

# CRIME AND PUNISHMENT c.50AD – PRESENT DAY: THE TOP 50 THINGS YOU NEED TO KNOW.

| TIME PERIOD   | QUESTION   | ANSWER   |
|---|--|--|
| <b>R<br/>O<br/>M<br/>A<br/>N<br/>S</b>                              | What was the legal system like in Britain before the Romans invaded? | No central legal system beforehand. The Celtic tribes led by Druids made judgements to resolve disputes.   |
|   | How did the Romans organise law and order in Britain?                | Central, strong legal system. Well communicated. Not based on religion. Roman emperors made and enforced laws. Twelve Tablets of Law displayed in all parts of the empire. Summarised by the Institutes of Justinian which recorded all Roman laws.  |
|   | What were typical Roman punishments?                                 | No proper police force so harsh public punishments for deterrents. Flogging, paying fines, amputation, execution, thrown to lions, crucifixion. Upper classes could pay compensation or pay to go into exile.  |
|   | Why were Christians treated so badly?                                | People conquered by Romans were allowed to worship their own gods, but also had to agree to worship emperor too. Christians refused!!  |
|   | Was the community important in law and order in Roman times?         | No - there was no police force at all. Law and order was dealt with by the local legions of Roman soldiers. The provincial governor dealt with all important cases. Magistrates courts dealt with less serious cases. Victims were responsible for collecting evidence and taking criminal to court! |
| <b>S<br/>A<br/>X<br/>O<br/>N<br/><br/>T<br/>I<br/>M<br/>E<br/>S</b> | What were the main differences from Roman times?                     | 1. In Saxon times, the local community and family had much more importance regarding law and order.<br>2. The Christian Church had much more influence.  |
|   | In Saxon times, what was a blood feud?                               | No police force. Family supported each other against crime. Victims had the right to take revenge on the criminal! Led to long running violent family arguments. This had died out by the 9 <sup>th</sup> century though.  |
|   | Was the community important in law and order in Saxon times?         | Very important. The idea was that ALL SAXONS had collective responsibility.  |
|   | What was a tithing and the hue and cry?                              | England divided into large shires (like counties) and smaller hundreds (like towns). Each hundred had a tithing of 10 men whose responsibility it was to HUNT the criminal by searching and shouting in the hue and cry.   |
|   | When did Christianity become the accepted religion of England?       | In Saxon times it was spreading. In 664AD there was a huge meeting called the Synod of Whitby which made Christianity the official religion.   |
|   | What was the role of Saxon king regarding law and order?             | The role of the King was central. They were in overall charge of law and order and had to ensure the "King's Peace" to keep his subjects safe.   |
|   | How were suspected criminals dealt with in Saxon times?              | They could face the Trial by Community but if the local jury could not agree, they faced the Trial by Ordeal when God would make judgement on the case. The death penalty was not commonly used.   |
|   | What were the wergeld and botgeld?                                   | Heavily influenced by the Christian Church. Compensation payments to reduce violent punishment. Wergeld was paid to the family of the dead, botgeld was paid to the victim if they had lived.  |

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|   | Why were the Normans particularly brutal with their punishments?      | They were outnumbered 300:1 by the Saxons who hated them as they were invaders from Northern France! Punishments were needed to control the rebellious population.   |
|   | What was the Murdrum Fine?  | If a Norman soldier was murdered, the hundred in which his body was found had to find the criminal and bring him to justice. If not, the whole hundred would face a huge fine to be paid to King William.  |
|   | What were the Forest Laws?  | William declared 30% of England would be protected by Royal Forest Laws eg. Killing a deer that was eating your crops, hunting in the woods, cutting down trees. Huge fines had to be paid to William. William's hunting grounds were protected and he raised more money as well as establishing his authority on huge parts of England. |
|   | What was Trial by Combat?   | Another example of Trial by Ordeal added by the Normans. Disputes were solved by fighting. The winner was the innocent party.  |
|   | When did all Trials by Ordeal end and why?                            | All Trial by Ordeals had been ended by 1215 because of the growing influence of the Christian Church. They felt it was wrong for God to judge affairs on earth.  |
|   | How did William enhance the role of the English Church in punishment? | He created church courts that would deal with the immoral behaviour of church people eg. They would pay the church fines for drunkenness and swearing.   |
|   | What was the Benefit of the Clergy?                                   | Priests could only be tried in Church Courts and these did not give the death penalty. Some people memorised the part of the Bible used to test if you were educated. They were let off from death!  |
|   | How could you claim Right of Sanctuary?                               | Criminals could get to a church after their crime, confess, and be allowed to leave the country.   |
|   | How did Henry II reform the Norman punishment system?                 | He passed the Constitutions of Clarendon in 1154. These made sure that the king was the most powerful person in the land and that rich subjects could not find ways to dodge the laws of the common people.  |
|   | What largely remained the same from Saxon times (continuity)?         | <ul style="list-style-type: none"> <li>• Types of crime</li> <li>• Types of punishment (mostly)</li> <li>• No proper police force</li> <li>• Organisation of England into shires, hundreds with their own courts.</li> </ul>   |
|   | What largely changed from Saxon times?                                | <ul style="list-style-type: none"> <li>• More use of death penalty with Normans</li> <li>• Growing influence of Christian Church</li> <li>• Authority of King increased.</li> <li>• Role of community in law and order decreased.</li> </ul>   |

