

Revision Guide: Crime and Punishment

Key concepts	
Crime	an offence which is punishable by law, for example stealing, murder
Punishment	something legally done to somebody as a result of being found guilty of breaking the law
Evil	the opposite of good. A force or the personification of a negative power that is seen in many traditions as destructive and against God
Intention	the plan that someone has before they act
Shari'ah law	Islamic law based on the Qur'an, Hadith and Sunnah.
Conscience	The voice in our heads that tells us right from wrong
Evil	An act which is very wicked or immoral.
Forgiveness	Letting go of anger towards someone for a wrong they have done to us. Showing mercy, and pardoning someone for what they have done wrong
Justice	A belief in what is right and fair.
Law and order	Rules of our society and how they are enforced
Morality	A person's or religion's beliefs of what is right and wrong in behaviour and action
Sin	A feeling of pain, harm, distress or hardship which is caused by the actions of others when they commit.
Suffering	An act which goes against God's will; a religious offence.

Two different types of law

Civil law- concerns disputes between private individuals or groups. This might include matters such as the settlement of a divorce, disputes between landlords and tenants. Cases are usually dealt with through small claims courts but in more serious cases will be dealt with through the Crown Court.

Parliamentary laws – Made by Government and apply to everyone in the country. These laws also put crimes into two categories. *Non-indictable offences* include minor crimes and driving offences. These are usually dealt with in a Magistrates' Court. *Indictable offences* are much more serious crimes. These are dealt with in Crown Courts with a judge and jury, and usually carry much harsher potential penalties.

Bye-laws - Made by elected councillors and apply to a local area. They cover things like parking restrictions, alcohol-free zones and environmental concerns such as litter and dog-fouling. Breaking a bye-law can result in a fine, but you do not get a criminal record. Some laws are centuries old, and appear quite out of date, but as they have not been repealed, they are still laws.

Shari'ah law- Muslims have been allowed to set up their own Shari'ah law courts to make judgement on some civil matters within their own community.

Shari'ah law classifies crime into four types:
Unforgiveable crimes (<i>Hadud</i>)- crimes such as adultery, theft, drinking alcohol or taking drugs, rebellion against the state- all of which are prohibited by the Qur'an.
Forgivable crimes (<i>Al-Jynayaat</i>)- crimes against the right of the individual, such as bodily harm and murder, for which the victim or their family can gain credit by showing mercy.
Community crimes (<i>Al Ta'azir</i>)- crimes that affect the community such as fraud and antisocial behaviour.
Crimes against the state law (<i>Al-Mukhakafat</i>)- crimes against a law of the state (rather than the Qur'an) such as a parking offence and speeding.

Evil: the opposite of good, a force or the personification of a negative power that is seen in many traditions as destructive and against God. Many argue any action that obeys the law is a good action. However, a good action also includes that which is good but not specified by the law, e.g. generosity and love. Evil actions cause suffering e.g. injury or death HOWEVER some actions could be considered evil even though they are not against the law...

Christian response: Evil could come from **the fall (Adam and Eve)**- original sin. **Evil** could come from the **Devil**. The 10 commandments can help you avoid evil, **breaking of the 10 Commandments leads to evil**. If God created people to be good, they are unlikely to do evil acts unless there was a specific reason, like a **psychological illness**- should receive treatment for their illness while being punished for their actions.

Muslim response: Evil can be linked to **Satan (Iblis)** who was originally created by God as a spirit called a jinn. Satan is now intent on tempting humans to choose to do the wrong thing rather than the right. **Evil is against God's will**. Humans being are not perfect and make mistakes- but this is because they haven't resisted temptation, not being

they are bad people. **Shari'ah law**: Islamic law based on the Qur'an, Hadith and Sunnah- help a person to avoid evil. But even if you have thoughts of committing a crime, it is considered as serious as committing the crime itself.

