

Examiners' Report
June 2012

GCSE History 5HB01 1B

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Introduction

Over 8,000 students sat this examination and it was pleasing to see a large number of high quality answers, demonstrating good understanding of the key concepts and themes, supported by accurate detail. It was clear that many students had practised answers to questions set in previous papers and good examination technique allowed students to make effective use of their knowledge. Unfortunately, there were also some knowledgeable students who repeated their prepared answer, or who wrote about the topic but did not shape that material into an answer for this specific question.

Inevitably this report will focus more on problems that were identified and areas that should be addressed in teaching than on the truly impressive answers that were seen. However, it should be noted that a number of examiners commented that they had seen individual answers that were of A Level standard in the precision of knowledge and the quality of analysis and argument.

Unit 1 is a Study in Development and therefore candidates need a good overview of chronology together with an understanding of change and continuity in the key themes. However, they also need a good sense of context for each of the core periods and should be able to explain concepts such as causation, consequence, significance and the role of various factors. Students were knowledgeable on familiar topics such as smuggling, the Bow St Runners, Trial by Ordeal and conscientious objectors but sometimes did not recognise that the question being asked was not the one they had prepared in class. They sometimes struggled on other, less high profile topics, such as the use of prison in the twentieth century. It is important in this unit for them to know each period in depth, but also to develop a thematic understanding of change and continuity in the key themes identified in the specification: for example to understand that the government in the sixteenth century was very different from that in the nineteenth century.

Students should realise that the stimulus material is merely offered as a prompt; they do not have to use it. The stimulus material may take the form of prose, a visual stimulus or bullet points and it may act as a spring board for comparison; a suggestion of key themes or events; or a reminder to cover both sides of an issue. Although many students use the stimulus material to help them structure their answers, there are always excellent answers which make little use of the stimulus, while answers which merely repeat the stimulus material without developing it will gain no marks. It is possible to gain full marks by developing the points arising in the stimulus material but students should not rely on the stimulus material as providing all they need. They must be able to explain the significance of the details offered in the stimulus material and will normally need to add additional contextual detail. There is a big difference between stating that something is an example of change, or that something was important or effective, and demonstrating it through a detailed explanation supported by relevant and accurate details.

Students should realise that, when questions are set, there will not normally be any overlap of material and therefore they will not normally benefit from attempting to use the stimulus material for one question in their answer to another. Students who attempted to do so sometimes failed to score any marks because they had not recognised the different time-frames or the different themes in the questions. However, it should also be noted that the specification explicitly states that the Extension Studies may draw on material from the core.

It was very pleasing to see evidence of planning in these longer answers and some well structured essays. However, a number of students begin their answer with an introduction which basically repeated the question ('In this essay I shall be looking at ..') . If teachers wish to encourage their students to do this in order to focus on the question, that is understandable but it does not contribute to the mark and, especially if time is short, it could be omitted.

Examiners reported few blank pages or unfinished answers where students were clearly running out of time and it was clear that a number of students 'worked backwards' and answered the longest question (5 or 6) first, leaving the 4-mark question 1 until the end.

Students should be reminded of the need to express themselves clearly, in accurate and grammatical English. Textspeak, colloquialisms and errors such as "he done it" or "this would of mean't" can mean that the answer is unclear but can also affect marks in the final question, where Quality of Written Communication is assessed, and will also affect the allocation of specific marks for spelling, punctuation and grammar in future examinations.

There has also been a noticeable trend in the past few years of a deterioration in handwriting. Students now rarely write at length and at speed apart from in examinations and would perhaps benefit from more practice. Examiners work hard to decipher poor handwriting but it is difficult to keep a sense of the overall analysis being offered when having to pause constantly.

Question 1

In a large proportion of the scripts where extra paper was used, the paper was taken for question 1 yet this very rarely had an effect on the mark. It is possible to gain the full 4 marks in a relatively short answer so in some cases the examiner did not need to read the material on the extra page. In other cases, the student offered detail from own knowledge which could not be rewarded meaning that some lengthy answers scored only 2 marks or even less. While this does not have much impact on the overall mark, it often has a major impact on the time available to complete the longer, more heavily weighted questions.

All that is required in this question is one inference about change, based on the sources being used in combination. Students are not expected to make separate inferences from each source or to explain why this change happened – they just need to identify it and provide a clear reference to each source. There are no marks here for discussion of continuity or for source evaluation.

However, students should be explicit about the nature of the change identified; simply stating that there has been a 'massive' change or that the sources showed a change in attitude is not making the inference about change clear. Saying that the sources are different (Source A suggests .. whereas in Source B ...) is not quite the same as explaining what change has occurred. Similarly, using Source B to show that change has occurred without any reference to Source A often leaves the examiner wondering if such implicit understanding can be rewarded at Level 2.

A number of answers begin with a description of the sources before identifying the change but the best answers begin with the inference of change and then highlight the details in the sources which led to that inference. In these answers students were usually explicit about the use of each source to make an inference, for example 'The comment in Source B about uniform being designed to be work over body armour ..'. However, there is no need to copy out long quotations: a reference to the source detail or two or three words in quotation marks would be sufficient to show how the inference has been drawn from the two sources.

However, the majority of students have been well prepared for this question and scored the full four marks. The most common inference was that uniform had changed in order to provide protection for the police or to reflect the fact that the police now include women. It was interesting to see how many students assumed the reference to traditional uniform in Source B meant that officers continued to wear the uniform seen in A until the 21st century. Answers which went into detail on Peel and the creation of the police, or which explained why the police uniform was blue and included a tall hat, were not based on the sources and failed to answer the question.