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| <b>M<br/>E<br/>D<br/>I<br/>E<br/>V<br/>A<br/>L</b>   | How were medieval crimes classified?  | Most serious crimes – FELONIES – rape, arson, murder , stealing, treason etc. Punished by HANGING.<br>Less serious crimes – TRESPASSES – assault, selling goods fro wrong prices etc. Punished by FINES.                                     |
|  | What sort of medieval courts existed?   | <ul style="list-style-type: none"> <li>• Royal Courts – serious crimes, all types of people</li> <li>• Church Courts – priests, monks, nuns - no death penalty</li> <li>• Manor Courts – ordinary villagers</li> </ul>                       |
|  | Were prisons used as a form of punishment?  | NO. They just held people waiting for trial.<br>Anyone over 10 could be executed if found guilty.  |
|  | How would criminals be judged?  | In courts. Either by the Witness of Neighbours or by the Trial by Jury after 1450.   |
| <b>T<br/>U<br/>D<br/>O<br/>R<br/><br/>A<br/>N<br/>D<br/><br/>S<br/>T<br/>U<br/>A<br/>R<br/>T<br/>S</b> | Why were there rising numbers of beggars in medieval times?   | Job losses in the cloth industry; inflation; monasteries closed so couldn't look after poor; less war = more soldiers lost jobs; population increase; no welfare system at all.  |
|  | What were general attitudes towards beggars in medieval times?  | They were seen as criminals. Poor people more likely to be criminals; beggars seemed threatening to authorities; communities didn't want to fund them. "Moral panic!"  |
|  | How did the treatment of beggars change over time?  | <ul style="list-style-type: none"> <li>• 1531 law to class beggars as "deserving" for charity or as lazy "sturdy beggars" who should be punished.</li> <li>• 1547 Vagrancy Act – ALL beggars forced to work. Whipped and branded.</li> </ul> |
|  | What was the crime of heresy?   | Beliefs and actions that are different to the established religious beliefs of the rulers at the time. Punished by burning.  |
|  | What was the crime of treason?  | Rebellion against the authority of the ruler.  |
|  | What was the Reformation?   | Church in England became divided between Catholics and Protestants. Both sides burned the others to death as heretics depending on whether they were in charge or not at the time.   |
|  | How did the Reformation make a difference to religious crimes?  | When Henry VIII changed the Church of England from Catholic to Protestant and became the Head of the Church himself, it meant that going against him was treason but also heresy!  |
|  | Why did the authorities feel more challenged in medieval times?   | They felt the poorer people were threatening their power, property, money and authority.   |
| Why were the Gunpowder Plotters of 1605 treated so harshly?  | James I (a Protestant) wanted to make sure Catholic rebels (or any rebellious traitors for that matter!) had the ultimate deterrent of hanging, drawing and quartering. |  |

