

## Punishments

Prisons were not normally used as a form of punishment in England in the early centuries. More swift and public forms of punishment were used instead. This included the use of the stocks, pillory, whipping and branding. These punishments were meant to humiliate the offender and stop others from committing crime. Such forms of public punishment started to fall out of favour by the early 19<sup>th</sup> century.

Punishment had to stop people from offending, correct their behaviour and be cheap.

Transporting criminals to Australia was cheaper than keeping them locked up in prisons. However, with the decline of transportation to Australia from the 1840s, more prisons were developed to deal with an increase in prisoners and prison soon became the main form of punishment.

### Pillory



Nottingham's pillory was near Exchange Walk. The offender would have their head and hands strapped between planks of wood. This punishment usually took place at 12pm on a busy market day, so lots of people could watch.

It was normally used for minor offences such as cheating at cards and selling faulty goods. It was also used for those

convicted of sexual offences, particularly those found guilty of homosexual acts. Often an angry crowd would turn on the offender and beat them. The use of the pillory was abolished in 1837.

### Stocks



Nottingham town had five sets of stocks; located at Weekday Cross, Timber Hill, Goose Gate, Bridge End, and outside the Exchange. The offender would have their feet strapped between two planks of wood. Punishment in the stocks generally lasted for several hours. During this time passers-by would throw all forms of disgusting waste at the offender such

as rotten fruit, vegetables, and animal dung. Minor crimes such as public disorder, drunkenness, swearing or **vagrancy** were often punished by the use of the stocks. Their use began to die out in England during the early 19th century.

**Vagrancy** is having no home or job

### Whipping



Whipping, or flogging, was one of the most common forms of punishment. In England the whip, the birch and the **cat-o-nine tails** were the instruments used for whipping offenders.

The Whipping Act of 1530 stated that **vagrants** were taken to the market town. Once there they were tied to a cart naked, and beaten with whips. The

last public whipping in Nottingham took place on 26<sup>th</sup> May 1830.

**Vagrants** someone with no home or job

**Cat-o-nine-tails** a type of whip used for punishment

### Branding

The branding or burning of the hand was a common punishment. It was usually carried out right after sentence was passed in Court. The offender had to place a hand in front of the dock and then fixed by a screw to prevent them from moving. The iron brand, with a letter on it, would be heated and then pressed on the fleshy part of the offender's thumb. This caused a wound so severe as to leave a scar in most cases. Branding was abolished in 1829.

Letters used for branding:

M for **Malefactor**, someone who committed a crime

R for **Rogue**, a dishonest person

T for **Thief**

## Ducking Stool

The ducking-stool in Nottingham was placed in the Poultry between 1332 and 1799. The offender was attached to a chair secured on a see-saw. It was then ducked into the horse pool which was in the Market Place.

The ducking stool dates back to the Norman times. Women accused of being **scolds** were strapped into a ducking stool and plunged into the local river or pond whilst friends and neighbours watched. The local Magistrate would sentence the woman to the number of duckings she would have.

**Scolds** were troublesome and angry women, who disturbed public peace and order by brawling and quarrelling among their neighbours.

## Scold's Bridle



Throughout the 17<sup>th</sup>, 18<sup>th</sup> and early 19<sup>th</sup> centuries the scold's bridle was used mostly for the punishment of women. It consisted of a metal cage that secured the offender's head. Most scold's bridles had a piece of metal that went inside the offender's mouth, pressing down their tongue and causing them to gag. In most cases the metal mouth piece was smooth, but some had spikes or roughened edges to cause greater pain.

## Public Execution

Public execution was not just used for murder or treason, and hanging was not the only method used. Poisoners were brutally executed. Women poisoners were burnt at the stake, and male poisoners were boiled alive. Pirates were hung in chains at low tide and left to drown. **Heretics** would be hung, drawn and quartered. This was where the offender would be hanged, cut down while still alive and tied to a board. They would then have their bowels cut out and burnt. Only then were they beheaded. Public execution was considered a powerful warning to anybody contemplating a life of crime. Yet there were many critics who campaigned to abolish it. The last public execution in England took place in 1868.

**Heretic** - a person who holds an opinion at odds with what is generally accepted

### Transportation

By the beginning of the 19<sup>th</sup> century judges were starting to reduce the number of offenders sent to the gallows for minor crimes. They instead sentenced offenders to transportation. From 1770 to 1864 offenders were transported to Australia for 7, 10, or 14 years or life. By the 1840s the free settlers in Australia started to campaign to stop Britain from transporting its criminals to their land. This led to the British Government finding an alternative to transportation, the prison. Views changed on how prisons should be used. They were no longer just places for temporary imprisonment for those waiting to be tried or executed, but places of **penal servitude**.

**Penal Servitude** – an offender would be imprisoned and have to do hard labour as punishment for their crime. This was stopped in 1948.

### Prisons



Prisons had rarely been used as a form of punishment except for **debtors**. Prisons were places where the accused was held to wait for their trial or punishment. From the late 1600s onwards increasing numbers of petty criminals were sent to prison for a short amount of time. After 1706 more serious criminals were imprisoned. Yet after the passing of the Transportation Act in 1718, fewer **felons** were sent to prison. By 1800 prison became the standard punishment for offences against property without violence. By the time transportation and public execution were abolished in 1868 prisons had become the main form of punishment for all types of criminals. Prison regimes came to be based on the ideas of separation, silence, **hard labour** and moral guidance.

**Debtor** was a person put into prison for owing money

**Felon** is a person who has committed a serious crime

**Hard labour** was a type of punishment where the tasks were hard, dull and often pointless.