1 What can you learn from Sources A and B about changes in police uniform?

Explain your answer, using these sources.

(4)

From source A we can learn that the uniform was distinguishable and very strict such as an army uniform. We can also learn that everyone wore the same tail coat and top hat. From source B we can learn that there was a complete change in police uniform. ^{from source A} As

it was designed to be more practical, as it can be designed for body armour to fit underneath. whereas the uniform in source A was not. We can also claim that different roles in the police meant different uniforms as their uniform is suited to their role unlike source A. e.g. those based on the station wear a traditional uniform as their uniform does not require protection to be worn underneath.

(Total for Question 1 = 4 marks)



ResultsPlus Examiner Comments

This answer explains that there was a complete change in uniform and that modern uniforms were designed to be more practical and to accommodate body armour.

The answer then goes on to identify a second change - that the uniform has become more variable in order to be suitable for different roles within the police.



ResultsPlus Examiner Tip

This answer starts with a description of the sources. The best answers start with the change that has been identified and then use selected detail from the sources to support that inference of change.

1 What can you learn from Sources A and B about changes in police uniform?

Explain your answer, using these sources.

The new uniform is designed for modern (4)
policing and is designed to be worn
under body armour. It is suitable
for both male and female officers.
In the 1950s the uniform needed a
top hat we can see this from the photograph
of the police force.
Source B also states the old shirt
and tie will still be worn by people
working in offices.



ResultsPlus
Examiner Comments

This answer makes a comment based on Source B and then a comment based on Source A but there is no explanation of change.

Question 2

Answers to this question were often disappointing. Students should recognise the emphasis in the question stem but also the specific focus in the alternatives provided. In this case the option about prisons in the nineteenth century was not asking about reform and too many candidates simply provided their standard answer to a question on prisons, not recognising that here ideas about reform needed to be linked to twentieth century prisons. Meanwhile other answers described prisons and asserted that conditions were influenced by ideas about punishment or about reform but this link was not always explained and developed. There was good understanding and good knowledge here but not always together, and not always linked to the specific question.

In the option on nineteenth century prisons many answers described debtors' prisons and the appalling conditions at the start of the century. Examiners commented that the rationale for unpleasant conditions as punishment and deterrence was often well explained but sometimes only supported by generalised descriptions. Better answers then went on to

discuss the use of hard labour and pointless tasks such as stone breaking, turning a crank, or picking oakum. There were a few answers which also mentioned the harsh physical punishments such as flogging. Many also talked about the silent and separate systems and began by explaining how these were very severe punishments, sometimes resulting in insanity; but too many answers then digressed into an explanation of how this treatment was intended to break the prisoner's spirit in order for the chaplain to be able to reform him. Meanwhile many answers recounted the work of Howard and Fry and moves to reform and rehabilitate prisoners, which were not relevant to this question.

The option on twentieth century prisons seemed less popular and again answers often digressed into an account of the work of Howard and Fry but there was usually some attempt to link this to modern policies on education in prison, the help offered in learning a trade, getting a job, getting treatment for addiction to drugs or alcohol, help in anger management or the shift to an open prison and the preparation for release. There were a few very good answers which also discussed the use of Borstals and mother and baby units as well as open prisons, but examiners felt that the typical answer on this option was more likely to rely on vague generalisations about modern prisons. Comments about the role of religion were also not very relevant here.

It was noticeable that many Level 3 answers were shorter than Level 2 ones because they were focused, whereas Level 2 answers frequently produced answers which were basically 'all I know about prisons'. A few students attempted to cover both options and then compare them; this usually resulted in superficial coverage and a lack of focus. A more common problem was the answer where generalised detail or a lack of contextualisation did not make it clear which option had been chosen.

2 The boxes below show two approaches to punishment.

Choose **one** and explain how it influenced the way that prisons were run at that time.

(9)

Using prisons for punishment and deterrence during the nineteenth century.

Using prisons for reform and rehabilitation in the twentieth century.

Using prison for punishment and deterrence during the 19th century.

During this time period people were moving further away from the idea of transportation and the death penalty as many people viewed these as too harsh a punishment and so prison became a much more popular choice as they could take in every kind of criminal but still be used to punish them. This therefore dramatically influenced the way prisons were run as the government still wanted to take an active role in

still wanted the idea of going to prison to deter other criminals and so the prison system was often very harsh and the punishments cruel. This is shown in the way that at the time when in prison you would often be put in solitary confinement and would have little or no human contact, they did this to try and make the criminal think about what they had done as well

as to punish them. Prisons also introduced the silent system in which prisoners were not allowed to talk to or have contact with any other prisoners as the government thought that this would stop the sharing of criminal secrets. Lastly as ^{another} a form of punishment, prisoners were subjected to many menial and pointless tasks some which were extremely physically and mentally draining such as the water wheel and the crank handle. This combined with silence and solitary was seen as a good way to punish and deter criminals, however it often led the prisoners to insanity with many cases of prisoner suicide.

Lastly the government wanted prisons to be unwelcoming and an unwanted sentence and therefore they were extremely

plain, cold and dirty with the inmates being poorly looked after and malnourished. Overall the fact that prisons were designed to ~~deter~~^{punish} criminals and deter others greatly influenced the way they were run. (Total for Question 2 = 9 marks)



ResultsPlus

Examiner Comments

The answer starts by setting the context and explaining the emphasis in prisons in the nineteenth century on punishment and deterrence and then provides several good examples to support this idea.