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|  | How did Henry VIII, Elizabeth I and James I make life for "witches" more difficult?   | They all passed increasingly harsh laws against witchcraft. By the 1600s it had become punishable by hanging if found guilty.   |
|  | What was Demonologie?   | A book written in 1597 by James I before he was king. He felt that witches were rebellious plotters and he wanted to advise people on how to identify and catch them.   |
|  | Why did fear of witches increase in the 1600s?  | <ul style="list-style-type: none"> <li>• Religion – the struggle between Catholics and Protestants made many people feel that heretics could also be witches.</li> <li>• Tough times – More poverty, begging, crop failure, disease – richer people blamed witches for this misfortune.</li> <li>• Civil War 1642-49 – total division of the nation – social upheaval blamed on witches.</li> </ul> |
|  | How could you identify a witch?   | Old woman; lived alone; pets (familiars); birthmarks; mumbling; poor local harvest; makes models..  |
|  | How would you convict a witch?  | Unusual body marks; needle test; evidence of neighbours; child accusers; sleep deprivation leading to confession; swimming test.  |
|  | Who was the Witchfinder General ?   | Matthew Hopkins. Hunted witches in east Anglia during Civil War. Public panic over witches. He accused 36 and got paid by authorities for each one hanged. Stopped work by 1646 as he was found to have used torture and 1 <sup>st</sup> CW ended so he wasn't so necessary!  |
|  | Why did witchcraft fears decrease in the 1700s?   | <ul style="list-style-type: none"> <li>• Better prosperity at end of CW meant less blames on witches for social problems.</li> <li>• Rational thinking was becoming more popular than superstition.</li> <li>• King Charles II created the Royal Society in 1660 to promote the role of science.</li> </ul>   |
|  | When were all witchcraft laws abolished?  | In 1736. In 1751 an accused witch drowned after a swimming test in Hertfordshire. Her accusers were tried for her murder which shows that attitudes towards witches had definitely changed.   |
|  | How were witches punished in Britain?   | By hanging. They were burned in other European countries but not England.   |
|  | What was wrong with the law and order in cites by the late 1700s?   | Population massively increasing; more crime; ineffective roles of parish constables, night watchmen and community rotas. Watch Acts gradually meant that these jobs were better paid and trained.   |
|  | How did Jonathan Wild "Thief-Taker General of Great Britain and Ireland", expose the weaknesses of law and order in London? | He ran a huge gang of thieves but seemed to have a job as a law enforcer! Kept stolen goods and then "found" them for the victims and a large fee. He caught thieves from rival gangs and had them hanged. Executed 1725.   |

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|   | How did the Revolution in France in 1789 affect the British authorities? | They were very nervous that the British poor would rebel and riot for more rights such as voting, the right to strike, the right to criticise the government. The authorities wanted to keep control of the working classes.   |
|   | What was the Peterloo Massacre of 1819?                                  | The government using excessive force to deal with 60,000 peaceful protesters in Manchester. They wanted reform of Parliament but were met with sword wielding yeomanry (soldiers).   |
|   | What was the case of the Tolpuddle Martyrs about in 1834?                | The government using excessive laws to deal with peaceful farm labourers who had formed a union to ask for better wages. An old maritime law against making secret oaths was used to convict them of challenging the authorities and they were transported to Australia for 7 years. |
|   | Why did highwaymen increase in the 1700s?                                | <ul style="list-style-type: none"> <li>• Better roads</li> <li>• Stagecoaches carrying valuables became easy targets.</li> </ul>   |
|   | Why did highwaymen decrease in the 1800s?                                | <ul style="list-style-type: none"> <li>• Toll gates on roads; mounted patrols; use of railways; traceable banknotes replacing coins.</li> </ul>  |
|   | Why did smuggling increase in 1700s?                                     | Increasing government tax placed on goods that people wanted eg. Chocolate, coffee, tea, alcohol, salt, leather, soap. Smugglers did not pay the tax and could therefore sell it cheaper to the public.  |
|   | Why did the authorities find it so difficult to deal with smugglers?     | So many people would help the smugglers – whole communities were involved; large coastline; lack of customs officers; violent smuggler gangs eg. Hawkhurst Gang; anger at high government taxes.   |
|   | What sort of policing existed before the proper police force?            | Parish constables; part-time soldiers; London property watchmen; Bow Street Runners 1749; Bow Street Horse Patrols.  |
|   | When was the first proper police force created?                          | 1829 by Home Secretary Robert Peel passing the Metropolitan Police Act. They were set up to catch criminals but also to have a high profile and deter crime too.   |
|   | How did people feel to begin with about the police?                      | Suspicious – the death of PC Robert Culley was treated as a “justifiable homicide”.  |
|   | How did attitudes change?  | As the police became more widespread and better skilled at their jobs, respect and acceptance from the public followed. 1871 Criminal Investigation Department; 1901 Fingerprint Bureau at new Scotland Yard.  |

