

## PUNISHMENT IN THE EARLY MODERN ERA, c. 1500 - 1700

The Tudor and Stuart period saw **little change** in how criminals were punished. Deterrence, retribution and keeping order remained the main purposes of punishment. The increase in the crime rate meant that many **more punishments were carried out in public**, especially those given to vagabonds and to heretics.

Public punishment was important to the governments in the sixteenth and seventeenth centuries. **The public could see the consequences** of wrong-doing which would hopefully act as a deterrent.

Minor offences were still dealt with by the medieval devices of **stocks and pillory**. These were still used in each village or town to punish offences such as drunkenness, swearing and cheating customers. Those put in the stocks and pillories were ridiculed by their neighbours and could be pelted with waste and rotten food. These were largely effective at dealing with minor crimes and their use lasted until well into the nineteenth century.

More serious crimes were still punished by **flogging or whipping**. Thieves were often flogged and the new Tudor laws against vagrancy meant that rogues and vagabonds could also be flogged through the streets of a town. Mutilation became less common, but **branding** was still used occasionally on persistent beggars.

**Public execution** also continued to be a common feature of punishment in the sixteenth and seventeenth centuries. This was the accepted punishment for those crimes that the authorities considered to be serious or threatening to the order of society such as treason, riot, murder, and arson or counterfeiting. Public execution was also used to punish those accused of heresy.

The most common form of execution continued to be **hanging** and most towns had gallows where hangings were carried out in public. Treason was punished by **hanging, drawing and quartering**. People of a higher class who had committed serious offences were sometimes beheaded.

The greatest and most grievous punishment used in England for those who offend against the State is pulling from the prison to the place of execution upon an hurdle or sled, where they are hanged till they be half dead, and then taken down, and quartered alive; after that, their limbs and bowels are cut from their bodies, and thrown into a fire within their own sight.

A Tudor politician writing in a report on punishments in the 1580s

During the reign of Queen Mary (1553-1558) nearly 300 Protestants were **burnt at the stake** for heresy and there were around 130 executions of both Catholics and Puritans under her sister Elizabeth (1558-1603). Executions for religious crimes were not common in the seventeenth century with the authorities often mutilating offenders. In the 1630s there were several high-profile mutilations of religious protestors who had their ears cut off including William Prynne in 1637.

**Prisons** existed during the sixteenth and seventeenth centuries but they were mainly places of detention for holding offenders before other punishments would be carried out. These were often secure rooms or dungeons in castles or fortresses. The Tower of London was used as a prison to hold many opponents of the Tudor monarchs such as Sir Walter Raleigh. From the 1570s, beggars were sometimes held in **houses of correction** or Bridewells which aimed to reform them by making them do supervised work. There were several in London and also examples in Ipswich and Norwich.

## **SUMMARY OF PUNISHMENT IN TUDOR AND STUART TIMES**

- There was much continuity between this period and medieval times
- Punishment in this period continued to be based on retribution and deterrence
- Most punishments were still carried out in public.
- Punishments were often brutal and still used violence and humiliation.
- Prisons existed at this time but were mainly used for holding offenders before punishment

## PUNISHMENT IN THE INDUSTRIAL ERA, c.1700 TO 1900

During the first half of the eighteenth century, there was little change in either the purpose or the methods of punishment. However, there was a **gradual change** in attitude during this period which saw a shift away from brutal punishments to those based on the idea that punishment should **fit the seriousness of the crime** and that it should also aim to **help criminals build better lives**.

### **Key change: The use of transportation**

One of the major changes in punishment in the eighteenth century was the introduction of **transportation**. This was based on the idea of banishing criminals from the country. It was introduced as an alternative to the death penalty. It was first used in 1678 when convicted criminals were sent to work in British colonies in North America and the West Indies. In 1717 an Act laid down a formal system of transportation with sentences of seven years, fourteen years or life. Convicts would be transported to **penal colonies** to work. Transportation was introduced for many reasons:

- Hanging was often the only punishment for many crimes that were not that serious such as theft; in cases like these judges would let off offenders. A more appropriate punishment was needed
- One option was to put offenders in prison, but building and maintaining enough prisons would be expensive
- Britain's overseas empire was growing; there was a need for workers to work on farms and plantations
- It was hoped that criminals would be reformed by the experience of hard work
- Transportation meant that dangerous and undesirable people were removed from the country

Between 1717 and 1776, over 30,000 criminals were transported to **North America** to work on plantations in areas like Virginia and Maryland. This only stopped when the American War of Independence broke out in 1776 and the American colonies refused to take any more British convicts. This caused problems in Britain as there was no real alternative to transportation for a few years. One solution was to use **hulks**. These were old and rotting ships anchored offshore in rivers and estuaries which were used as temporary prisons while a new place for transportation was sought. Workers were taken ashore to work but on board conditions in the hulks were appalling.