2 The boxes below show two approaches to punishment.

Choose **one** and explain how it influenced the way that prisons were run at that time.

(9)

Using prisons for punishment and deterrence during the nineteenth century.

Using prisons for reform and rehabilitation in the twentieth century. ✓

Using prisons for reform and rehabilitation completely revolutionised the prison system. Through the work of prison reformers such as John Howard and Elizabeth Fry, prisons were seen less as a deterrent, and more of a place to be rehabilitated. These set reformers set the way for major changes to the prison system in the 20th century.

Juvenile prisons until the early 20th century were non-existent. Minors used to live and share cells with adult offenders, which did no good for the children. However, when juvenile prisons were introduced, things began to change. Children were put through schooling systems

inside the jails and children no longer had share prisons with adults. This gave children a chance to learn and to not become reoffenders in ~~the~~ adulthood.

The invention of 'open' prisons, in which prisoners could leave the prison grounds, greatly came from the need to rehabilitate prisoners. The 'closed' prisons had led the prisoners to feel incarcerated by the cell walls and the lack of contact with society had led prisoners to lose control when let outside again. Therefore, 'open' prisons were designed to rehabilitate the prisoners to become good, law-abiding citizens and successfully integrate them with society.

The 20th century saw prisons become more for the need to reform inmates and teach them the rights and wrongs of society. Such was this need that prisons became more of correctional centres where criminals ~~were~~^{got} taught schooling, given manual jobs to do and the skills for them to do it in real life, and the vision to see the difference between right and wrong.



ResultsPlus

Examiner Comments

This starts with a reference to John Howard and Elizabeth Fry but does not go into detail about their work. Instead, the answer identifies their importance as first emphasising the possibility of using prison for reform and rehabilitation, and then uses several examples from the twentieth century to show these ideas being put into practice.

Question 3

This question was far more popular than question 4, with over 5,000 choosing to write about the difficulties in dealing with smuggling and poaching. Answers were often very thorough with a large proportion reaching Level 3 and a pleasing number receiving full marks.

Most answers focused on smuggling and explained the problems caused by the secretive nature of the crime; the extensive coastline of Britain and the limited number of customs officials; the good pay and well organised gangs involved; the willingness to use violence and the co-operation of ordinary people. This view of smuggling as a 'social crime' which did not have a real victim, and which allowed ordinary people to buy goods that had become luxury items because of the tax imposed, was particularly well explained, with many commenting that smuggling seemed acceptable when authority figures such as the vicar or the squire received goods from smugglers. Some answers had excellent knowledge and mentioned the connection of Robert Walpole with smuggling and expanded on the use of violence in the stimulus to mention the abduction of James Marshall.

Poaching was often done in less detail, or even omitted altogether, which meant that the answer could not receive the top mark in any level. Students were also less confident on poaching with confused references to forest laws, laws about hunting and the Black Acts. There was some discussion of the nature of poaching and the fact that it was often a crime committed through necessity but there was less awareness of the measures taken to try to stop poaching. There was also little understanding that individuals often poached for themselves while organised gangs would poach in order to sell the game. The few who did develop their comments about the difficulties of dealing with poaching explained that some gamekeepers were bribed to ignore poaching or that the dangers of being caught made poachers more willing to use violence against the gamekeepers. There were also comments made that the authorities were trying to solve the problem through punishment, but until the poverty that caused poaching was dealt with, the crime would continue.

Sometimes answers tried to explain why these can be classed as 'social crimes' and digressed into an explanation of why and how the crimes were committed. Nevertheless, there were many good explanations of the fact that smuggling was a crime created by the government's imposition of taxes; and that poaching was defined as a crime by the upper classes so that, consequently, the criminals were seen as heroes or viewed with sympathy. This was then linked to the difficulties in dealing with these crimes by an explanation of the way that juries, and even magistrates, were reluctant to find them guilty at trial.

Some answers with excellent knowledge remained Level 2 because they were basically descriptive. A few attempted to explain the problems of the customs officials by saying that there were no police and no CCTV but generally there was a good sense of context and the problems in dealing with smuggling, in particular, were well explained.

Indicate which question you are answering by marking a cross in the box.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number: Question 3 Question 4

It was difficult to deal with ~~po~~ poaching and smuggling in the eighteenth century as people couldn't afford the prices of things such as coffee, sugar etc in Britain so people would go to another country, where it was cheaper.

buy ~~these~~ the products that people wanted and sell them to ~~then~~ the people once they got back into the country and make their money that way.

This was difficult to stop as often the smugglers would stop their boat somewhere ~~where~~ they couldn't be seen on the beach and get it through the streets late at night when no one would be awake. The smugglers would constantly change where they would position their boat whenever they were smuggling goods into the country so that the custom officers would not find them.

Unfortunately, this happened to ~~a~~ the Hawkhurst gang of smugglers in 1748 when the custom officers seized a cargo of smuggled goods from their ship. However, this was the only way they made their money, this was their only job, so they attacked the Customs House in order to retrieve the goods.

However smuggling has been one of the crimes that have never managed to be stopped. People constantly smuggle things in and out of the country right up until this very day.



ResultsPlus Examiner Comments

This answer does explain the difficulty in actually catching smugglers in the act but the rest of the answer is not focused on the question.



ResultsPlus Examiner Tip

Read the question carefully and analyse it so that you respond to the specific question and don't just write about the topic.