Reasons for Crime:

<p><u>Poverty</u> being without money, food or other basic needs of life (being poor)</p>	<p>Islam- Although some Muslims live in poverty, Zakah (5 pillars of Islam) is in place to help them. Muslims hope community support will prevent Muslims turning to crime. <i>'He is not a believer who eats his fill while his neighbours remains hungry by his side'</i> Hadith</p>	<p>Christianity- Christians condemn stealing, the Bible says <i>'thou shalt not steal'</i>, nobody should so poor that they use poverty as an excuse for stealing. <i>"Focusing on poverty and sacrificing for the poor are the heart of the Gospel. If Christians don't dig deep and generously open up their wallets, they do not have genuine faith."</i> Pope Francis</p>
<p><u>Upbringing</u> Growing up in a household where crime is a way of life may encourage a young person to do the same.</p>	<p>Islam - Emphasis on a strong extended family - children are brought up to respect the law by following the good examples they are set. <i>"And that you be dutiful to your parents"</i> (Quran 17:23)</p>	<p>Christianity teaches to educate children in the faith and teach them moral values <i>'Train up a child in the way he should go; even when he is old he will not depart from it'</i>. (Proverbs 22:6.)</p>
<p><u>Mental illness</u> a medical condition that affects a person's feelings, emotions or moods and perhaps their ability to relate to others. Secure unit – treatment and therapy. May be unfit to stand trial.</p>	<p>Islam teaches to help others in need – <i>'Be good to your parents to relative, to orphans, to the needy, to neighbours near and far'</i> (Qur'an 4:36)</p>	<p>Christianity teaches to look after and help those who are ill. Jesus healed people – <i>The story of the Sheep and Goats</i> explain <i>'I was sick and you looked after me'</i> This is seen as the right way to behave.</p>
<p><u>Addiction</u> a physical or mental dependency on a substance or activity that is very difficult to overcome.</p>	<p>Islam- Muslims forbid the taking of illegal drugs and alcohol. They believe that alcohol is a temptation which will lead people to do wrong and should be resisted. <i>"their sinfulness is greater than their benefits."</i> Qur'an2:219</p>	<p>Christianity- Christians do not forbid the use of alcohol, but for Catholics drunkenness is a sin, and no denomination encourages excessive drinking. <i>'Envy, drunkenness, wild parties, and other sins like these.anyone living that sort of life will not inherit the Kingdom of God'</i>. (Galatians 5:21)</p>
<p><u>Greed-</u> selfish desire for something.</p>	<p>Islam- Greed is considered to be wrong. <i>'Rich is one who is not a prisoner to greed'</i> Hadith <i>'But people are prone to selfish greed. If you do good and have faith. Allah is aware of what you do (Surah 128)</i></p>	<p>Christianity- 10 Commandments -Christians are taught not to covet, which means they should not be jealous of what somebody else has, and envy is one of the seven deadly sins. <i>'You must not be envious of your neighbour's goods...'</i> Exodus 31:18</p>
<p><u>Hate</u> Hatred is a negative feeling or reaction that can lead to prejudice and violence against whoever or whatever the person hates.</p>	<p>Islam- hatred is against Muslim morality. <i>'Do not let your hatred of people ... incite you to aggression. Qur'an 5:2 'Paradise is for ... those who curb their anger and forgive their fellow men.'</i> Qur'an 3:133-134</p>	<p>Christianity- Christians are taught by God <i>'to turn the other cheek'</i>. <i>'Judge not, and you will not be judged; condemn not, and you will not be condemned; forgive, and you will be forgiven"</i> Luke 6:37</p>
<p><u>Opposition to an unjust law</u> Throughout history people have broken laws that they believe to be unjust, for example, the Civil Rights Movement</p>	<p>Islam- Due to Shari'ah law being Gods' law this means some Muslims believe none of God's law can be unjust. Allah is Al-adi (one of the 99 names) the embodiment of justice. <i>'The word of thy Lord doth find its fulfilment in truth and in justice'</i> (Surah 6:115)</p>	<p>Christians have opposed unjust laws e.g. MLK and the Civil Rights Movement. <i>'The Lord is a God of Justice'</i> Isaiah</p>