In the very hot summer nights the heat between decks is so oppressive as to make the stench intolerable. It causes the miserable inmates to frequently strip off every scrap of clothing and gasp at the port-holes for a breath of fresh air.

From a report written by a prison chaplain after visiting a hulk in the 1770s

Captain Cook's discovery of **Australia** in 1770 provided an alternative destination for transporting convicts and in 1787 the first fleet of eleven ships carrying 736 convicts (including 200 women) set sail on the eight month voyage to Australia. The ships arrived at **Botany Bay** in New South Wales in January 1788. Between 1787 and 1867 over 160,000 convicts were transported to Australia - around 2000 each year. As well as Botany Bay, there were penal colonies on Norfolk Island and in Queensland and Tasmania (Van Diemen's Land). Hulks continued to be used as holding prisons for prisoners awaiting transportation.

## Key change: The ending of transportation

From around the 1830s, the British government was concerned over the punishment of transportation. The feeling was that it was an expensive punishment and that it was not enough of a deterrent. Also, the growing Australian state was beginning to resent having dangerous British criminals dumped on its territory. Transportation began to decline in the 1840s **and the last convicts arrived in Western Australia in 1868**. The focus of punishment now shifted largely to **prisons**.

## SUMMARY OF TRANSPORTATION

- This was based on the idea of banishing criminals from the country
- From 1717, prisoners were sent to penal colonies in North America
- After 1776, prisoners were detained on hulks
- From 1778-1868, prisoners were transported to Australia
- Transportation could be for seven years, fourteen years or life
- Transportation was the first real organised attempt at rehabilitating convicts

## Key change: The need for prison reform

The greatest change in punishment methods in the nineteenth century was the **increasing use of prisons**. There were several main reasons for this change:

- the gradual abandonment of transportation
- the reduction in capital crimes – those for which a judge could give the death penalty
- a belief that most criminals could be reformed given the right punishment

## Key change: Reform of the Criminal Code (also known as the Bloody Code)

The Criminal Code was basically the list of **crimes that were punishable by death**. The number of these crimes had been built up from around 50 in 1500 until in 1815, there were over 220 of these including many minor offences such as stealing sheep or rabbits or pickpocketing goods worth more than 1 shilling. The idea of having so many offences punishable by death was based on the concepts of deterrence and retribution but increasingly juries were unwilling to convict people as the punishment of death did not fit the severity of the crime. Even if the person was convicted, the death penalty was not often carried out. So in many cases, **justice was not being done**.

A man who has picked a pocket of a handkerchief is punished with the same severity as if he had murdered a whole family. No one should be punished with death except in cases of murder.

Sir William Meredith, an MP in a speech in Parliament in 1770

A leading campaigner in reforming the Criminal Code was an MP, **Sir Samuel Romilly**. His work started a process of reform which led to a great reduction of the number of capital crimes.

- In 1808 the death penalty was abolished for pick-pocketing
- In 1823 The Home Secretary, Robert Peel, abolished the death penalty for over 100 crimes
- In 1832 the death penalty was abolished for another 100 offences
- By 1861, the number of crimes punishable by death had been reduced to just five: treason, murder, espionage, arson in royal dockyards and piracy with violence

### **Key change: Changes in public execution**

Serious crimes were still all punished by hanging in public, but another notable change **in 1868 saw an end to public execution**. Since medieval times, regular executions in public had always attracted large crowds and these often fought and behaved badly. There was also the fear that hangings in public, rather than acting as a deterrent, sometimes made heroes or martyrs out of those hanged. As the nineteenth century progressed, there was also the growing feeling that **hanging criminals in public was not civilised** and that the most extreme punishment should take place inside prisons only.

