depended on one's societal position, with patricians treated better than plebians. Citizens of Rome were treated better than non-citizens while slaves were treated the worst of all. • Plebians got flogged (whipped) or were fined for small crimes. For more serious crimes such as murder, they were executed by hanging or beheading. • Patricians were unlikely to commit small crimes due to their financial standings. For serious crimes such as revolts against the government, they were executed, crucified or sent into exile to some other parts of the empire. • Slaves were treated harshly, usually by crucifixion or fighting in combat. • There were also harsh punishments in the army in order to impose discipline. Decimation was when every tenth soldier could be taken out for execution.
Keywords	Summary
The Twelve Tables	
Vigiles; Magistrate	
Trial by jury	
Robbery; Burglary; Arson	
Murder; Deterrent	
Citizens of Rome	
Flogging; Execution; Exile	
Crucifixion; Decimation	

Patterns of Change: Crime and Punishment

Headings	Notes						
THE MIDDLE AGES	<ul style="list-style-type: none"> The king and local lords made the laws; a crime was any activity that broke the king's law. 						
WHO MADE THE LAW?	<ul style="list-style-type: none"> As England came under one king, the King's peace was extended over the whole country so the same laws were applied everywhere. This became the basis of English common law. 						
WHO ENFORCED THE LAW?	<ul style="list-style-type: none"> Most communities or villages, the people enforced the law as there was no police. If a person saw a crime being committed, they could cry out for help (hue and cry). Other people in the village, led by the parish constable, came to their help to catch the criminal. If that failed, the sheriff had the job of catching the criminal. Night-time in medieval times was dangerous as there was no public lighting. A watchman was paid to patrol the streets while a curfew was in place which forced people to extinguish all fires and remain indoors. Criminals were tried in local courts or by the lord of the area in manor courts. There was also trial by ordeal (the innocent would survive the pain of hot fire or iron, hot water or cold water) or trial by combat (the winner of the combat was proven right or innocent). In an attempt to get rid of the trials, the king organised judges to travel around the country in royal courts to try certain crimes as well as appointing justices of the peace in each county. They had the power to fine and arrest people for breaking the peace. There were also Church Courts which were more lenient than the royal courts. Priests claimed the benefit of the clergy, as did lay people who could read the bible. Some people claimed sanctuary where they could be protected by the Church, giving them the chance to leave the country rather than be tried by the king's courts. 						
WHAT WERE THE CRIMES?	<ul style="list-style-type: none"> Most crimes were small – damage to property, minor theft or poaching. Violent crimes such as murder were rare while a rise in crime was often seen after seasons of bad harvest. <table border="1"> <thead> <tr> <th>Crimes against the People</th> <th>Crimes against property</th> <th>Crimes against the King</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Murder Assault Rape </td> <td> <ul style="list-style-type: none"> Arson Theft Poaching </td> <td> <ul style="list-style-type: none"> Treason Rebellion </td> </tr> </tbody> </table>	Crimes against the People	Crimes against property	Crimes against the King	<ul style="list-style-type: none"> Murder Assault Rape 	<ul style="list-style-type: none"> Arson Theft Poaching 	<ul style="list-style-type: none"> Treason Rebellion
Crimes against the People	Crimes against property	Crimes against the King					
<ul style="list-style-type: none"> Murder Assault Rape 	<ul style="list-style-type: none"> Arson Theft Poaching 	<ul style="list-style-type: none"> Treason Rebellion 					
Keywords	Summary						
King's peace							
English Common Law							
Hue and Cry; Constable							
Sheriff; Curfew; Manor courts							
Trial by combat; trial by ordeal							
Royal Courts; Church Courts							
Benefit of the Clergy							
Sanctuary							