Religious beliefs about the law and lawbreakers

Christianity - The law in the UK is there to protect the rights and security of all citizens. In general, Christians believe laws should be respected even though they may consider some laws to be morally wrong. In UK law, all offenders

are considered innocent until proven guilty. There are many different Christian attitudes towards lawbreakers; some believe the punishment should fit the crime (*'eye for an eye'*) whereas others believe offenders should be helped not to re-offend. They may hate the crime but not the person who committed it. Most Christians believe offenders should be helped to change their ways. In the parable of the **Sheep and the Goats**, Jesus gave various actions that are pleasing to God, and these include treating prisoners well: *"...I was in prison and you came to visit me."* Most Christians believe in people being treated humanely and fairly, giving them a chance to face up to their crime, serve a fair punishment and have a second chance to turn their loves around. The Lord's prayer – recognises that everyone sins and needs forgiveness, *'forgive us our trespasses as we forgive those who trespass against us'*. The story of the Fall (Adam and Eve) shows that human nature is such that everyone sins. Jesus' crucifixion was necessary so that humans could be forgiven their sins and so enter heaven for eternity with God. Jesus on the Sermon on the Mount – *'pray for those who persecute you'*. (Matthew 5:44)

Forgiveness Christianity – core belief and one that Jesus emphasized. Forgive others and believe in turn God will forgive them. The **Lord's Prayer** says *'Forgive us our sins, as we forgive those who sin against us'* (Lord's prayer). It is not a replacement for punishment so also believe to forgive but that justice should be done. The intention of imprisonment for example should be to reform not retribution. Jesus was asked by one of his disciples *'Lord, how many times shall I forgive my brother when he sins against me? Up to seven times?' Jesus answered, 'I tell you, not seven times, but seventy-seven times'* (Matthew) This is interpreted as an unlimited amount, so Christians are told to keep forgiving. Jesus said of those who were crucifying them *'Father forgive them, for they do not know what they are doing'* (Luke). Christians believe that they should follow the example of Jesus and this includes forgiving others, even if they do not ask for forgiveness and repent. It is difficult but Christians believe that it is possible. This is why most Christians do not believe in the death penalty. As well as forgiving, Christians also believe that they should work to help prevent reoffending the **North East Prison After Care Society (NEPACS)** was founded by Christians and it raises money, encourages volunteering in the prison visitors' centre and volunteering to help resettle offenders once they are released. The Quaker, **Elizabeth Fry** devoted her life to prison reform. **Amnesty International** was founded on Christian principles and works worldwide to campaign for the protection of prisoners' human rights.

Islam - Muslims are against people committing crime. They believe that God has made it clear that Shari'ah law has to be obeyed, as should any just and fair law in non-Shari'ah countries. *"God commands justice and prohibits wrongdoing and injustice..."* Qur'an 16:90 There are many different attitudes to lawbreakers. Some believe that the punishment should reflect the fact that the lawbreaker's actions are unacceptable. Punishment under Shari'ah law are severe but they do not apply in the UK. Criminal activity is an offence to Allah and will be punished on Earth and in the afterlife. Islam is a complete way of life and all Muslims have responsibility to each other and the community. E.g. there is no reason to steal because zakat is provided for the poor. Others believe offenders should be helped not to offend again. While the crime may be hated, the person who committed the crime is not. Lawbreakers have rights and these should be protected, even while they are being punished. The Qur'an emphasises the justice of Allah and the idea of accountability of one's actions. Also, it talks of mercy and forgiveness. The legal system prescribes punishments for crimes such as rape and murder. Justice must be done though and the victims should be compensated equitably. Hence, victims can accept compensation - the criminal is then given a lesser sentence.

Forgiveness Islam – it serves no part of the punishment process but is an important element in Islam. Muslims believe that only Allah can truly forgive those who are truly sorry and believe that God is merciful. Forgiving others is a good way to establish goodness over evil rather than allowing evil to grow. Muslims should forgive those who ask for forgiveness (and they should also ask for Allah's forgiveness). If the forgiven act is repeated then they should forgive again as there is no limit to Allah's forgiveness, *'Pardon each other's faults and [God] will grant you honour'* (Hadith). The Qur'an teaches *'...let them pardon and forgive. Do not wish that God should forgive you? God is most forgiving and merciful'* (Qur'an). The also Qur'an teaches *'whosoever forgives and make amends, his reward is upon Allah'*. Whilst forgiveness is a quality of Allah, it is conditional. A human must be sorry, recognise the wrong, commit to not repeat it, and seek forgiveness. Without these conditions, forgiveness cannot be given.

