

BBC Bitesize

The Early Modern period in Britain was a time of huge religious and social upheaval, which caused divisions and led to new crimes and punishments. The population was increasing rapidly. Towns were growing fast and in streets like The Shambles here in York, trade was flourishing. This urban growth brought with it an increase in criminal activity, which in turn led to new ways to tackle crime.

New law enforcement roles were created. Town watchmen patrolled the streets at night. Constables had the power to arrest suspects and pass them on to the justice of the peace, who was usually a wealthy local man, appointed by the monarch to judge cases and keep the peace.

Another important change was the introduction of Habeas Corpus. It meant no-one could be imprisoned without having the charge against them clearly set out in a court. These rights were guaranteed in law in 1679.

For those convicted of minor crimes, for example, drunkenness or fighting, fines were common. For more serious crimes, corporal punishment, hurting or maiming the body was used. Conviction for theft, murder, poaching or smuggling meant capital punishment - being put to death.

In the late 17th century the number of crimes that were punishable by the death penalty increased. People were put to death for even minor crimes such as stealing a loaf of bread. This harsh system of punishment later became known as the Bloody Code.

The growth of the British Empire brought a new form of punishment, transportation. From the 17th century, convicted criminals could be transported to work in harsh conditions in the colonies of North America and the Caribbean.

And it wasn't just punishments which changed in the Early Modern period. Changes in society also saw the creation of new crimes. One of these was vagrancy. At this time, some people, known as vagabonds or vagrants, wandered in search of work. In the 15th and 16th centuries, laws were passed making vagrancy a crime, and people convicted of it could be put in the stocks, whipped, sold into slavery, or even put to death!

Religious changes also affected crime and punishment. In the 16th century, Henry VIII broke away from the authority of the Roman Catholic Church and became the head of the Church of England. In the following years, the official religion of the country switched back and forth between Catholic and Protestant, depending on the monarch.

Heresy, which meant having religious beliefs different to the official religion of the country, became a new crime. This was punished by death - usually by burning. The continuing religious and social division led to several plots and attempts to overthrow

the monarchy. Offenders were accused of high treason. This was the most serious of crimes and was punished by death.

One well-known example was Guy Fawkes, who is believed to have been born in this street here in the centre of York. He was hung, drawn and quartered for his part in the Gunpowder Plot of November 5th 1605.

In the Early Modern era, the crime of witchcraft was made an offence punishable by death. It was mostly women who were persecuted under these laws. Many, like the Pendle Witches who were held here in these cells before being tried and executed here at Lancaster Castle, were poor people who made a living as healers. Witch-hunting reached a peak in the mid-1600s during the Civil War, when Matthew Hopkins the Witchfinder General, led a series of witch-hunts in East Anglia. These resulted in more than 230 people being convicted of witchcraft and executed.

The religious, political and social changes of the Early Modern period, led to an increase in crimes against authority. The authorities, in turn, stepped up, increasing their input into crime prevention, creating new law enforcement roles and implementing severe punishments, for even the most minor crimes.