Patterns of Change: Crime and Punishment

Headings	Notes
WHAT WERE THE PUNISHMENTS?	<ul style="list-style-type: none"> • There were no prisons to hold criminals for punishments but rather to hold people temporarily before they went to trial. • Minor crimes were usually dealt with by fines, floggings or public humiliation. <ul style="list-style-type: none"> • Public humiliation involved people were placed in timber frames such as stocks (sitting down) or pillories (standing up) for everyone to see and were permitted to throw objects, such as rotten food, at them. • Serious crimes such as murder or treason or serious theft were punished severely. Thieves could have their hands cut off or publicly executed (by hanging or beheading) to serve as a deterrent to others. • Under the law, women were treated as inferior. Women were punished for scolds (gossip), as sex workers or they were classified as witches. The ducking stool (women were tied to a chair at the end of a long timber beam and ducked in and out of a nearby river) was used as for women's punishment. <ul style="list-style-type: none"> • Women who committed murder were strangled.
THE INDUSTRIAL REVOLUTION WHO MADE THE LAW?	<ul style="list-style-type: none"> • During the 18th and 19th centuries, laws were made in Britain by parliament and signed into the constitution by the King or Queen. The governments looked on punishment as a deterrent to stop people committing crimes. • More and more of Britain's rising population began to live in towns and cities, the rich began to live in suburbs while the poor lived in overcrowded conditions in the city centres. This change was accompanied by increasing crime, drunkenness and violence. • Prior to the Industrial Revolution, over 200 offences such as sheep-stealing, poaching and theft were considered capital offences which, as Britain operated under the Bloody Code, crimes punishable by hanging. As crime continued to rise, new changes were needed. • John Howard and Elizabeth Fry advocated changes in the prison system while Sir Robert Peel began the process of change in Westminster.
Keywords	Summary
Fines; Floggings: Stocks	
Public Humiliation: Pillories	
Murder; Treason; Serious Theft	
Public Execution: Women	
Ducking Stool: Strangled	
Industrial Revolution	
Bloody Code: John Howard	
Elizabeth Fry	
Sir Robert Peel	

Patterns of Change: Crime and Punishment

Headings	Notes
WHO ENFORCED THE LAW?	<ul style="list-style-type: none"> One such change was the introduction of the first professional police force, the Peelers, in 1829 who were armed with only a baton or truncheon and their main job was to patrol the streets to prevent crime. Specialist detective sections were set up to solve crimes.
WHAT WERE THE PUNISHMENTS?	<ul style="list-style-type: none"> Transportation was introduced in 1787 which saw criminals transported to Australia where they worked for the settlers for seven years, providing free labour in exchange for free food and boarding. Most prisoners would stay in Australia after they served their time as they could not afford the passage home. By 1868, over 160,000 people had transported to Australia. Pre-Industrial Revolution, prisons were only used to hold people awaiting trial. Conditions were poor as all types of prisoners were grouped together in one space while disease spread quickly. Sir Robert Peel began the process of prison reform with the Gaols Act in 1823 which meant prisoners would now be separated by gender and category of crime. It also introduced paid wages for gaolers and the removal of chains for prisoners. 90 new prisons were build between 1842 and 1877 while life was made more difficult for the prisoners through the two new organisation systems. <ul style="list-style-type: none"> The Separate System – prisoners were kept in their own cells The Silent System – hard labour in silence ('hard labour, hard fare and hard board')
MODERN TIMES WHO MADE THE LAW?	<ul style="list-style-type: none"> There have been many factors which have influenced crime and punishment during the 20th and the 21st centuries: <ol style="list-style-type: none"> Social changes and divisions: conflict between different groups in society Economic change: greater gap between rich and poor Rising expectations of consumer society: advertising has created expectations with people wanting televisions, household appliances, cars, etc. Growth of cities and towns: more opportunities to commit crime as people have become Unknown to each other. Public opinion: harsher punishments while feelings stirred up by some politicians and medias
Keywords	Summary
Police Force (Peelers)	
Baton; Truncheon	
Transportation	
Australia	
Sir Robert Peel	
Goals Act	
Separate System	
Silent System	

Patterns of Change: Crime and Punishment

Headings	Notes
WHO MADE THE LAWS?	<ul style="list-style-type: none"> • These factors have forced many governments to change the laws – sometimes adding more crimes while decriminalising (removing criminal penalties from) others. In many of these cases governments had to listen to public opinion on crime issues, though this was sometimes stirred up by newspapers that printed sensational stories.
WHO ENFORCED THE LAWS?	<ul style="list-style-type: none"> • There were many changes to policing during the 20th century as they adapted to the changes in crime. <ul style="list-style-type: none"> • Motorisation: allowed police to cover wider areas but took police officers on the beat off the streets. • Unarmed police force: Britain and Ireland remain unarmed with the exception of batons, pepper sprays and tasers but some units are armed with guns to deal with more aggressive criminal gangs. • Specialised police units: Drugs Units, Fraud Squad and Traffic Control have been founded. • Diversified membership rules: membership rules have been changed to ensure places for men and women while also reflecting different ethnic and religious groups in society. • Neighbourhood Watch is used to encourage communities to look after their members. • Police have also had the benefits of scientific and technological developments to catch and prosecute criminals. This includes fingerprinting, DNA testing, CCTV, radios and computers to communicate with each other and store information on databases.
WHAT WERE THE CRIMES?	<ul style="list-style-type: none"> • During the first half of the 20th Century, British crime figures were low (mainly due to the two World Wars) before rapidly increasing from the 1960s onwards. • Many crimes are variations of older crimes such as cybercrimes of online theft and fraud. The problem with these were that they are often located abroad. • Terrorism got more notice during the later decades of the 20th century but it was not a new crime. The IRA bombing campaign In Britain during the Troubles was similar to the actions of the Fenians in the 19th Century.
Keywords	Summary
Decriminalisation	
Public Opinion	
Policing	
Motorisation	
Specialised Police Units	
Membership Rules	
Neighbourhood Watch	
Cybercrimes	
Terrorism	