Both religions also teach justice when the law is broken: So the law deals with the criminal as it has to. It can be described as a process: crimes committed – criminal caught and punished – time served – repentance shown (maybe) – new start. The crime is not forgotten, but the criminal has the opportunity to move on from that mistakes. Some criminals through their repentance, earn forgiveness as the victim can see that the criminal regrets what they have done and the forgiveness allows both parties to move on. Forgiveness from the victim, is not dependent upon

the repentance of the criminal. A victim can forgive even though the criminal does not repent and this allows them, as the victim, to move on. Forgiveness is not easy as many people have suffered terrible crimes, but at the same time the hatred can ruin lives.

Muslims attitude to causing suffering towards others: Causing suffering to others is against the teaching of Islam. They share identity within the worldwide community of Muslims (ummah) caring and providing for brothers and sisters in need. Islam teaches Muslims not to cause suffering to others, and to try and alleviate it. *“Be compassionate towards the destitute”* Hadith. *“... and whoever believes in Allah and the Last Day, should serve his neighbour generously.”* Hadith. However, Muslims believe that there are many tests and temptations in life. The Qur’an teaches *“... You are sure to be tested through your possessions and persons; you are sure to hear much that is hurtful.....if you are steadfast and mindful of God, that is the best course’ (Qur’an 3:186)* Islam teaches that hope and faith can help believers to endure suffering. If a Muslim causes suffering, it is important to be honest and repair the damage that has been caused Muslims believe that God has said that he will forgive anyone who sincerely repents, just as he showed mercy to Adam and Hawwa (Eve) when they were tempted by Iblis and ate the forbidden fruit in Jannah (paradise). Muslims believe that God is aware of all types of suffering and allows suffering to happen, usually for a reason that is not apparent to humans but which may be beneficial to them. Sometimes Muslims consider suffering to be a test from God to see how the faithful reacts or copes with it. It is not believed that God could allow suffering greater than a person can endure. Other forms of suffering are believed to be the result of people giving in to the temptation of Iblis. Many people question why a loving God would cause suffering but Muslims believe that God gave humans free will to behave how they choose. If they choose to follow the example of Muhammad and the Qur’an and stay close to God, they should make good choices that does not hurt others. The teachings in Islam also try to prevent suffering and Muslims are taught to care for neighbours.

Christian attitudes towards suffering: For many people, suffering is an unfortunate part of living. It may be caused by something natural such as an illness or it may be due to how somebody else has behaved. Whatever the cause, Christians believe that they should try to help out others who are suffering. *“We are glory in our suffering, because we know that suffering produces perseverance; perseverance, character; and character, hope.”* Romans 5:3-4 Christians feel that they should follow the example of Jesus, who helped many who he saw were suffering and taught that those who believe in God should help those who suffer. Christians are generally opposed to causing others to suffer. Jesus taught that humans should love each other and care for those in trouble. Jesus spoke out against using violence in self-defence because of further suffering that retaliation may cause. No human is perfect so Christians believe that if they do cause suffering to another it is often by accident or because their minds may be troubled for some reason. Having caused suffering, Christians must be honest to themselves, to other people and to God and work to repair the damage they have caused to restore the relationship. *“One of (the disciples) struck the servant of the High Priest, cutting off his right ear. But Jesus answered ‘no more of this!’* Luke 22:50-51

Different types of crime:

Crimes against the person: Causing direct harm to a person, for example murder, hate crimes.

Crimes against property: damage or depriving people of their property for example arson, burglary

Crimes against the state: potentially endangering everyone or affecting the smooth running of society for example terrorism, selling state secrets.

Hate Crimes: violent actions against someone because of their race, religion, sexuality, disability or gender.

Christians condemn hate crime because they believe God created all humans with equal value, and Jesus taught that people should *‘love thy neighbour as thyself’*. ‘Neighbour’ meaning everybody regardless of race, gender etc. *“There is neither Jew nor Gentile, slave nor free, male nor female, for you are all one in Jesus Christ.”* Galatians

Muslims believe that God created all humans with equal value and no individual or groups should be singled out as inferior to others. Hate crimes make the idea of a society without prejudice or discrimination impossible to achieve. *‘Do not let your hatred of people....incite you to aggression’* Qur’an 5:2

Murder: the unlawful and deliberate killing of another person. Most people would agree that murder is the most serious crime. While it might seem obvious that murder is wrong, some people argue that killing an evil person can be justified. Murder not only inflicts harm on the victim, but also on their family and friends. The spouse and children may depend on the victim and the consequences of murder can impact on a whole community.