Sir — I was a witness of the execution at Horsemonger-lane Gaol this morning. I believe that a sight so inconceivably awful as the wickedness of the immense crowd collected at that execution this morning could be imagined by no man. The horrors of the crime which brought the murderers to it faded in my mind before the atrocious looks and language of the assembled spectators. Thieves, prostitutes, ruffians and vagabonds of every kind, flocked to the ground, with every variety of offensive and foul behaviour. I do not believe that any community can prosper if such a scene of horror and demoralization as was enacted this morning outside Horsemonger-lane Gaol is allowed to be repeated.

Charles Dickens, the novelist, writing in a letter to The Times newspaper after attending the execution of Marie and Frederick Manning 13th November 1849

Dickens' attitude to public execution is linked with the gradual change in attitude regarding the general purpose of punishment. The idea that punishment should be associated with public humiliation was no longer commonly held. Many people began to believe that, with the correct punishment, **criminals could be turned into law-abiding persons**. This had been partly the idea behind the pardon system which formed part of transportation.

The gradual reform of the criminal code and the reduction in transportation together with the development of a more humane attitude to punishment can be seen together as reasons for the **increasing use of prisons** as the nineteenth century progressed.

## Key change: Prison reform

The greatest change in methods of punishment in the nineteenth century was the increase in the number of convicted criminals that were given **prison sentences**. While the main changes were actually seen in the mid nineteenth century, the pressure to use prison sentences more extensively had been building up for decades. A belief gradually evolved that as well as being used as a deterrent and as retribution, punishment should be more focused on instilling discipline and **rehabilitating (reforming) offenders**.

One earlier way of trying to achieve this was through transportation and another was through the increasing use of prison sentences. The idea of using prisons as punishment was not new, but it took many decades before it was seen as a serious method to be used extensively.

Before the eighteenth century, prisons existed but these were seen not so much as a punishment but more as **a place to hold people** before they were tried, before they were punished, before they were released or if they owed money to others. Prisons were often called **gaols** and were run by **gaolers**. These received no salary and depended on forcing money from prisoners. Conditions were appalling and prisoners were brutally treated in most gaols.

**REASON FOR CHANGE – the work of individuals:** Towards the end of the eighteenth century some far-sighted people began to consider ways of reforming the whole prison system as a method of punishment. **Each of these individuals was significant** in changing attitudes to prisons and encouraging reform.

### John Howard

Howard was the High Sheriff of Bedfordshire and as part of his role he carried out a survey of the conditions of prisons. His influence saw a couple of minor acts passed to improve prisons in 1774, but these were not really enforced so he carried on his work. He published some of his shocking findings in 1777 in a book called *The State of Prisons in England and Wales*. Among his findings were that:

- **Prisoners were not separated** in many prisons; for example debtors were mixed with more serious offenders, there was rarely any separation by age or often by gender
- Prisoners were often forced to stay in prison even if they were found not guilty as they couldn't **pay the discharge fee** demanded by the gaoler
- Many prisoners and gaol staff died from **jail fever** – a form of typhus (John Howard himself died of this in 1790 after visiting a prison in Russia)

Howard believed that prisons should be used to reform criminals and that prisoners should be kept mostly in solitary confinement to prevent bad influences. **Howard's views were very influential** among politicians. The leading pressure group for penal reform today is called The Howard League for Penal Reform.

I saw two dirty day-rooms and three offensive night-rooms: that for men was eight feet square; one of the women's, nine by eight; the other was only four and a half feet square. The straw, worn to dust, swarmed with vermin; there was no latrine court and no water accessible to prisoners. The minor offenders were chained in irons. At my last visit, eight prisoners were women.

Part of John Howard's description of Abington Gaol in 1776

## Sir George O. Paul

One of the people influenced by Howard was George Paul, who was High Sheriff of Gloucestershire. In 1784 he wrote a report called *Thoughts on the Alarming Progress of Gaol Fever* and he then went further than Howard and devised a reform system based on **the construction of a new type of prison**. He employed the architect William Blackburn to design and build a prison at Gloucester based on four key principles:

- **Security:** the building was polygonal and surrounded by a five metre high wall
- **Health:** the prison had an isolation section to check for disease, an exercise yard and had good ventilation
- **Separation:** Paul agreed with Howard on the benefits of separation; the prison was divided into a gaol for those awaiting trial and a penitentiary for those found guilty; also males and females were separated
- **Reform:** prisoners were to be reformed through work, education and religion; the prison had a chapel and workrooms and prisoners were taught to read from religious books.