Indicate which question you are answering by marking a cross in the box.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number: Question 3

Question 4

In the ~~18th century~~ 1730s taxes on tea and ~~the~~ other goods increased, this caused smuggling of these goods to increase as well because there was high demand for them. ~~The~~ Society saw it as a crime caused by the government because they had increased the taxes.

The Public had sympathy for the smugglers as they weren't smuggling illegal goods and they were punished harshly. This meant many people supported them. On the coast ~~they~~ ^{people} hid their goods and provided alibis for them and inland people bought their goods. This made it difficult for the government to deal with them as the support from the public who thought they were heroes prevented them from catching them.

Another reason is that it ~~was~~ was hard to patrol the coast, where smugglers usually ~~to~~ brought in their goods, therefore it made it difficult to deal with them, catch them and prevent smuggling.

The methods used by smugglers made it very difficult to deal with

them. They often attacked custom officers which was hidden by their popularity which made it hard to confiscate the goods or arrest the smugglers. An example of this is the Hawkhurst gang in 1748 who attacked the custom officers when they seized the cargo.

The huge profits made by smugglers led to well-organized gangs + methods which made them very difficult to deal with.

In 1723 the Black Act brought in harsh punishments for poaching. This shows that authorities were finding it difficult to deal with this crime and therefore had to punish it more harshly.

Landowners brought in gamekeepers for their poaching which shows that they were not following the laws against poaching. This made it difficult to deal with it because many were disobeying the law.

Also it was hard to patrol the land used by poachers as it was privately owned by landowners. This made it hard to deal with the crime + enforce these laws.

Overall it was hard to deal with these crimes because they were 'social crimes' which did not harm anybody, therefore they were not seen as 'serious' by society which caused more people to commit them. They were hard to patrol which made it harder to prevent them. Also they were supported by the public which made it harder to detect the criminals and find witnesses.



ResultsPlus Examiner Comments

This answer explains a range of difficulties in dealing with smuggling and also covers problems in dealing with poaching.



ResultsPlus Examiner Tip

Notice how every paragraph has a sentence linking it to the focus of the question.

Question 4

Approximately one-third of the cohort chose to answer this question on changes in methods of law enforcement. Examiners felt this was not as well done as question three, with more reliance on the bullet points and slightly more descriptive answers so that Level 2 was the typical standard.

Students generally had a good understanding of the situation in c1450 and could expand on the stimulus material with many valid comments about the community nature of law enforcement and the use of public and humiliating punishments. Most commonly, they expanded on the use of the hue and cry, the unpaid parish constable, and the use of punishments like the stocks, although some answers confused the tithing and the hue and cry. Few could really use the comment in the stimulus material about watchmen; this role

was not seen as a response by towns to the problem of increasing population and fears of crime; instead it was assumed to be an example of an early police force which was both widely employed and fairly effective.

This was not simply a question on the development of the police force. The stocks were mentioned in the stimulus material because the use of public humiliation and deterrence was a major element in law enforcement in the absence of a police force. However, many students did not recognise this and drifted into an answer about changes in prison and the abolition of transportation that was unrelated to law enforcement.

Some answers became confused because of uncertain chronology but generally the sequence of changes was correct and surprisingly few answers went beyond the question's end date of 1850. However, a number of students missed the focus on change and only discussed the situation during the Middle Ages. Of those who did recognise the emphasis on change, a very small number of candidates mentioned the regulations laid down under Charles II for night watchmen and Jonathon Wild but many candidates were very knowledgeable about both the Fieldings and the 'Hue and Cry' newspaper; the Bow St Runners; Horse Patrol and Thames River Police; and also about Peel and the creation of the Metropolitan police force. There were also comments about changing public attitudes towards law enforcement and the need to distinguish the police from the army, especially after events such as Peterloo.

Although major change was often handled well, there was little discussion of continuity or of ongoing change. Some students used the stimulus material as a springboard and their answers focused on using the details to make a contrast between 1450 and 1850. Although this is a valid approach, it was often descriptive or at best was based on comparison of two 'bookends' rather than an analysis of various aspects of change. Such answers also tended not to recognise the emphasis in the question command term: 'In what ways', which requires an analysis of change. They identified changes that had taken place but did not comment on their nature or the extent / scale of change that had occurred. This is a key concept in this unit and candidates need to anticipate that such questions will be set. Many answers declared that a 'massive' or 'dramatic' change had taken place which they failed to substantiate.

Quite a few answers assessed the effectiveness of different aspects of policing, which again missed the focus on change while others explained the growth in population, the move to industrial towns and problems in the medieval system to show why a change occurred.

The best answers focused on assessing the nature or extent of change, going from community policing to a professional body and therefore covered the full timescale, and not merely the 'bookends', or also considered some elements of continuity in order to assess the extent of change.

Indicate which question you are answering by marking a cross in the box.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number: **Question 3** **Question 4**

In 1450, local communities used a group of around 10 people to try and catch a criminal. This group of people were called a tithing. They used the system of 'hue and cry' to track down

a criminal. ~~400~~ years @ Over 350 years later, law enforcements changed dramatically when Sir Robert Peel started the Metropolitan Police force in 1829. They were called 'peelers'. Around 3200 men were appointed by Sir Robert Peel to become police officers. ~~At the start of the peelers~~ At the start, peelers were criticised because ~~they~~ they consisted of only 3200 men, and this was seen as not enough police officers to deal with all the crimes that were taking place. Later on, the peelers got more popular, as crime rates fell and people were more scared of getting caught by the peelers. In the early 15th century, towns employed watchmen to walk through the streets at night, to catch any criminals committing crimes. These men were ~~the~~ effective, as street crime at night fell.



