

GCSE (9–1)
Candidate Style Answers

HISTORY B **(SCHOOLS HISTORY PROJECT)**

J411
For first teaching in 2016

J411 - Crime and punishment, c. 1250 – present

Version 1



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Introduction

This resource has been produced by a senior member of the GCSE History examining team to offer teachers an insight into how the assessment objectives are applied. It illustrates how the sample assessment questions might be answered and provides some commentary on what factors contribute to overall levels.

As these responses have not been through full moderation, they have not been graded and are instead, banded to give an indication of the level of each response.

Please note that this resource is provided for advice and guidance only and does not in any way constitute an indication of grade boundaries or endorsed answers.

Question 1

- (a) Name one type of official who was responsible for enforcing law and order in the Middle Ages. [1]
- (b) Name one type of crime that the authorities were particularly worried about in the period 1500-1750. [1]
- (c) Give one example of a technological change which affected policing in the period after 1900. [1]

High level response

- a) Sherriff
- b) Poaching
- c) The internet

Examiner commentary

3/3

All three answers are short and to the point. They are all correct examples from the correct period.

Medium level response

- a) Priest
- b) One crime was vagrancy, it was a real problem after the closing of the monasteries because poor people had nowhere to seek support.
- c) A new technology was DNA testing. It allowed tracking down criminals from any evidence at the crime, like blood or saliva.

Examiner commentary

2/3

The first answer is not right. Even though the markscheme does allow a range of answers, pupils need to understand technical words and the question does specify "official"; a priest was influential but not an official.

The second two are correct. Even though the candidate has some simple development, there are no extra marks available.

Question 2

Write a clear and organised summary that analyses how law and order was enforced in the period 1500-1750. Support your summary with examples. [9]

High level response

In the years 1500-1750, there were still some of the medieval methods of enforcing the law. For example, the hue and cry was still used to get the community to chase a criminal, and individuals were still responsible for getting a warrant and catching the criminal who had robbed them. However, because towns were getting larger and they were not such small communities where everyone knew everyone else, these were no longer enough. New methods were added. Parish constables became more important. These were part time, unarmed group who were responsible for holding suspects for crime ready for trial. Their main job was to deal with beggars which was a big problem in the sixteenth century. They could fine or whip the beggars. Another group was town watchmen in bigger towns. These went on patrol and they were expected to deal with beggars and also look in windows to see if people were breaking the law.

Another way of enforcing the law if a criminal was caught was in trials. Justices of the Peace were more important in the Tudor period than in medieval England because they ran the manor courts. They would fine people, put them in the stocks or have them whipped. For bigger cases, JPs met up 4 times a year in a Quarter Court for more serious crimes where they could even have people put to death. After 1688, they got more powerful because the Bloody Code meant that there were more crimes that could get the death penalty.

The Church still had a role in law enforcement like in the Middle Ages, and they had trials for clergy who had committed a crime. But these were less important because the civil courts had more power after the Reformation. Also because more common people had learned to read, the "neck verse" law was changed so that not as many people could claim to be clergy so there were not as many Church trials.

Examiner commentary

Top level 3

Two key aspects of this answer stand out that deserve the top of level 3. Firstly, note the range of knowledge in the answer. The candidate has covered a number of specific examples of enforcement examples and shows through specific explanation that they understand their relative roles.

Another aspect is the strong use of secondary concepts. This means use second order thinking, like causation or comparison, in the answer. In the first paragraph, it has the link between growing size of towns and need of new methods of enforcement. In the second paragraph, it shows a development in the importance of courts with the advent of the Bloody Code. And in the third, by means of awareness of growing literacy, it identifies the reason that the Church courts were less significant and evaluates in a limited fashion between the examples of enforcement.