**The designs of Paul and Blackburn were highly influential** and later used to design and build many new prisons in England and Wales.

## Elizabeth Fry

**Prison conditions for women** were as bad as those for men. There was the same chaotic mixing of those awaiting trial and those convicted. Women prisoners were just as mistreated by gaolers. Fry was a devout Quaker who visited the women's section of **Newgate Prison** in London in 1813 and was horrified at the conditions she saw. She began a campaign to improve prison conditions for women. This campaign resulted in the appointment of female warders; the establishment of schools for women prisoners and their children and the introduction of work such as needlework. Unlike John Howard, she was against the idea of solitary confinement, believing more in the benefits of being with others, but she agreed with Paul about the role of religion in changing people's lives. **Her views on work and religion were listened to by many people** and she is still a well-remembered person and commemorated on the modern £5 note.

## SUMMARY OF THE BACKGROUND TO PRISON REFORM

- There were several factors that led to the increasing use of prison
- There was a gradual abandonment of transportation
- There was a reduction in capital offences
- The belief grew that most criminals could be reformed
- The work of several individuals was very influential in popularising prison reform

## Key change: Attempts to reform prisons from the mid nineteenth century

The pressure for reform of prisons began to grow during the nineteenth century. The first significant national change came in 1823 when Parliament passed a Prison Act in 1823. This made rules with regard to security and sanitation and gave a salary to gaolers. There were to be attempts to reform and classify prisoners. Prisons had to be inspected by local JPs who would report on their condition and progress. This Act was the first attempt at bringing some order to the prison system.

In the decades following the 1823 Act, **increasing amounts of convicts were sentenced to prison terms as punishment**. In prisons in England and Wales, two types of prison regimes became common. The basic idea behind each of these was to try and reform the prisoners and encourage them to live better lives. The two methods were the **Silent System** and the **Separate System**.

The **Silent System** was commonly used in many nineteenth century prisons. As the name suggests, the prison sentence was to be largely spent in silence. Prisoners were allowed to assemble together for food or for work but the main idea behind the Silent System was to prevent prisoners being a bad influence on each other. Another feature of the Silent System was to give prisoners boring and pointless tasks. Examples of these tasks included oakum picking, the treadwheel and shot drill. This would make the prison experience as unpleasant as possible and act as a deterrent.

A prisoner at each row end raises his hand and the passing of the heavy shot begins again. One hundred prisoners shuffle back and fore in silence. There were no voices except those of the warders. 'Keep your knees straight', Hold the shot out from your body', 'Lay that shot down quietly', 'No supper for you tonight.

A prisoner recalling shot drill in a prison in the 1860s

The Prison Act of 1839 preferred the new prisons to adopt the **Separate System**, the regime that had been proposed by reformers such as John Howard and George Paul. In the Separate System, prisoners were kept in **individual cells** where they worked on machines such as the crank, and received religious instruction from a visiting clergyman. It was believed that this would give prisoners time to think and reflect on the advice given. Prisoners would only leave their cells for religious services or for exercise and on these occasions they wore masks and were silent.

The designs of William Blackburn continued to be an influence and a model prison for the Silent System was opened at **Pentonville** in London in 1842. More than fifty others had adopted the system by the end of the 1850s.

As the nineteenth century progressed the high hopes that reformers had of using the prison system to reform prisoners faded. Neither the Silent System nor the Separate System had delivered the results that were expected. The rate of prisoners **re-offending** after release had not gone down and there was evidence of many prisoners committing suicide or going insane in prison.

As the two systems became discredited, the government decided to abandon the idea of reform and returned to **deterrence by using harsh methods**. In 1865 the Penal Servitude Act ruled that all prison sentences should be characterised by:

- **Hard labour:** at least three months of hard, monotonous work
- **Hard fare:** diet of mainly bread and water and corporal punishment for rule-breakers
- **Hard board:** prisoners were to sleep on narrow board beds

The final change of the nineteenth century was the Act of 1877 which placed all prisons under the control of the government, becoming 'Her Majesty's Prisons.' Around 115 prisons could now be controlled centrally.