Christianity- Jesus taught that people should “*love your neighbour*” (Mark 12:31) and killing goes against the Ten commandments “*Thou shall not kill*”

Islam- “*...Take not life, which God has made sacred*” Qur’an 6:151 Muslims are against unlawful and deliberate killing.

Theft- taking property that does not belong to you. Theft usually causes great upset to the person whose property is stolen, but the crime is usually more about the property than the person, who is often unknown to the offender. Even if a person steals due to poverty it is still wrong.

Christianity- Christians may be sympathetic towards people committing theft out of need rather than greed. They teach the golden rule “*do to others what you wish them to do to you*”. Therefore, even if theft is considered to be less serious than other crimes such as hate crime and murder, it is still wrong.

Islam- Muslims may be sympathetic towards people committing theft out of need rather than greed. However, they believe that the needy should be cared for by the community, (**zakah and khums**) so they have no reason to resort to crime.

The Main Aims of Punishment

<u>Reformation</u>	This aim of punishment has the objective of trying to change the nature of the person who has committed a crime. We rarely lock people up for life - vast majority of criminals need to be reintroduced to society. Education and community service programs in prison help change negative patterns of behaviour and encourage people to see the error of their ways (change for the better). A criminal could be reformed through a harsh punishment or through positive punishment with education, rehabilitation and counselling.	Islam: harsh punishment to force reform. This works as no one really wants to suffer. Christianity: want to see work done with the criminals so that they change their moral outlook and see the inappropriateness of their ways. Jesus’ parable of The Lost Sheep makes it clear that heaven rejoices when someone repents and changes their ways.
<u>Deterrent</u>	A punishment that is meant to be unpleasant so that the offender is deterred (put off) from committing the crime in the first place or again in the future. E.g. penalty for drink driving - 12 month ban and potential prison sentence. For most this is enough to stop them from drink driving. If someone receives this sentence they may never reoffend.	Islam: harsh punishments like the death penalty are used in Islam – there is no chance then to repeat the crime. Christianity: agrees with the aim but not always through very harsh punishments (which may make criminals worse)
<u>Retribution</u>	The punishment should fit the crime almost to the point where it can be seen as taking revenge. When people break the law someone is hurt (even when the crime is not directly against a person). Most people follow the law and it is unfair when some ignore the rules and do as they please. Demonstrates that the offender has not gotten away with their crime and shows support for the victim. The death penalty or a life sentence for a murderer would be retribution – a life for a life.	Islam: the death penalty for example ensures a life for a life. It ensures justice and no repeated crimes. ‘ <i>We prescribed for them a life for a life, an eye for an eye....an equal wound for a wound</i> ’ Qur’an Christianity: would say a whole life sentence is better as it takes away the freedom of life rather than the law carrying out an act as bad as the criminal’s murder. Revenge is not an appropriate response coming as it does from hatred. Leviticus 24: 20 ‘ <i>eye for eye, tooth for tooth.</i> ’ Christians don’t take this literally.

3 Other Aims of Punishment

Vindication: People must see that laws are upheld and respected and those who break them should be punished to show society will uphold justice.

Reparation: The criminal should make good the damage and hurt they have caused. They might do community service where they carry out useful tasks for society, repay money they have stolen or possibly apologize to their victim.

Protection: Society must be protected from dangerous criminals. They lose their freedom so others do not have to worry about their activities.