Medium level response

In the period 1500-1750 there were new ways of enforcing the law which were not as important in the Medieval period. There were parish constables and town watchmen. These were not like policeman but they mainly dealt with beggars. They were usually drunks and paid little money. They could fine beggars or have them whipped. This was their main job because in this time period, beggars were a real problem that people were very worried about and they wanted the beggars keeping out of their towns. In Medieval times everyone knew who everyone was but in 1500-1750 towns were bigger so these were needed to keep the peace.

Another way of enforcing the law was in the courts like manor courts and assize courts and quarter courts. The courts would decide if a person was innocent or guilty of a crime and then give them a punishment like being fined or being whipped. Lots of people in the 1700s got the death penalty, even though they only did small crimes like stealing a loaf of bread.

Examiner commentary

Mid level 2

The answer includes a small range of knowledge, mentioning at least two different areas of enforcement. It shows an understanding of the knowledge used, though not as secure as in candidate A's answer since there is little effort to distinguish between the constables and watchmen or the types of trial. The explanation is not strong enough to be considered a "secure understanding" for Level 3. Also, there is a weak use of one secondary concept, in linking the larger towns to the need for new types of law enforcement. This is mid rather than high Level 2.

Question 3

What caused the increase in crime in the first half of the nineteenth century? Explain your answer. [10]

High level response

The most important reason for the increase in crime was the growth the population living in cities. In 1750 there had been about 10 million people in Britain and many lived in the countryside, but by 1900 there were about 41 million people and most lived in cities. These cities became full of low paid working class families. There was lots of unemployment, as well as people who were injured in the industrial factories. This created lots of poverty and led to increased crime for people who could not earn a living. For some, like street gangs, living by crime was preferable to the conditions in the factories.

Also, because the towns and cities were so much larger, it was not possible for the existing law enforcement to control things. People no longer recognised all of their neighbours, and community relationships didn't exist in the same way to stop people robbing neighbours. The police could not rely on the hue and cry or community support like they had in earlier time periods, and keeping track of gangs of beggars was not as straightforward. Proof that this was a real problem was that it forced the government to create a real police force in 1829.

The industrial cities were also ideal for carrying out crimes like muggings. Dark, dingy streets like in Whitechapel were easy for gangs to ambush people and very hard for an constable or watchman to chase criminals in because they were too dangerous and there were too many hiding places. Because crime was so much easier to commit and get away with, it became much more common.

Finally, there were also new types of crime. The industrial revolution meant that there were more businesses and more trade. This meant that new types of crime became more common, like fraud where one person or business cheats another business out of money. Also drunkenness became a more common crime because many people turned to alcohol to avoid how horrible their jobs and daily lives were.

Examiner commentary

Level 5

This answer has a full range of different reasons which are supported by explanation and in several cases, specific examples such as the scale of population growth in the first part. There are also secondary order concepts used to support the answer. For example, the link is clearly made between the condition of the poorer parts of cities, the ease of committing crimes and therefore the increase in crime, or between the growth of industrialisation and the new types of crimes that occurred.

Medium level response

In the early nineteenth century, towns were getting a lot bigger. People were moving out of the countryside and getting jobs in factories. This meant that towns were a lot more crowded and this led to an increase of crime. Lots of people in the towns were in poverty, because the factories did not pay high wages and also some people were ill or injured and could not work, so this also led to more crime as people needed to get by. As the towns got bigger, more and more crime was committed.

Another reason was that it was really hard for the town watch to stop crime. There were so many people and also people were moving, so it was difficult for them to get to know people in the community as well and so they were not able to prevent crimes or get rid of people who were trouble causers.

Also because the towns were so bad, there a lot more people drinking alcohol because they were unhappy, so there was more drunkenness which was a crime in public.

Examiner commentary

Top Level 2

There is a firm base of knowledge apparent in this answer; the candidate understands the period in question and is identifying relevant issues related to the question. There is also, in a limited manner, second order conceptual thinking in linking changing urban conditions to crime. The limitation to the answer is in the level of detailed knowledge – the points are rather generalised and in some places the link is implicit, and the last point is in particular very vague. To improve, the answer needs more specific knowledge as well as a clearer sense of explanation.