ResultsPlus Examiner Comments

This talks about a dramatic change in law enforcement between 1450 and 1850 and uses detail from those two dates to try to support the comment. Although the detail is mainly correct, the answer does not explain what change has occurred or why it is so dramatic. The final sentences are an attempt to use part of the stimulus material but the comment is incorrect.



ResultsPlus Examiner Tip

Don't try to use the stimulus material if you don't know why it is relevant to the question.

Write in paragraphs - it makes your answer look more structured and organised.

Indicate which question you are answering by marking a cross in the box.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number: Question 3 Question 4

In the 15th century, there was no permanent police force, instead, each town assigned itself a local constable, who was usually judged by the parish council.

Early methods of crime prevention and detection were somewhat poor; as you had to see the crime in order to prevent it.

The most common system used to catch a criminal was the hue and cry; where people would chase the criminal yelling out 'Thief' etc. Every villager had to respond to the cry to catch the criminal.

By the 1600s, not much had really developed in policing, and it wasn't until 1749 that there was change. In 1749, the Fielding brothers founded the Bow Street runners, an organisation that was

classed as Britain's first police force, even though there was about 6 members. The Bow Street runners main aim was to investigate

criminals and stolen property, however, they weren't very successful due to the huge area they had to cover. This is similar to the watchmen that were employed during the 15th century, showing that the law enforcement changed, but not the methods.

Another way methods have changed is through the end of the Bloody Code, where newer punishments such as transportation were used as a deterrent. Unlike the use of the pillories and stocks, transportation didn't necessarily humiliate them, but it did remove them - even though it was brief for the stocks - from society, and it also deterred others,

showing, again, that the methods have changed slightly, but not entirely.

Finally, in the 1800's, the methods of law enforcement have changed dramatically, for example, the use of the army in extreme situations stopped immediately

after the Peterloo Massacre in 1819, where 18 innocent civilians were killed and 500 injured. After this event, the police and the army have purposely been separated to prevent this from happening. This event led to the creation of the ~~the~~ Metropolitan police in 1829, so that they would differ from the army, and act as a method of deterrence on ~~the~~ their own; which concludes the fact that law enforcement methods haven't changed a lot, but slightly.



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Examiner Comments

The answer covers the whole time period, identifying times when not much change has happened and giving examples of dramatic change.

The answer is focused on the question and uses detail well to support the comments.

Question 5

Question 5 was the less popular choice, with only 2,000 students choosing to answer it.

Most students confidently described different forms of Trial by Ordeal, including the fact that they were carried out by a priest and usually within a church. This was usually linked to an explanation of the context and rationale – that this method was used when the accused claimed to be innocent but it could not be proved, and therefore it was expected that God would indicate guilt or innocence. Some answers also pointed out that this procedure was a trial and, if the prisoner was found guilty, punishment would follow.

Knowledge was often very good with precise details about walking nine paces holding the hot iron bar or that the hand was unbandaged after 3 days. Some answers explained that women usually underwent Trial by Water but this sometimes digressed into an answer on witchcraft, which frequently asserted that the suspect was left to die. Many also explained that the Normans introduced Trial by Combat although there was some lack of contextual understanding in the tendency to assume that priests had an easy option when they underwent Trial by Consecrated Bread (or Trial by Cake as some students suggested).

However, some answers remained at Level 1 or Level 2 because they merely listed different methods or criticised these 'superstitious' actions.

Question 5 (b)

The Roman period is generally well known and students can usually offer detailed comments about crimes, punishments, the legal system etc. Many answers could identify and explain aspects of the punishment system which were declared to be unfair but not all candidates developed this into an explanation of why it was unfair. The most common unfair aspect identified was the system of different punishments depending on the social status of the criminal. Many students used terms such as 'hierarchical' and 'patriarchal' when explaining the variation in punishments. Some explained that the system requiring the victim to produce the criminal for trial was unfair because it favoured those with resources, or because the physically weak had less chance of achieving justice. There were also some comments about unfair crimes, for example the requirement to worship the emperor.

Answers were often unbalanced since students found it more difficult to identify 'fair' aspects. Some of the points mentioned included the display of laws as the Twelve Tables/ Tablets, the sliding scale of punishments according to the severity of the crime, the right of trial, and the presumption of innocence.

This examination is about the situation in Britain and therefore comments about attempts to kill the emperor, or the punishment of being tied up in a sack with a snake, were not always relevant and it was disappointing to see so few references to the role of the local centurion. There were also some out of period examples given, and some students contradicted themselves within their answer.

Nevertheless, examiners commented that there was excellent knowledge being displayed at Level 4 but also well structured answers that developed a clear line of argument. Even in cases where the student lacked the precise knowledge to support the answer, there was often the recognition that both sides of the issue should be considered, showing that good examination technique is being taught.

Indicate which question you are answering by marking a cross in the box.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number: Question 5

Question 6

(a)

Trial by ordeal was carried out by the church in Anglo-Saxon and Normen (England).

It relied heavily on God to determine if someone was guilty, and was usually carried out in such cases that the jury could not reach a ~~set~~ decision.

One of these trials was Trial by Hot Iron. This was usually undertaken by women. ~~and involved~~ The person in question would be made to carry a hot rod of steel or iron for three miles in one hand. If, after three days, the wounded hand was healing properly or ails enough the person was deemed innocent. If not, they were guilty.