Patterns of Change: Crime and Punishment

Headings	Notes
WHAT WERE THE CRIMES?	<ul style="list-style-type: none"> • As society has changed, new crimes have emerged. In the new multi-cultural society, new laws have been created to protect different groups based on race, religion and/or sexuality. This included the Race and Religious Hatred Act (2006) which has made it an offence to incite hatred against a person on the grounds of their religious or racial background. • There have also been new drug laws brought in as wide drug use affected society. • As cars have become more common, new laws have been brought into place in order to control their use. This includes laws regarding speeding, breaking traffic lights, driving under the influence of alcohol/drugs and driving while using a phone. • Due to changing society, some of the criminal acts which have been abolished include the decriminalising of homosexuality (Britain in 1967 and Ireland in 1993) and abortion in certain circumstances (Britain in 1967 and Ireland in 2018).
WHAT WERE THE PUNISHMENTS?	<ul style="list-style-type: none"> • The reforms made in prisons in the Industrial Revolution were further changed, or in some cases dropped completely. It was hoped prisons would reform people to being better humans. <ul style="list-style-type: none"> • The separate system was dropped while the hard work was reduced before being abolished. • Prisoners were allowed ordinary haircuts and clothing rather than the shaven heads and the prisoners could earn some money. • Workshops were set up so that there were more opportunities for work and prisoners could earn some money; they were also allowed more family visits. • The death penalty (capital punishment) was completely abolished in Britain in 2004. • Prison conditions became more difficult from 1960 onwards, leading to riots in the 70s and 90s. • New punishments were introduced rather than relying on prisons. Some people could get probations for minor offences with Community Service Orders and electronic tagging becoming common. • Juvenile courts have been set up to deal with young offenders while youth detention centres have also been set up. However, re-offending rates continue to be high.
Keywords	Summary
Race and Religious Hatred Act	
New drug laws	
Separate system	
Workshops	
Death penalty	
Probations	
Community Service Orders	
Juvenile courts	
Youth detention centres	

Crime and Punishment Keywords

Keywords	Definitions
Capital Offences	<ul style="list-style-type: none">• (capital punishment) the legal killing of someone as a punishment for crime
Deterrent	<ul style="list-style-type: none">• Punishment to discourage/prevent future crimes.
Hue and cry	<ul style="list-style-type: none">• Chasing a suspected criminal with loud shouts for help
Magistrate	<ul style="list-style-type: none">• Person acting as a judge for less serious crimes
Pillory	<ul style="list-style-type: none">• Timber frame used in medieval times for punishment when people had their heads (and hands) locked in place.
Sanctuary	<ul style="list-style-type: none">• Protection in a safe place, usually a church, in medieval times
Separate system	<ul style="list-style-type: none">• System where prisoners were kept in separate cells in Britain in the 19th Century
Silent system	<ul style="list-style-type: none">• System where prisoners were silent at all times used in 19th Century British jails
Stocks	<ul style="list-style-type: none">• Timber frame used in medieval times for punishment when people had their legs locked in place
Terrorism	<ul style="list-style-type: none">• The use of violence to achieve political aims
Transportation	<ul style="list-style-type: none">• Sending criminals to Australia from Britain (and Ireland) as a punishment in early 19th Century
Treason	<ul style="list-style-type: none">• Crime of attempting to overthrow the government or monarchy
Trial by combat	<ul style="list-style-type: none">• Trial in medieval times by which guilt or innocence was decided by a battle between the accused and the person who accused them
Trial by ordeal	<ul style="list-style-type: none">• trial in medieval times by which guilt or innocence was decided by a painful test