Question 4

How far do you agree that the most important changes in the punishment of offenders took place in the twentieth century? Give reasons for your answer. [18]

High level response

In some ways it is true that the most important changes in punishment of offenders took place in the twentieth century, but overall I disagree because I think that there were other more important changes.

One example of important C20th changes was a series of changes to the conditions in prisons. In 1902, prisons stopped using cruel and pointless punishments like the crank and treadmill for prisoners. This was a big change because there were more jobs that were useful. Prisons in general became less unpleasant. For example, in 1922, solitary confinement was ended. Prisoners could start to associate and talk to each other. Also, clothes with arrows on were replaced with more normal looking clothes and prisoners could have more visitors. The big difference was that instead of just being a punishment, prisons were starting to be used as a way to rehabilitate people.

Because the idea was reform, rather than just punish, in the C20th new alternatives to prison were introduced. One was an open prison where prisoners could leave prison for work. This was supposed to allow prisoners to leave to work which would help them to get back to society after prison. Later in C20th, there was more use of parole and even things like ankle trackers which allowed criminals to get back into normal life more quickly. The idea was to break the cycle of offending.

However, it is not true that all big changes happened in the C20th. For one thing, there were lots of things that did not change. Prison stayed important as a punishment, and in the late C20th overcrowding became a big problem. A prison in Leeds with space for about 600 prisoners in 1981 had 1200 prisoners. This was because people wanted to see criminals punished, not getting away with it. Also conditions were not brilliant, because low funding led to understaffing and in some prisons, prisoners have to spend 23 hours a day in a cell because there are not enough guards.

Also, there were important developments before the C20th. One example is the creation of the Bloody Code. This was the development from 1688 where increasing numbers of crimes could be punished by death. In 1688 there were 50 crimes but in 1815 there were 225 crimes, even things like cutting down trees illegally or poaching. This was a big change to punishments because it meant that even simple, small crimes could lead to death.

A different example was that the C20th change to punishments really began in the nineteenth century. This was when people started looking at prison for improvement, not punishment. Punishments became more private and less public. The pillory and stocks stopped being used in the C19th, and instead fines became more common. Whipping was banned for women and became less common for men. Lots of punishments stopped being punished by execution and instead prison was more common. Transportation was also a common choice for punishments if the judge didn't want to execute but wanted more punishment than prison.

Overall the C20th did make some big changes but there were bigger changes, like the creation of the Bloody Code and also the C20th changes were only possible because of the new ideas of punishment in the C19th. So overall I disagree with the statement.

Examiner commentary

Low Level 6

This answer has plenty of specific examples, the candidate even used some key dates and facts to support this. The knowledge is well explained and shows a secure understanding of the topic. The overall answer is structured clearly and has been used to make a balanced, two sided response which leads to a conclusion which is supported and very clear. It also can access the highest marks because it mentions an earlier time period than the one mentioned in the question which is a requirement for the Level 4 and 5 mark bands.

Medium level response

In many ways, it is true that the C20th was a period where there were important changes. One big area of changes was through the way that prison was used. Many of the older punishments were ended, so prisoners were not asked to do things that were pointless like the crank which was where prisoners turned a handle 10,000 in 8 hours. Instead, there was more work like making things in workshops which was useful work. Also, prisoners could have more visits from family and friends. Some prisons became open prisons which is where the prisoner can leave for things like work. So there is plenty of evidence that there were big changes in the C20th to the way criminals were punished.

However, not everything changed in the C20th. Prisons stayed the main way of punishing people which was not a change, and lots of new ideas like open prisons were not popular as people wanted to think that criminals were being properly punished. Also the prisons did not improve and they were still full of violence and drugs, so in many ways they had not improved.

Overall, I agree with the statement because even though not everything changed and prisons were still the main punishment, there were lots of new ideas like open prisons.

