

Policing

Hue and Cry

If the hue and cry was raised, citizens still had to turn out to search for and try and catch the criminal. The constable was expected to lead the hue and cry. The local *posse* could also be called out to search for criminals.

Watchmen and Sergeants

Watchmen were employed in larger towns to patrol the streets both day and night. They were poorly paid and often of little use. They were expected to arrest drunks and vagabonds and were allowed to peer into windows to check no one was breaking the law. In towns Sergeants were employed to enforce market regulations by weighing goods and collecting fines.

Constables

Still the main defence against crime. Two men were chosen from among the wealthier citizens of towns and villages to be constable for a year at a time. They mostly dealt with day to day matters, such as begging without a licence or breaking the Sunday laws, and they gave some punishments such as whipping vagabonds. They also took charge of suspects and made sure they were held in prison until their trial.

Citizens

Were expected to deal with crimes themselves. If someone was robbed, it was his responsibility to get an arrest warrant from a magistrate, track down the criminal and take them to the constable.

Rewards

Rewards were offered for the arrest of particular criminals. For highwaymen, £40 was offered – a sum equivalent to a year's income for middle-class families.

Thief-takers

Made their living from tracking down criminals and collecting rewards. They were often former criminals themselves and set up innocent victims, tricking them into crime for the rewards. The most famous thief-taker was Jonathan Wild.

The army

Used to put down protests or other riots or to capture gangs, particularly of violent smugglers. The use of the army in dealing with protests was very unpopular because it seemed the government was simply overpowering the people and ignoring their concerns.

Trials

Courts

There was a variety of courts. Royal judges visited counties to hear serious cases at the assizes. Justices of the Peace (also now known as magistrates) were the mainstay of the system of courts and held quarter sessions four times a year. Church courts dealt with crimes by churchmen and anyone who could claim benefit of the clergy. Manor courts dealt with local, minor crimes such as selling underweight bread, failing to mend roads, drunkenness or fathering illegitimate children.

Speed of cases

Each case took on average ten to fifteen minutes at most.

Habeas Corpus

Meaning 'you have the body'. This Act was passed by Parliament in 1679. It stopped the authorities from keeping a person in prison indefinitely without charging them with a crime. Now anyone arrested had to appear in court within a certain time or be released. The HC Act allowed people to criticise the king and government without fear of being seized and locked up for ever without trial. However, it did not stop governments from manufacturing evidence at trials to keep their critics quiet.

Benefit of Clergy

It was still possible for people accused of crimes to claim benefit of the clergy and so be tried in a church court. But as so many more people could read by the 1600s, the law was changed to prevent those accused of serious crimes from claiming it.

Juries

In the early 1600s juries dealt with a number of cases at a time rather than giving verdicts for individual cases. By the early 1700s, however, juries were deciding cases one at a time. It was thought this would give fairer verdicts.

Lawyers

From the 1720s lawyers were used more often to prosecute cases, although they were still not used regularly. The development of prosecuting lawyers led, from the 1730s, to the appearance of defence lawyers. Until then, people accused of crimes had not had lawyers to defend them because it was believed that an innocent person did not need a lawyer to produce clever excuses. Lawyers were only used in the highest courts.