## **SUMMARY OF PRISON REFORM IN THE NINETEENTH CENTURY**

- The first effective prison Act was in 1823
- In the mid nineteenth century attempts were made to use prison systems to reform criminals
- Two common systems used were the Silent System and the Separate System
- These systems didn't work effectively and as the century progressed prisons concentrated on harsh conditions
- From 1877, all prisons were placed under the control of the government

## PUNISHMENT IN THE MODERN ERA, c.1900 TO THE PRESENT DAY

### Key change: Changing attitudes to punishment in the twentieth century

There were **major changes** in the attitudes to punishment in the twentieth century. Prison **continued** to be used as a deterrent and as a way of isolating criminals from the society that they had wronged. However, there was a **clear shift** in attitude away from the toughness of the systems used in the later nineteenth century. The idea of punishment used for rehabilitation was not new, but it became much more common as the century progressed. Features of this change in attitude included:

- The ending of corporal and capital punishment
- Different methods of dealing with young offenders
- Introduction of alternatives to prison sentences

### Key change: Abolition of corporal punishment

The idea that punishment should involve inflicting pain on the offender went back to Saxon and medieval times. This was associated with the idea of retribution. Earlier societies had encouraged whipping, branding and the use of the stocks and pillory. While the use of the stocks and pillory had died out in the nineteenth century, the opportunity for judges to order offenders to be whipped carried on into the twentieth century. Its use had been reduced drastically for adult men, but it was still sometimes ordered for robbery or violence. Meanwhile, juvenile male thieves could still be sentenced by local courts to whipping by **the birch** in many towns. These punishments were almost always combined with a term of imprisonment, and were carried out privately in prison. In 1948, Parliament finally ordered that **whipping was ended** as a punishment option (although it was not banned as a punishment in schools until 1986).

A sentence of six strokes of “the Cat” and seven years’ penal servitude was passed at the Old Bailey this afternoon on William Howard, aged 23, a seaman, of Tottenham, for an armed raid on a South London public house. Mr. Justice Birkett, passing sentence, said: “The public must be protected from men like you. You must learn, and all of like mind must learn, that those who go about armed on lawless and violent adventures must expect no mercy when they are brought before a Court of Justice.”

From a report in the London Evening News on May 8th 1947. This was one of the last cases of whipping being used as a punishment.

## **Key change: Abolition of capital punishment**

Since Saxon and medieval times, capital punishment – the use of **execution** – had been used for the most serious offenders. Attitudes to capital punishment had shifted during the nineteenth century leaving only murder and treason punishable by death by the end of the century. Some reformers at this time wanted to see an end to capital punishment but abolishing it was not really a well-supported idea as the twentieth century began.

**Reason for change: case studies** - Opposition to the use of capital punishment slowly grew with strong opinions on each side. Attitudes began to shift clearly in the mid twentieth century when there was huge media interest and popular discussion about particular cases each of which had involved use of the death penalty. Each case was unique in its own way and each case only heightened the call for execution to be abolished as a punishment. The cases involved:

**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 some saw as a 'crime of passion'

Each of these cases and others highlighted by abolitionists strengthened the case for scrapping the death penalty. The last hangings in Britain were carried out in 1964 and in 1965 the **Abolition of the Death Penalty Act** was introduced for a trial period and made permanent in 1969. Capital punishment in Britain had finally been ended.

## **Key change / reason for change: different methods of dealing with offenders in the twentieth century**

The debate over the use of prisons continued into the twentieth century. There were many reasons why the prison system had to develop further:

- Whether prison should be used for punishment such as hard labour or whether it should be used to rehabilitate prisoners.
- What punishment should replace the death penalty for the most serious offences
- How young offenders should be dealt with
- Whether prison should be used for some offences at all

## Key change: Major developments in prisons in the twentieth century

Gradually, prisons have been divided into **several categories** depending on the age, gender and offence of the prisoners. **Category A** prisons are for prisoners who require maximum security and whose escape would be highly dangerous to the public. Prisoners who would have been given the death penalty are housed in these prisons. **Category D** prisons where prisoners can be trusted not to escape and where certain privileges are granted.

Category D prisons are often described as '**open prisons.**' The idea of this type of prison began in the 1930s and continued after World War II as a way of relieving pressure on closed prisons that were getting overcrowded. Open prisons are used for non-violent offenders with a low risk of trying to escape. Their aim is to use work experience and education to resettle prisoners back into society. While open prisons are much cheaper to run than closed prisons, they have been criticised for being a 'soft' form of punishment.