Another trial by ordeal was a Trial by Boiling water. Usually undertaken by men, the person would plunge their arm into boiling water to retrieve a small metal ring. Once again, if the wounded arm was healing they were innocent, if not they were guilty.

A third was Trial by cold water. The person would be knotted about the waist and

(a) continued) and the person would be lowered into the water, usually a river. It was believed that the water was pure and would not accept sinners. If the person sank and the

knave was no longer visible, the water had accepted them as innocents. If they ~~was~~ shocked the water rejected them as guilty.

A kind trial for was done for priests. It was called Trial by Consecrated Bread. The priest would spit peas to choke on the bread if they lied, they would be made to eat a piece of consecrated bread. The idea was that God would not allow them to eat consecration if they were guilty, so if they did not choke they were innocent. If they did they were guilty.

The Normans kept using trial by ordeal, but also introduced Trial by Combat. The accused and the accuser ^{would fight} ~~and~~ ~~the~~ ~~accused~~ ~~was~~ ~~made~~ ~~to~~ ~~fight~~ if the accused won they were innocent.



ResultsPlus

Examiner Comments

This is a thorough answer, explaining clearly the various stages and different forms of Trial by Ordeal.

Rich were favoured - men treated different to women
harsh punishment to deter - victim had to find suspect
(b) Emperor was in power based on evidence - not small though

The Roman system of Law and Order was deemed by many looking back on this period as extremely harsh. There were many things which led people to think like this, such as the rich being favoured, slaves being favoured, harsh punishments, and so on.

Firstly, this system of Law and Order was unfair because the victim had ~~to~~ ^{the} responsibility to find the suspect who he accused of committing a crime against him. Clearly this was unfair as the suspect was more than likely capable of escaping the victim, especially if the crime wasn't witnessed. Therefore, the ~~same~~ ^{law and order} was unfair as the chances of actually catching ^{and punishing} the criminal were small.

Also, even if the suspect was caught by the victim, the victim had to take him to the emperor. This meant that basically, the suspect had to hand himself over. The chances of this if the suspect was guilty would be extremely small. He would attempt to escape, in order to not be caught, meaning he could simply beat up the victim and escape. This made the law and order unfair as there was no police force able to arrest a suspect, so he could escape easily.

In terms of a hierarchy, there were definite signs

((b) continued) that the rich were favoured over the poor, which normally consisted of slaves. In a very serious crime, the punishment for slaves could be (for instance if they committed murder) execution. There would be no debating and the emperor would send him to be eaten by lions. If, however, the suspect was rich and of a higher class, then they had the opportunity of exile. They could escape the country as punishment, instead of being killed. This shows law and order was also unfair, as the ~~to~~ rich were certainly favoured over the poor, which was blatant discrimination.

In contrast to what has been mentioned, you could say that the Romans at least made an attempt to make law and order fair. The jury did try and base their views on the evidence provided; rather than Norman and Anglo-Saxon times where a suspect's innocence was based on God's view. This shows, at least, that Romans had the right idea of making law and order fair. However, in most cases there would normally be a distinct lack of evidence as in the time, the only evidence would really be if someone witnessed the crime.

In terms of the aim of the punishment used by the Romans, there was no doubt their system was based on deterrence, and revenge. Many punishments were extremely harsh; petty theft was punished with flogging,

(b) continued) and sometimes amputation of limbs. If a ^{prison} ~~prisoner~~ opposed the Emperor, they were forced to become a gladiator. These punishments were extremely harsh so that no one ~~was~~ would want to commit the crime. However, because of the lack of evidence, many people could be falsely accused and then be executed for a crime they did not commit. This shows Roman law & order was unfair as the punishments were too harsh and the suspect could be wrongly accused.

Other things making law and order in Roman times unfair included men being treated differently to women, as they were favoured. Also, the Emperor was in full control, so even if there was a lack of evidence, if he decided the ^{suspect} ~~criminal~~ was guilty, they'd be punished.

To conclude, overall we can see that generally law and order in Roman times was unfair. The fact that slaves were unfairly treated, women were unfairly treated, the punishments were extremely harsh, the victim was responsible for finding the suspect and the lack of evidence used in trial all made law and order very unfair. Although there was an attempt to achieve fairness by the Romans as they tried to use evidence in juries, because of the lack of evidence, this meant it was fairly useless, making law and order in Roman times, overall, unfair.



ResultsPlus Examiner Comments

The answer has a clear focus on the issue of whether Roman law and order was fair. It examines a wide range of aspects of the system in order to reach a judgement.



ResultsPlus Examiner Tip

In questions like this there is not a 'right' answer - marks are given for how well you weigh up the two sides of the issue.

(b) The Roman law and order system relied heavily on the citizens. If the citizens wanted to accuse someone of committing a crime then they had to gather the evidence themselves and present it to the local centurion. The centurion would then decide if they had a case. Some crimes were punished a bit harsher than others, for example, if you ~~murdered~~ murdered your father then you would be thrown in a bag of snakes and put in to the river. This seems harsh, if you were a noble & who had committed murder you could choose to be exiled ~~instead~~ instead of being hung. On the other hand, if you were a servant who had killed your master then you would be killed along with all the other slaves in the household.