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|   | Why was transportation used as a punishment from 1600s until 1800s?                           | No proper prison system; huge numbers of petty criminals; Australia was controlled by Britain. Why did transportation stop being used?  |
|   | Why did transportation stop being used?   | Too costly (over £ ½ million per year); better prisons in Britain.  |
|   | What were prison conditions like in the 1700s?  | Used mainly for awaiting trial; filthy; dangerous.  |
|   | How did John Howard (prison reformer) make a difference?                                      | Toured European prisons 1770s. Called for improvements such as Christian teaching for prisoners, work, decent food, doctor and priest visits, cleaning, paid guards. Inspired 1774 Gaol Act although most prisons ignored it.   |
|   | How did Elizabeth Fry (prison reformer) make a difference?                                    | Quaker, visited dreadful Newgate prison, horrified at conditions for women and children, published her ideas for improvement in 1825. Inspired Robert Peel.   |
|   | How did Robert Peel make a difference?  | Passed 1823 Gaol Act – major improvements BUT created Separate and Silent System. Prison building programme eg. Pentonville and 90 more. Ended the brutal Bloody Code.  |
|   | How did Jack the Ripper convince people the crime rate was actually out of control in London? | Murdered 5 prostitutes, never caught, ineffective police investigation; no forensics, media frenzy.   |

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|   | What are the three main reasons for changing definitions of crime? Can you provide examples of each? | <ol style="list-style-type: none"> <li>1. Temporary changes based on context of the time e.g. conscientious objection</li> <li>2. Changing attitudes e.g. race crime</li> <li>3. New technology e.g. computer crime; traffic crime</li> </ol>   |
|   | Describe crime trends since 1900   | <ul style="list-style-type: none"> <li>- Crime has increased since 1900</li> <li>- Prison population has increased</li> <li>- Crime has decreased since 1992</li> </ul>   |
|   | What are 'social crimes'? Give an example.   | Crime which go against the expectations of society, but there are some levels of acceptance in the community. E.g. Smuggling – most people would disapprove of smuggling illegal drugs, but would be less concerned with smuggling cigarettes and/or alcohol.   |
|   | Give two examples of 'new' crimes which are based on old crimes                                      | <p>OLD - Stealing a horse<br/>NEW – Stealing a car</p> <p>OLD – 'white slave trade'<br/>NEW – Human trafficking</p> <p>OLD – smuggling taxed items e.g. tea, chocolate<br/>NEW – drug-smuggling</p> <p>OLD – tricking money out of a person and impersonating to steal<br/>NEW – computer hacking</p>   |
|   | How did treatment of conscientious objectors CHANGE between WW1 and WW2?                             | <p>WW1 – treated badly, sent to prison, 10 died in prison, 63 died after release, couldn't vote for 5 years, impossible to get jobs, beaten up, forced to do hard labour</p> <p>WW2 – much more sympathetic, allowed to campaign in the Peace Pledge Union, not as many sent to prison</p> <p>WW1 – 400/16000 granted complete exemption<br/>WW2 – 46988/59191 granted complete exemption</p> <p>WW1 – army officials on military tribunals<br/>WW2 – no army officials allowed</p> |
|   | How did treatment of conscientious objectors STAY THE SAME between WW1 and WW2?                      | <ul style="list-style-type: none"> <li>• Had to ask for exemption at military tribunal</li> <li>• Still hated by the public</li> <li>• Still had to do non-combatant work</li> </ul>  |
|   | What were the three main cases that influenced changing attitudes towards capital punishment?        | <ol style="list-style-type: none"> <li>1. Timothy Evans – hanged for killing wife when he was innocent</li> <li>2. Derek Bentley – had learning difficulties, did not kill the policeman and denies saying 'let him have it'.</li> <li>3. Ruth Ellis – Killed abusive husband</li> </ol>  |