Victims of crime: If you are a victim of crime, then the police will send you the contact details for 'Victim Support'. Many victims of minor crime would not need this service but it is offered because we can never know how much each individual may be effected by a crime. You can use 'Victim Support' for yourself to overcome the effects of the crime. Witnesses also get support, as the process of giving evidence can be quite traumatic, especially in the case of serious crimes. There are 6 key areas of support - *Emotional and practical support, Practical tips to keep safe, Help for young victims, Specific support in certain areas, for example abuse or rape, The rights of a victim and Help for foreign language speakers.*

Religious views of Punishment:

Christian View: Christians believe the law has a responsibility to punish and also care for the criminal by reforming them. Punishments should not be harsh just for the sake of a deterrence. A core belief in Christianity is forgiveness and this means that all criminals, no matter how bad, should be given the chance to reform. This doesn't mean they should get away with it though; for most Christians prisons are an excellent way of reforming criminals if used properly. Paul in Romans wrote *'Do not take revenge, my dear friends, but leave room for God's wrath'*. This verse encourages Christians not to seek revenge but instead to set an example by showing compassion. Leviticus 24: 20 *'eye for eye, tooth for tooth. Just as he injured the other person, the same must be inflicted on him'* Christians don't take this literally but interpret it to mean that an offender should receive a punishment severe enough to match the seriousness of the crime.

Muslim View: The Qur'an emphasises the justice of Allah and idea of accountability for one's actions. However, it also talks about mercy and forgiveness. In many Muslim countries the death penalty is legal as it permits this punishment in the Qur'an for the most serious of crimes. In some Muslim countries the offender can pay the victim compensation in exchange for a lesser sentence (if the victim agrees to it). There is much debate about punishment in the Muslim world. *'We prescribed for them a life for a life, an eye for an eye.....an equal wound for a wound: if anyone forgoes this out of charity, it will serve as atonement for his bad deeds'*. (Qur'an) In the case of an Al-Jinayaat (forgivable crimes) crime, if life is taken, the victim can opt to grant mercy and receive compensation from the offender (the victim's family can also do this on their behalf). Taking compensation instead of asking for the death penalty is an act of mercy and forgiveness that lessens the feelings of vengeance. The offense has been cancelled out and the offender returns to normal life without any shadow hanging over them. The offender is also believed to be released from the eternal punishment for that crime in the afterlife.

Custodial Sentence: A sentence for a crime that involves locking up an offender and separating them from society.

Non-Custodial Sentence: An alternative to prisons. Sentences that do not involve locking up the offender.

Parole: means a person can be released early having served some of their sentence. When on parole they must live withing the law and are supported by a parole officer, who will help them reintegrate into society. The parole order may required them to have treatment, e.g. for drug abuse. The aim is to help them avoid re-offending and become active and purposeful members of society.

Prison Reform:

Positives about Prisons	Concerns about Prisons
Keeps community safe from the criminal.	The conditions might not be conducive to reform.
Could deter the criminal.	Might learn from other criminals.
Length of sentence fits the crime committed.	Most prisoners reoffend. Prisoner are costly
Work is done to help the prisoner change.	Crime carries on in prison.
Sentences are lengthy for serious criminals so that the law is respected.	Separation from families so readjustment on release are all sources of problems.

Elizabeth Fry. She was a British woman from a wealthy family who dedicated her life to prison reform. The attitude towards prison in the 18th century was that the conditions of a prison should be a punishment. This meant that prisoners were purposefully mistreated, kept in terrible conditions and given rotten food. Elizabeth Fry put forward the idea that prison IS the punishment. Having your freedom taken away is already the punishment for the crime and prison should focus on reforming the criminal.

Religious views prison reform: Christianity in Britain has played a big role in the prison debate. Whilst **Christians** support their use, they are concerned about the way they are run and levels of **reoffending**. Many

prisons contain troubled individuals who need social help, education, medical help, work and life skills and for most Christians there is a **duty of care** and help which is based in religious teachings (e.g., **love thy neighbour**). Even criminals deserve fair and humane treatment and are more likely to respond positively to this.

Other **Christians** have different views and believe that life in prison should be tough to act as a **deterrent**. If prison life was tough enough, then prisoners would not want to reoffend.

The Islamic attitude agrees with this, that a severe punishment can lead to reform better than reformative actions themselves.

Positives about Community service	Concerns about Community service
A positive change can come about in the criminal through a positive contribution	Not enough projects available. May not be suited to the crimes committed.
Orange jackets make people visible when on community service. Don't want to be seen doing this.	Seen as a soft option and often does not bring reform.
Project matches the crime – society is getting them back,	Monitoring and management are often poor – don't complete hours or are badly behaved.

