

Evaluate the reasons for and against the return of the death penalty

The death penalty is a form of capital punishment that the UK abolished in 1965, as noted by Liz Homans in her book *Swinging Sixties: The Abolition Of Capital Punishment*. Despite the fact offenders haven't been issued the death penalty for about four decades, prisoners are still put on death row in the US. There are many arguments in favour of bringing the death penalty back. On the contrary, there are also arguments that support the abolition of the death penalty.

The death penalty was arguably abolished for alternative methods of punishment to act as a deterrent for crime. Unfortunately, this hasn't been the case. Murder rates have remained relatively high since the death penalty was removed in 1965.

Figure 1: Homicide rates declined since peaking in the year ending March 2003, but have risen over the last three years

England and Wales, year ending December 1967 to year ending March 2018



The line graph depicts the rate of murder per million between December 1970 and March 2018. The trend has fluctuated a lot, particularly between 1970 and 2002. The graph illustrates the peak of Homicide offences in around March 2005/2006, before showing further fluctuation between March 2012 and March 2018. Generally, though, murder rates have increased since the death penalty was eradicated.

It could be suggested that most people are abstained from a life of crime due to fear of punishment. If the death penalty was reinstated in Britain, this fear may scare more of the population into obeying the law, decreasing rates of homicide as a result.

Without capital punishment, prisons will be overcrowded. As suggested in the Birmingham Mail, "our prisons seem to be getting terribly overcrowded. The death penalty would deter all of those involved in this crime." Prison guards already have a difficult job as it is; there may be CCTV on hand to aid surveillance of prisoners, but even so, it's extremely difficult to keep an eye on every single prisoner at once.

Prison riots would possibly decrease if the death penalty was reintroduced to the UK, as there would be less offenders in each prison, therefore less individuals to get involved in any conflicts. Having the death penalty reinstated would also make the job safer for prison guards as they would no longer be required to patrol areas with highly dangerous prisoners i.e murderers.

If prisons were to become too overcrowded, there may be financial implications. More prisons would have to be built, posing a monetary burden on the government as MPs would have to invest more on constructing the new prisons. This would likely come out of the taxpayer's pocket. Surely most Brits would rather their taxes contribute to things they deem more useful; purchasing more resources for the NHS or improving facilities for schools in disadvantaged areas seems like a wider benefit to society than spending millions on the construction of new prisons.

The role of sentencing should be to rehabilitate offenders, if possible. Surely society would benefit from members who contribute by working and paying taxes; rehabilitating offenders helps former prisoners integrate back into society by equipping them with the skills necessary to live a functional, independent life. An exemplar case involves the Bulger killers: Jon Venables and Robert Thompson.

According to Benjamin Butterwoth and his article on INews, a 2-year-old toddler called James Bulger was abducted by the duo from a shopping centre in Merseyside. Bulger was tortured and killed when the pair were just 10-years-old. Venables and Thompson resided in a young offender's institute until they turned 18 in 2001.

Had the death penalty not been abolished, Thompson and Venables would've been the youngest UK prisoners to go on death row. In order to be sentenced, a defendant must be understanding of their actions and appreciate the causation their actions have had in committing the crime. While 10-years-old is more than old enough to have morals and differentiate between right and wrong, the duo weren't necessarily old enough to comprehend the exact reason they would've had the death penalty if it were still used in corporal punishment.

Furthermore, rehabilitation is arguably an effective deterrent of crime as Thompson has managed to live a normal life since the tragic events in 1993. *"He has not re-offended since being released. He had no history of violence prior to the murder."*

In modern day society, we are much more aware of mental health problems and how they interfere with the way people think and behave. It's important to fully understand the psychological background of a criminal. Obviously, there is no moral defence for acting in an illegal manner; however, psychology may be an extenuating circumstance that helps us understand why some offenders behaved in the way that got them sentenced. For this reason, vigilante justice shouldn't be favoured in modern society.

Punishment can be seen as serving three purposes: retribution, deterrence and reinformation. The death penalty can have no reformative purpose in terms of re-establishing a 'good citizen'. Killing is unequivocally wrong. The murderer is wicked to kill, but so is the State.

Liz makes a valid point; 'an eye for an eye' viewpoint that supports the death penalty is morally incorrect. Murder is obviously an unforgivable act of malice, but taking justice into

our own hands is no better. Without having a legal system in place, society would be absolute chaos. It is far less troublesome to let legal process provide justice than sink down to the level of a criminal.

Bibliography

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