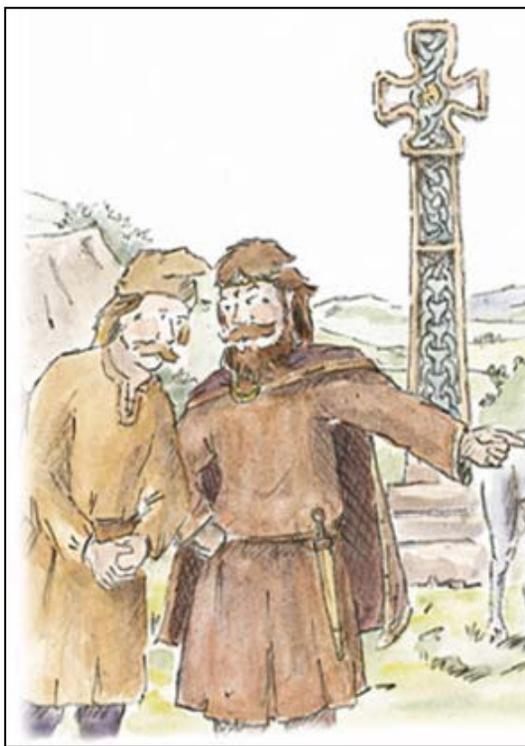
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|  | How have prisons changed since 1900?                              | <ul style="list-style-type: none"> <li>• Separate system of confinement abolished</li> <li>• More focus on reform and education</li> <li>• The first 'open prison' was established in 1933</li> <li>• More women in prisons</li> </ul>  |
|  | What are the alternatives to prison?                              | <ul style="list-style-type: none"> <li>- Community service</li> <li>- Halfway houses</li> <li>- Rehab</li> <li>- Electronic tagging</li> <li>- Fines</li> </ul>   |
|  | What is the issue with children and the changing prison system?   | - Need to be seen to be dealing with growing crime rates by young offenders, but have also been criticised for being too harsh on young offenders which could lead to mental health problems  |
|  | Why is modern day terrorism such a challenge?                     | <ul style="list-style-type: none"> <li>• No punishment is a deterrent (not even death as they want to commit suicide)</li> <li>• Developments in technology – new ways to conduct terrorist plots without looking suspicious</li> <li>• Increased use of social media to recruit</li> <li>• New ways to hide bombs</li> </ul> |

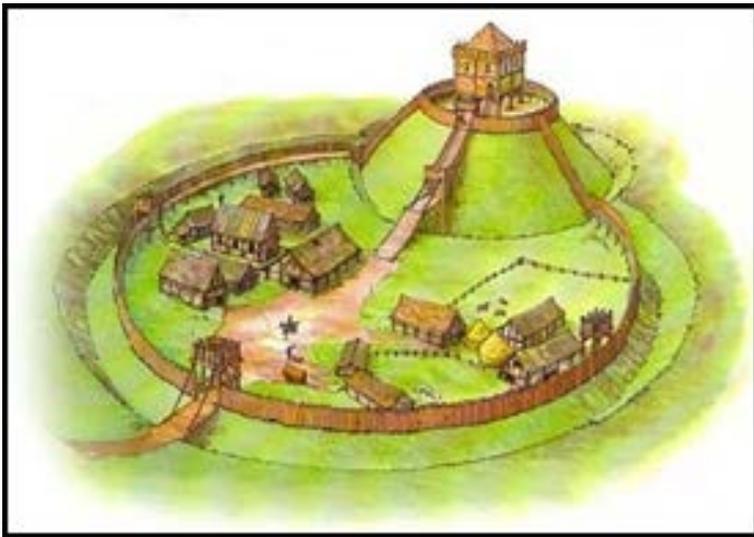
# ROMAN BRITAIN 55BC – 410AD



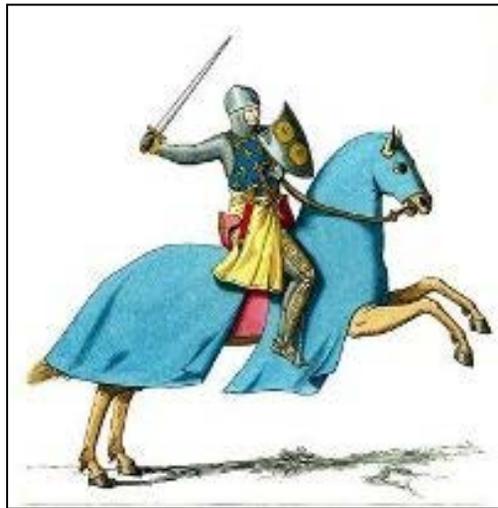
# SAXON ENGLAND 410 AD - 1066



# NORMAN ENGLAND 1066 – 1200S



# EARLY MEDIEVAL ENGLAND 1200S – 1400S



# TUDOR & STUART ENGLAND 1500S - 1750



# INDUSTRIAL REVOLUTION BRITAIN 1750 - 1900



# MODERN BRITAIN 1900 - NOW