Religious views about Community Service

For many **Christians**, community service is a suitable option as it not only works to reform the criminal but also gives something back to the community; in every sense it follows the core Christian teaching of “*love thy neighbour*”.

Some religions, like **Islam** may argue that this is too soft a punishment and does not provide a big enough **deterrent**. If the punishment was tougher, maybe the crime would not have been committed in the first place.

Punishment	Explanation	How this meets an aim of punishment
Prison	Deprivation of liberties as a legal punishment. The UK has different types of prisons. A and B house the most dangerous offenders. Category C are for those serving shorter sentences. D's are open prisons.	Deterrence /protection/ reformation
Electronic tagging	An electronic device that monitors the whereabouts of the offender. Sometimes accompanies a curfew.	deterrence/ protection
Fines	A set amount of money must be paid. Usually in relation to how bad the crime committed was.	retribution/ reparation
Community service	Unpaid work in the community for up to 300 hours. They do not have a choice in what they do. This can involve everything from litter picking to work in a care home.	reformation/ retribution
Capital punishment	Death sentence	protection/ deterrence (illegal in Britain)
Probation	Offenders meet regularly with a probation officer who monitors their behavior and activity. If failed prison is a possibility.	reform/ vindication
High Security mental health institutions	House offenders with serious psychological disorders, who threaten the safety of others and themselves.	Reform/ protection
Young offenders institutions	House offenders classes as children (under 18). Routines are specifically targeted at children's needs and reformation is the focus,	Protection/ reformation
ASBO	Anti Social Behaviour Order. This sets restrictions that the offender must stick to. E.g. can't be in a specific place at a specific time, or a curfew.	protection
Curfew	An order that says you must be home by a certain time.	Protection
Restorative Justice	Usually targeted at young offenders. Offenders meet their victims and talk about the effects of crime on the victim.	Reform

Corporal punishment – inflicting physical pain as a legal punishment. E.g. whipping/branding/amputation. It is not used in the UK, where it is illegal, or most democratic countries. Many consider this a breach of the Human Rights legislation that the UK supports. Seen as a deterrent and is effective because no one wants pain. It is retribution and quick reformation, but also inhumane and barbaric – revenge is wrong. Criminals can become hardened, so the lesser forms of corporal punishment have no deterrent value.

Religious views on Corporal punishment

Christianity would disagree with its use but historically it was accepted '*eye for an eye*'. Quotes like '*I will punish transgressions with the rod*' (Psalm 89) allow some Christians to justify physical punishment of children to correct them.. Most Christians do not agree with it, believing it does not help reform criminals, as it is more about retribution and taking revenge. Jesus himself was flogged before he was hung on the cross. Jesus taught '*You heard it said, an eye for an eye....I say if someone hits you offer the other cheek*' (Jesus). No Christian country in the developed world uses corporal justice systems

Islam would accept for some crimes. Islamic countries use corporal punishment, with lashes and amputation being the most common forms. The Qur'an sanctions such punishment and as the word of God should be followed. '*As for a thief, male or female, cut off their hand*' (Qur'an). In many Muslim countries, the Law of Compensation can be used which swaps corporal punishment for paying compensation.

Death penalty – Capital punishment – a form of punishment in which a prisoner is put to death for crimes committed. The crimes are seen as so bad that no other punishment would be suitable. Seen as ensuring justice and deterring others. It is seen as the principle of '*eye for an eye*' (Christianity) or the law of equality of retribution (Islam). A murderer shows no respect for human life and so the state shows no respect for the murderer's life. There are 85 countries that retain the death penalty; only 21 use it routinely. Since 2000, approximately 1,000 people per year worldwide have been recorded as executed by their governments. In the few countries where the death penalty is legal, it is reserved for the most extreme offences, usually murder. Crimes such as blasphemy, adultery, drug offences, corruption, fraud, treason and war crimes are also capital offences (they carry the death penalty.) The death penalty was abolished in the UK in 1965 as a 5 year experiment and permanently abolished in 1969. Since its abolition 3 people who were executed in the early 1950s have been pardoned because of new evidence that emerged since they were put to death which demonstrates that they were innocent. In the USA 32 states have the death penalty.

