

HERITAGE CIRCLE

Graham Higgins, The work and history of the Bury St Edmunds Magistrates Court

Graham Higgins gave an interesting talk to the April meeting of the Heritage Circle at Rickingham Village Hall about the work and history of magistrates and the Bury St Edmunds Court. He explained that the 'crowner', now known as the coroner, is one of the oldest criminal officers in Britain. The post was introduced just after the Norman Conquest in 1066 to research suspicious deaths in what was then a very lawless society. After 1361 magistrates were formally appointed to provide local justice. Prior to this communities had to wait over two years in Suffolk for the visit of a judge from London. People accused of crimes just languished in gaol while they waited to be tried. Magistrates could decide whether there was a case to answer and they dealt with punishments for lesser crimes. They were expected to impose instant justice to deter offenders. The use of the birch was only ended in 1949, and flogging with the cat of nine tails for assaults on police and prison officers in 1964. Magistrates had two other functions. One was to control the movement of peasants and keep them in their parish where they would fulfil any contracts of employment. The shortage of labour after the Black Death of 1348-1349 had led to a sharp increase in wages as peasants were prepared to move to better paid jobs. In addition, magistrates regulated the price of beer and bread. In the 1640s and 1650s, magistrates were given other responsibilities. They had to find witches and later to marry people as church weddings were banned. Whilst there was reluctant acceptance of the banning of the celebration of Christmas from 1647, there were riots in Bury St Edmunds when dancing around the maypole was prohibited.

Only serious cases, such as murder or assault, were tried by courts where the prosecution just had to prove guilt as the accused had no right to offer a defence. The offender would be hanged and all of his property seized by the crown. Clerics were tried by an ecclesiastical court where the penalties were lighter. Proof of holy orders was the ability to read but anyone claiming to be a cleric to avoid a criminal court was branded on their right thumb. This led to the practice of holding up a right hand when swearing an oath in court.

By the end of the 18th Century people could be hanged for over 200 crimes. A more humane punishment was thought to be transportation. Initially, petty criminals were sent to America but the War Of Independence from 1775 meant that offenders had to be imprisoned on hulks, derelict ships, on the Thames until transportation Australia began in 1787. It was only ended in 1867. Murder and highway robbery were deemed to be so serious that those convicted were hanged. After that their bodies could be dissected in the court room where they were convicted. This happened to the Red Barn Murderer, William Corder, in Bury St Edmunds. The bodies of other hanged people were put in gibbets to rot near to where the crime was committed as a warning to the community. However, research of newspaper archives suggests that most reported crime in Rickingham has tended to be petty and to consist of crimes like stealing poultry or coal, and selling short measures of cloth.

Graham concluded his talk with some stories about his own experience as a magistrate. He commented that many people appearing before him now have committed crimes to finance a drug addiction. Similarly, crimes involving mobile phones are very common, especially in cases of domestic violence where they can be used as a weapon. A worrying trend has been the increasing number of women appearing in court, often for violent crimes. He explained how there is a need at times to temper punishment with measures to rehabilitate offenders. However, the media are not always sympathetic to this approach.

The next meeting of the Heritage Circle will be at 7.30pm on 24 May when Christine Adams will give a talk entitled *Miss Savidge Moves House* – the story of the ultimate house move when a woman saves her house from demolition. Further information about the Heritage Circle is available on its website, www.heritagecircle.onesuffolk.net.

Gerry Gurhy