Crime and Punishment Through the Ages

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Collins
Introduction

If you go to school, you’re probably an expert in rules. Every school has them, and you have to follow them. Families, clubs, games and gangs have rules, too. If you don’t follow the rules you expect to be told off.

The story of crime and punishment is the story of society’s rules, which we call laws. Laws have brought people pain, revenge, a new start or a terrible death. Through its laws, society works out what kind of punishment fits each crime.
But what do the words “crime” and “punishment” mean? A crime is something that seems wrong to groups of people who live or work together.

Punishment means what those people decide to do to others who commit crimes – either to stop them doing it again or to prevent others from copying them.

Our focus is stories of real crime and punishment over the last 2,000 years, from the place we now call Britain.
We’ll also be looking at how and why crimes and punishments have changed or stayed the same over time. One special thing about history is that its stories need to be true. Historians take scraps of real evidence surviving from the past, like documents, objects, pictures or buildings. They then stitch this evidence together to work out what life was like in different ages, and what we can learn from those past lives.
2,000 years is a very long time for evidence to survive, so it’s hard to tell exactly what happened in the distant past. For crime and punishment, evidence normally comes from the people who had the money and power to make the laws. Criminals, or the victims of criminals, rarely had the time or education to tell their stories – poor people, women and children, in particular.

Yet if you know where to look, the stories of these people can be found. You’ll find some of them here.

What do they show and what do they mean? Well, that’s now up to you to decide.
Changing punishments

During the 19th century, some punishments became less severe. It became less common for even persistent thieves to be hanged. For example, 16-year-old thief Michael Nagle appeared “again” at the Old Bailey in September 1847 for stealing a watch. Britain now had a police force, and a policeman told the court about Michael’s earlier imprisonment for theft. Michael’s defence was that the stolen watch “was given to me to sell by a bigger boy than myself”.

This time, Michael was imprisoned for one year, and publicly whipped. Although this seems harsh, he was lucky in a way: 30 years earlier, Michael would have been hanged.
Hanging was still a common punishment for murder, however. For instance, Catherine Foster was only 17 years old in 1847, when she was hanged for poisoning her husband. 10,000 people gathered in Suffolk to watch her being hanged. It had become traditional for criminals to make a speech from the scaffold. Catherine warned her listeners to keep their marriage vows. Local newspapers printed detailed reports of the hanging, and Catherine, like many other criminals, became more famous through death than she ever was in life.

Did you know?

Vast crowds came to public hangings, many of them drunk. In 1849, Charles Dickens wrote letters to newspapers, complaining about poor behaviour at public executions.
Science and crime-solving

In 1868, British law changed so that people could no longer be hanged in public. Hangings now took place privately, inside prison. Fighting crime was becoming less about public punishments and demonstrations of cruelty, and more about using the police, science and information to solve crimes.

Here's an example from 1886. Mary Britland’s 19-year-old daughter died, and Mary claimed ten pounds in life insurance. Then Mary’s husband died, and she claimed a further ten pounds. Feeling sorry for Mary, her neighbour invited her to stay – and then she too fell ill and died. Friends contacted the police, and all three bodies were dug up. Scientific examination showed poison in their stomachs. Mary had bought similar poison from the chemist, explaining “my house has mice”.

Mary Britland
During the later years of the 19th century, the science of forensics became more and more important. Scientific tests were developed to show the presence of blood at crime scenes, and photographs began to be used as evidence in trials. In 1880, a Scotsman called Henry Faulds developed a way to use fingerprints to solve crime. All these aspects of forensics, and many more, are still used for crime-fighting today.
20th century
Women changing the law

Female criminals were often treated more kindly than men, but it was men who judged them. Women in 1900 didn’t enforce or make laws. It was 1915 before Britain had its first policewoman. By 1939, only a quarter of English and Welsh police forces had policewomen.

For a thousand years, juries of local people had helped decide criminals’ guilt or innocence. Yet before 1920 juries had no women. Britain’s first female judge wasn’t appointed until 1956.

Rose Heilbron, the first female judge

some of the first policewomen
In 1904, some British women started to protest. Women couldn’t vote in elections to Parliament, which made new laws. Why, when over half of men could vote? Parliament refused to listen so “suffragettes” chained themselves to buildings, broke windows and refused to pay fines. By 1913, over 1,000 had been jailed.

From 1914 to 1918, the First World War raged. Suffragettes stopped their protests. Many did “male” jobs such as policing, whilst men were away fighting. Then when peace came, Parliament gave some women the vote. People still disagree about whether suffragette law-breaking changed men’s minds, or whether it was because women did their wartime jobs so well.

**Did you know?**

In prison, some suffragettes starved themselves, so food was forced down their throats. That was painful and dangerous.