Amnesty International campaign internationally for human rights and campaign against the use of and monitor the use of the death penalty world-wide. Amnesty has argued that the USA is savage, barbaric, cruel, prejudiced and uncivilised because it has executed people who offended as a child, people who have mental illnesses, black people sentenced by an all-white jury and may other seemingly unfair cases. They point to cases where prisoners have been taken from intensive care to be executed, where prisoners have been wired up whilst they are still awaiting last-minute appeals and a paraplegic being dragged to the electric chair. In the USA since 1973 over 130 prisoners on death row have been released after their convictions were overturned. In California in 2008 – the legal system cost \$137 million per year to run. Without the death penalty it would have cost just \$11.5 million.

Methods: firing squad, hanging, lethal injection, stoning, beheading, gas chamber, electric chair, crucifixion (Sudan)

Religious views on Capital punishment

Sanctity of life – all life is holy as it is created and loved by God; Christians believe human life should not be misused or abused. This means many religious believers may argue that the death penalty is wrong because only God can take life. However, some argue that as the death penalty is usually reserved for murderers who have already taken life away they are being punished in a way that they derive and which God approves of.

Christianity – Some Christians support the death penalty and point to Bible teachings such as '*an eye for an eye*'. (Exodus) and '*Whoever sheds human blood, by humans shall their blood be spilled*' (Genesis 9:6). However, Christianity teaches '*Do not kill*' The 10 Commandments. It also teaches '*God gives life and takes life away*' (Job). Capital punishment would deny the sanctity of life. Jesus also taught about the importance of forgiveness and warned people not to judge each other harshly. They also believe in giving a chance to repent and change and to become a useful member of society once they have reformed. Pope Francis, this has led me to '*advocate at different levels for the global abolition of the death penalty. I am convinced that this way is the best, since every life is sacred,*

every human person is endowed with an inalienable dignity, and society can only benefit from the rehabilitation of those convicted of crimes’.

Islam – We ordained for them – a life for a life’ (Qur’an). The Hadith teach ‘*If a man kills unjustly, his family will be entitled to satisfaction*’ (Shari’ah). The Qur’an also teaches ‘*Take not life except by way of justice and law*’ (Qur’an). ‘*The greatest sin is to take another man’s life*’ (Qur’an) Shari’ah law allows for the death penalty to be carried out for a series of offences. However, as an expression of mercy which is greatly valued, the victim’s family has to decide whether to show mercy upon payment of compensation (blood money), in which case the offender would be forgiven and could go free. If the family does not show mercy the offender will be executed. In Shari’ah law the death penalty might be used (though not in all cases) for treason/apostasy (leaving the faith), terrorism, piracy (which involves hijacking, armed robbery and/or killing), rape, adultery or homosexual activity. Implementation varies from country to country and methods of execution also vary. In Shari’ah court there must be very strict evidence standards that need to be met before a conviction is made. The death penalty is generally not compulsory and courts can decide on a different punishment on a case-by-case basis. The death sentence is usually carried out in public to deter others.

The Muslim Peace Fellowship – is a Muslim organisation that practices non-violence and have spoken out against the death penalty. Such Muslims believe that the passages supporting the death penalty in the Qur’an have been misinterpreted.

Principle of utility – philosophical idea that an action is right if it promotes maximum happiness for the maximum number of people affected by it. It would only allow the death penalty if the protection of wider society can be proved.

Arguments for Capital Punishment	Arguments against Capital Punishment
Deterrence – to put people off committing horrendous crimes.	Retribution is uncivilised – two wrongs don’t make a right.
Justice for the victims and their families	Most murders are ‘spur of the moment’ so capital punishment would not deter
Life sentences do not mean life – murderers walk free after a number of years.	Killing the murderer does not end the pain and loss for the victim’s family.
Terrorists murder indiscriminately, they cannot be reformed.	It makes executioners seem as bad as criminals.
It is a waste of resources housing criminals for their entire life.	Executing terrorists would make them martyrs
The death penalty has been used for centuries around the world.	Innocent people can be executed after an unfair trial. There have been several instances where people have been wrongly committed of murder and released from prison.
It demonstrates that society will not tolerate some crimes.	All life is sacred including that of murderers.
	It is inhumane and degrading to put anyone through the mental torture of death row.
	There is little evidence to support the view that the death penalty does deter people from committing serious crimes.