Other crimes such as theft or selling under weight bread would be ~~punished~~ punished by fines or whipping. These punishments seem fairer than being hanged/killed. The reason the Romans used such harsh punishments was because they were a ~~deft~~ deterrent and put other people off committing the same crimes. Also hanging people was a cheap and

((b) continued) quick way of getting rid of criminals

The Roman law and order system depended on the class of the ~~person~~ accused. If they were a rich noble, then they could get off more lightly than ~~the~~ normal citizens, where as if they were a servant they would ~~be~~ pay a heavy price for disobeying their masters. The Emperor couldn't get punished for committing any crimes, as he was seen to have God-like status, but if someone committed treason then they would be put to death in the most horrible way.

The Roman system of law and order wasn't that fair. It discriminated against different classes and different sexes, for example the punishment for patricide was harsher than the punishment for killing your mother. The fines and whipping were fair ~~punishments~~ punishment though. Also crimes against the Emperor were punished harshest, this was not fair, as the Emperor wasn't punished for any crimes that he may commit.



ResultsPlus
Examiner Comments

This is a good answer about the unfairness of the Roman system. However it is mainly about punishments and says little about any fair aspects of the system, so it cannot weigh the two sides of the issue and reach a judgement.

Question 6

Question 6 was much more popular, with 6,000 answers to this question.

Most students were able to write confidently about conscientious objectors, often distinguishing between official government attitudes and those of the public, or between absolutists and alternativists. The idea that they were seen as cowards and given a white feather was well known, but some students seemed to think they were compelled to wear the feather (or flower as some asserted). Some answers gave details of the military tribunals, the use of prison and the treatment of individuals such as James Brightmore. Some answers also noted that the bad treatment of objectors continued after the war since they were not allowed to vote for 5 years.

Unfortunately, a number of students focused on explaining the ideas of conscientious objectors rather than how they were treated, in particular explaining the difference between alternativists and absolutists. A few students wanted to offer their opinions, to explain why conscientious objectors became an issue, or to talk about the Second World War or they just described the treatment of objectors in generalised terms.

Question 6 (b)

The specification indicates that both question 5 and 6 should be studied in combination with core content. This approach has also been mentioned in every Principal Examiner's Report since the new specification began, and has been a regular feature in question 5. Students should therefore be prepared to make links between the specified content, and key themes in the core, such as the relationship of attitudes and beliefs to crime and its treatment.

Most students were able to show the link between religion and the crime of witchcraft. The bullet point about the abolition of laws against witchcraft prompted many to explain that greater scientific understanding, and the declining power of the Church, meant that religion had less influence over definitions of crime. Many students also explained the context of the Reformation and the importance of religion in the Tudor period when witchcraft became a civil crime; or explained the influence of religion in the view that women were more susceptible to the Devil. Although some students just discussed witchcraft, often repeating the other bullet points with little elaboration, there was a range of good points made. These included an explanation of the idea of Divine Right linked to treason and other crimes against authority, often using the Reformation to show that people were expected to follow the religion of the monarch and sometimes supporting this with details about the Gunpowder Plot.

Examiners were impressed by a number of excellent answers which weighed the influence of religion against the influence of other factors in defining crimes. The most common alternative suggested was the increasing role of science, but other influences on the authorities were also suggested, with an emphasis on power and the political unrest during the civil war being offered as evidence.

Indicate which question you are answering by marking a cross in the box.
If you change your mind, put a line through the box
and then indicate your new question with a cross .

Chosen Question Number: Question 5 Question 6

(a) During the First World War pacifists were treated very cruelly. Women were encouraged by the government to hand out white feathers to any men that refused to fight in the war. This made them feel embarrassed and guilty.

People hadn't seen the horrors of war so they thought it was selfish for a man not to fight and support his ~~country~~ country, they didn't understand that some thought it was morally wrong and sinful.

Military Tribunals were held by authorities; this meant they were less sympathetic and gave out fewer exemptions; unlike in World War Two 50,000 men were granted exemption due to the fact that they were held by local people.

The media also portrayed them as lazy, unpatriotic cowards which influenced the public opinion a lot.

CO's lost their jobs and got beaten in the streets by the public as a sign of disgust and if a man refused to fight he would face execution or he would be sent to ~~the~~ France and forced to fight against his will by the government.

((a) continued) some men were given other types of work to help the war such as farming but that was very few. Conscientious Objectors lost the right to vote because of their decision not to fight. ~~that~~^{the} was extremely harsh and an unfair way to be treated.

Overall I think COs were treated disgustingly due to their beliefs because people didn't understand the horror of war and that most likely the men would be killed if they went out to fight.



ResultsPlus Examiner Comments

The answer shows the different ways in which conscientious objectors were treated by both the government and the public. It also shows that the bad treatment continued even after the war ended.

(b) After the beginning of the protestant church in England by King Henry VIII religion began to have an even bigger influence on law because the church of England had to ensure that England stayed protestant this was enforced by the laws concerning heresy and treason and witchcraft being made much stricter/severe. During the Middle Ages heresy could be punished by death" this is an example of the religions influence on what was considered illegal and shows that up until the sixteenth century religion still strongly influenced the law, in the sixteenth and seventeenth centuries witchcraft became more focused upon by authorities and people as a crime and continued until the 18th century at least

1000 people were ~~was~~ executed for the crime of witchcraft in this period. Witchcraft is considered a crime against authority (in this case the Church). In the sixteenth century even minor crimes against the church (such as not attending church) were punished (in this case by a fine). This is helpful in identifying the extent of influence because it was just heresy and witchcraft that were punished. Small crimes were also focused upon.