I've got guys in here who have never actually seen pound coins. One prisoner was sentenced to life in 1959. We have to help them to deal with the massive changes in society since they have been in prison. If you think how much the world changes in 10, 15 or 20 years, we've got many people who have been inside longer than that. Those are the prisoners that open prisons serve best. It's about reintegrating them back into the community, breaking them back into society gently.

Graham Batchford, governor of North Sea Camp open prison in Lincolnshire, 2011

**Women prisoners** were treated very differently in the modern age with many of the features being based on the ideas of nineteenth century reformers such as Elizabeth Fry. Women are now housed in separate prisons or parts of prisons. Accommodation is secure but hygienic. A variety of educational courses are now offered and family liaison is seen as a priority. In contrast to the prison system as a whole, the treatment of women offenders is seen as a success. In 1910 nearly 20% of prisoners were women: in 2010 this was down to 5%.

## Key changes: methods for dealing with young offenders

Crime committed by young people or **juveniles** had been a problem for the authorities for many centuries. Elizabeth Fry was also concerned with juvenile crime and popular literary works like *Oliver Twist* further publicised the problem. Up until the nineteenth century juveniles were usually treated in the same way as adults, but from the 1850s there were a series of reforms that established **Reform Schools** which aimed to separate offenders aged 10-15 from their home environment. These were later called **Approved Schools** and lasted until well into the 1970s when they were replaced by the use of **Community Homes**.

In 1902, an experimental school to try to reform repeating offenders aged 15-21 was started at **Borstal** in Kent. It was designed to be educational rather than punitive. The focus was on routine, discipline and respecting authority. The plan for more such schools, now all called Borstals, was extended in 1908.

There were mixed views about the effectiveness of such institutions and their regimes. Eventually Borstals were abolished in 1982 and replaced by a system of youth custody which was served in **Detention Centres** or later **Young Offenders Institutions**. Depending on the seriousness of the offence and their age, young offenders can also be given a custodial sentence at Secure Training Centres or even in Juvenile Prisons.

The variety of establishments used in the twentieth century for punishing young offenders shows how many different methods have been used. However, while the system or the name of the institution may change, **the purpose remains largely the same**. The system of dealing with young offenders is still designed to punish by removing liberty and separating from home environment, but is also designed to encourage self-respect and self-discipline and develop skills to prepare for employment on release.

## Key changes: developments in alternatives to prison

Prisons as a punishment continue to be a vital part of the justice system but as the twentieth century has progressed these have faced increasing problems including those of overcrowding and expense. These figures show how the overcrowding problem has got worse during this period.

Year	Number in prison
1910	20,000
1935	12,000
1960	25,000
1985	42,000
2010	83,000

Official statistics from the Ministry of Justice, 2012

The increasing problems have made it difficult to reform or rehabilitate offenders and various governments in the later part of the twentieth century have tried different ways to punish offenders without sending them to prison or by reducing their sentence. These include:

**Probation:** this was introduced in 1907. The offender followed a set of orders, kept in touch with their probation officer and reported regularly to the police. From the 1980s, offenders on probation also had to attend courses to discuss issues and get help.

**Suspended prison sentences:** introduced in 1967, the offender does not go to prison unless he or she commits another offence during the period of suspension.

**Parole:** introduced in 1967. This allows a prisoner to be released before the end of their sentence as acknowledgement of their positive behaviour in prison. Prisoners on parole follow a similar set of orders as those on probation.

**Community Service:** this system was introduced in 1972. Offenders were required to do a number of hours of unpaid work to benefit the community. This could involve removing graffiti, removing rubbish and gardening projects.

**Electronic tagging:** this was introduced in the 1990s. Offenders are given certain conditions regarding their movements at certain times: they must wear an electronic tag which allows the police to monitor their exact movements. The idea of curfew is very old, going back to medieval times, and shows a strong element of continuity in this aspect of punishment.

## **SUMMARY OF PUNISHMENT DURING THE PERIOD c.1900 TO THE PRESENT DAY**

- The role of punishment has changed in the modern age: whilst it has to remain a deterrent, there is a great focus on reform and rehabilitation
- Both capital and corporal punishment have been abolished
- The modern prison system is facing huge pressures from overcrowding and expense
- There have been changes in the prison system including categorisation and ways of dealing with young offenders
- There have been many attempts to devise alternative methods of punishment to using prisons