Examiner commentary

Low Level 3

This candidate has shown some information which agrees and some which disagrees. The information is accurate. It could be better explained by showing a greater awareness of the nature or impact of the changes but it is quite specific knowledge.

The biggest limitation to this answer is that there is no coverage of a period beyond the C20th. This means that the candidate cannot get higher than 12/18. The best way to improve this answer would be to add a comparison of a different time period.

Question 5

'In the period between 1750 and 1900 there were big changes in policing'. How far do you agree with this statement? Give reasons for your answer. **[18]**

High level response

In some ways it is true that there were big changes in policing between 1750-1900. However there is a lot of evidence that the changes were limited until after 1900.

In 1822, Sir Robert Peel created the Bow Street Runners. They were so effective that in 1829, he created the Metropolitan Police force. This was a really big change compared to earlier periods like Medieval or early modern England because they had no police, just part time watchmen or constables. The Metropolitan Police were 3200 men who were full time paid professional police. In the years after, other towns copied. By 1856, it was the law that every town and county had to have a professional police force. By about 1900, there were about 40,000 police in Britain. In 1842 they also trained detectives. As well as stopping crimes, these investigated and tracked down criminals. This had not really happened before.

Another reason that this was a huge change because it was the first time that there had been civilian police, instead of soldiers with guns and swords. For example, in 1819 at St.Peter's Fields in Manchester, there had been a massacre when soldiers were used to police a protest. The new police were a big change because they had defensive equipment like a truncheon and a helmet, not weapons for attacking.

However, the statement is not entirely true. For one reason, these changes did not occur until 1829 onwards and so from 1750-1829 there were no big changes to policing. The only police were constables and watchmen but they dealt with vagabonds and drunks, they did not investigate crime.

Another limitation is that until about 1900, the new police were not really taken seriously. Even though they had been created, many people in Britain did not respect the police or obey them. They thought that the police were being nosy in investigating crimes, especially when there were famous crimes like the Ripper murders that they were unable to solve. So with small numbers and little respect they were limited. It was really after 1900 that they became more effective. The police developed new tactics, like replacing the beat with quick response teams in cars in the 1930s, and setting up police colleges to train recruits. They also developed technologies like fingerprinting which made them more effective.

Therefore, even though police were first created in the period of 1750-1900, most of the period there was no police and even when they were made, it was the changes after 1900 that were more important in effective policing.

Examiner commentary

Low Level 6

The answer starts in a very focused manner; the intro indicates a direction. Even though this is not a markscheme requirement, it does help because it helps to direct a structured argument. The two sides of the answer are both developed with specific detailed information that is related to the question. Also, notice how the candidate has given two ways of getting to the higher levels; they have made a balanced answer which leads to a supported judgment, and they have also compared another time period beyond that in the question.

Medium level response

I agree with this statement. The period 1750-1900 was when real police were created in Britain. This started because there was so much crime in the growing industrial cities. The Home Secretary, Sir Robert Peel, created a new police force in London in 1829 called the Metropolitan Police. These were a massive change because it was the first time that anyone had created a proper police force. Before 1829, there were some town watchmen but these were not professionals and they were not given the same duties. The police quickly grew. By the mid-nineteenth century there were several thousand police and every town had a police force. New uniforms developed. For example, they had hard helmets to protect them being hit on the head and also high collar jackets to stop them being garrotted. This was part of why they were so good in places like London because they were well-protected. They also had detectives and these would look at clues and solve crimes like murder which had never happened before. When you think about how important a police force is, I agree that the period 1750-1900 was the most important period in changing police.

Examiner commentary

Mid level 3

This candidate has shown a solid knowledge about the changes for the police in this period. They have explained clearly how the change was important with specific examples. It is clear that they have revised well this period in time and understand well the nineteenth century policing. The answer is limited to half marks, however, because as well as weaker knowledge, the candidate has not covered the other side of the question by either covering limitations, counter-arguments or by comparing to another time period.



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