However religion did not influence laws for the whole of this 300 year period. In the late 1600's and early 1700's suspicions about witches and heresy laws became less strict. An example is that in 1736 all laws concerning witchcraft were abolished. This was brought on by a shift

((b) continued) in public attitudes: because witchcraft laws were only put in place for religious reasons they were also enforced because people felt the need to blame someone for the poor conditions in England (poor harvest, civil unrest and deaths due to war and disease). Also advances in science (royal societies set up) disproved theories of witchcraft and miracles. Miracles were rare so people became less superstitious. Also under Charles II the church was given less power (because of his focus on sciences) so less of an influence was felt.

Overall I disagree that religion influenced the authorities view of what was a crime for the whole 300 year period from 1450 - 1750 because it was just religion that influenced laws such as witchcraft laws. Civil unrest and the need for a scapegoat helped with that and advances in science made people less superstitious. However for the first 200 years of the

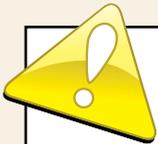
period religion certainly had a large influence on the authority. Also the influence fluctuated depending on the situation in the country so some periods had less intense laws than others.



ResultsPlus
Examiner Comments

The answer explains the role of religion in influencing ideas about crimes, but also considers the whole period and shows that this influence declined.

The argument is summed up well in the conclusion.



ResultsPlus
Examiner Tip

When dates are included in the question, make sure you cover the whole timescale.

(b) Before the 18th century, Religion was a major part of life with people giving their lives to worship and even wars starting over it so it is no wonder that the ~~authorities~~ authorities^{ie} between 1450-1750 cared so much about how well Religion was followed.

"During the middle ages and 16th century, heresy could be punished by death." This shows very early on the authorities considered lack of faith a capital offense. Something that seems utterly barbaric to modern times, religion clearly went hand-in-hand with law in this period.

"In the 16th century non-attendance at church was punished with a fine." This tells us that even not going to church and ~~was~~ what is done in personal time can be fined, showing a lack of freedom and a law clearly made with religion in mind.

"In 1736 all laws concerning witchcraft were abolished." Before 1736, some women were executed simply for being middle aged,

((b) continued) living alone and having a pet. The authorities and most people believed that this was enough evidence to prove someone a "Witch" and worthy of execution. This is another barbaric law clearly influenced by Religion.

These three laws, two of them being capital offences are established by the authorities thanks to Superstition and inspired by Religion. All three of these laws would not even be considered if religion did not exist. The authorities were clearly influenced by Religion when making these laws.



ResultsPlus
Examiner Comments

The comments made show a good understanding of the importance attributed to religion: for example the comment that you could be fined for what was done in 'personal time', and the recognition that 2 of the 3 bullet points refer to capital crimes. There is also a brief reference showing knowledge of the crime of witchcraft. However, the answer does not develop these points with additional detail.

(b) religion continued to influence the authoritative view of what was crime.

Witchcraft, for a number of years was seen as a crime, and many people believed that people could curse one another. However the reason that any laws concerning witchcraft were abolished ~~in the year~~ by 1736 was due to people discovering ~~science~~ and ~~seeing~~ scientific explanations for things occurring which they would have otherwise believed that witches were responsible for.

For example crops failing, was really due to lack of water and not down to cursing.

The main reason for witchcraft becoming a crime in the first place was due to pressure of a suspicious, failing society. After the ~~French revolution~~, civil war, many people were left poorer and more needy. The government did not want another reascendance, and were therefore becoming a lot more suspicious of

((b) continued) any strange behaviour of individuals ~~may show~~ might have shown.

However, the church still played a ~~major~~ role in the vein of crimes to local authorities. Not attending church was considered to be a crime as authorities felt as if they were disrespecting God and felt that by punishing people who didn't go to church they would be praised in heaven for it.

Although in 16th non attendance to church would have caused a fine to that individual, before hand someone who did not attend church would have had a much ~~more~~ serious punishment.

This shows that religion was becoming a less important and influential reason to punish people for certain crimes.

I do not agree that religion continued to influence ~~par~~ authorities in vein of what was a crime as I believe that

((b) continued) as people were discovering scientific explanations and scientific ideas the authorities were using science to depend on whether a crime should be classed as a crime. Without the idea of science witchcraft would not have been abolished as a crime. As religious ideas would have continued the influence that witchcraft was a crime as ~~it~~ there would not of been any explanations to the occurrence of certain events.

In my opinion = Science was the result of religion not influencing ideas on crime



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Examiner Comments

This answer focuses on the example of witchcraft and shows the importance of science in the decline of accusations of witchcraft. The answer briefly shows the importance of religion in influencing attitudes towards crimes but it needs a more explicit focus on the question and a clearer line of argument to move into the top level.

Paper Summary

Students should be reminded that it is the quality of the answer, not its length, which determines the level and mark. While it is tempting to pour forth everything that has been learned, 5 minutes spent analysing the question and planning a structured answer can move a Level 2 answer full of description, to Level 3 or Level 4 focused analysis and argument.

Many examiners commented on answers which started well and then strayed from the focus of the question. If students do not use a plan, they need to check the question regularly and ensure they are still answering that specific question and not simply writing about the topic. Too many potentially good answers, from knowledgeable students, only returned to the question at the end. In many cases there was the sudden realisation that the answer had gone beyond the stated timescale, or had missed the focus of the question, and a hasty additional paragraph or the use of asterisks brought the answer back on track and allowed the answer to reach the top level. However it could not get high marks within that level because there was not a sustained analysis.

Students generally find it easier to talk about change than about continuity, but teachers should ensure that students are familiar with the key themes of the specification and have some sense of the broad sweep of development throughout the whole period.

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