

Examiners' Report January 2013

GCSE History 5HB01 1B

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Introduction

This was the last of the January modular examinations and was taken by 3189 candidates. There were many impressive answers and also a great deal of evidence that candidates had been well prepared for certain styles of question. Many answers demonstrated an understanding of how to structure an analytical answer even if they did not always have the specific knowledge that would allow them to reach Level 3.

Candidates also recognised that change and continuity are a key theme in this Study in Development and made comments about progression and regression, although strong claims about 'huge changes' or 'great progress' again need to be supported by specific details.

Several general points can be made that apply to all questions and are relevant in every session. This paper covers approximately 600 years and therefore candidates must have an understanding of the sequence of various periods and the names used for them. Vagueness has a significant effect on marks when candidates discuss the 'Bloody Code' during the Middle Ages or appear to think the Tudor period was followed by the nineteenth century. It can also lead to a failure to score marks if candidates think that 'since 1900' is the nineteenth century.

Examiners noted very limited knowledge on Jonathon Wild or alternative punishments during the twentieth century. Apart from the extension studies, where a choice is possible, the entire specification should be studied. Any individual who is named in the specification should be well known but candidates should also be confident on ideas about crime, punishment and law enforcement, as well as the various factors involved in change and continuity.

The term 'authorities' is a key one in this specification. It applies in all periods, as well as in both extension studies, and candidates need to know that it can mean central or local government.

Candidates should also be aware of the fact that the stimulus material can take various forms in Q3 and Q4 but will always be bullet points in part (b) of Q5 and Q6. This stimulus material is intended to alert the candidate to the need to cover the whole period in question, to look at a range of causes or effects, or to consider both change and continuity. There are no marks for paraphrasing the bullet points and it is not compulsory to use this material – indeed it is possible to gain full marks without doing so. However, candidates should be ready to bring in additional ideas and details from their own knowledge.

Finally, candidates should make sure they analyse the question. It is highly unlikely that they will be able to use the same material in two separate questions and some knowledgeable answers failed to score highly because candidates produced a prepared answer on the topic rather than a focused answer to the specific question. In particular, candidates need to understand that questions about role and impact require an analysis focused on effects and not just a description of what was done.

Question 1

Most candidates are clear about what is expected in answers to this question. They are usually able to identify a change that has taken place from the first source to the later one and they realise that they need to show which part of the sources helped them to identify that change. Most candidates also realise that descriptions of source content or use of own knowledge will not be rewarded in this question and that a lengthy answer here might impact on their performance in the more high-scoring answers later in the paper.

Answers should explain what inference is being made about change: for example, identifying the nature or scale of change. Simply juxtaposing comments about the sources, with the occasional 'whereas' or 'however' inserted, is not an analysis of change. Valid answers based on these sources discussed changes in what was stolen and how theft was carried out; for example, theft had become more secretive, more opportunistic, less personal or less violent.

The context for the sources should be known, and it was surprising how many candidates thought highway robbery involved stealing the carriage, but they should not try to use own knowledge, for example about Dick Turpin. This question is based solely on inferences to be made from using the sources in combination; candidates should not be discussing continuity. Candidates on this paper are also familiar with the idea of whether 'new crimes' are simply old crimes in a new format, but pointing out the similarities is again an inappropriate line to pursue in this question.

1 What can you learn from Sources A and B about changes in the crime of theft?

Explain your answer, using these sources.

(4)

The actual crime is ~~the~~ practically the same in Source A as it is in B as they are both targeting a vehicle for their crime. However, source A suggests that a lot of highwaymen were armed and used violence in their attack, whereas source B suggests car thieves now-a-days to be unarmed and opportunistic and their ~~attacks~~ crimes are not planned. Furthermore, the sources imply that crime in the present day is not targeted, it is merely a case of seeing "an unattended car with the keys left in", unlike eighteenth century crime which appears to be more planned and targeted.

(Total for Question 1 = 4 marks)



ResultsPlus
examiner comment

This answer is a clear explanation of the change from a planned and violent theft to a more opportunistic crime. It is also clearly based on the use of these sources and therefore was awarded Level 2.



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examiner tip

The best answers to Q1 often begin with a statement identifying the change that has occurred and then details from each source are used to support that inference.

Question 2

Q2 is always set on key people, events or themes in the specification. Both Jonathon Wild and Derek Bentley are named in the specification yet there was a surprising lack of knowledge from some candidates and, indeed, examiners commented that an equally surprising number of answers were left blank. Others failed to score highly on this question because they did not analyse the question.

Derek Bentley was the overwhelmingly more popular choice and the general outline of the story was well known, although few candidates could give precise details. It was frequently asserted that he was an innocent man who had been 'framed' or that he was the last man to be hanged in Britain. Yet the question asked about the impact of his execution and few could go beyond statements that 'there was public outrage'. It seems that the individual cases of Evans, Bentley and Ellis are well known but the context of changes in the death penalty is far less secure. Many candidates gave narrative or unbalanced answers that claimed there was a direct link between the unfairness of Bentley's execution in 1953 and the 'abolishment' [sic] of the death penalty over 10 years later. A number pointed out that Craig, who actually committed the murder, could not be hanged because the age at which the death penalty applied had been raised to 16 in 1908 and then 18 in 1933, but there was little knowledge of various attempts to make other changes to capital punishment. There were also few specific examples of the reaction to the Bentley case, such as the crowd outside Wandsworth prison, the petition signed by 200 MPs, or the Home Secretary's refusal to intervene.

Jonathon Wild was chosen far less often. While candidates were often clear about his activities as a receiver of stolen goods who then 'found' items for the victim, they were less clear about his role in the organisation of crime in London or the way he was regarded by the public. Candidates also found it difficult to discuss the impact of his execution in 1725, with many asserting that his case led directly to the formation of the Bow St Runners or the Metropolitan Police.

2 The boxes below show two individuals who influenced attitudes towards crime and punishment.

Choose **one** and explain why his execution had an important effect on people's attitudes.

(9)

Jonathan Wild's execution in 1725 and attitudes towards crime.

Derek Bentley's execution in 1953 and attitudes towards punishment.

Derek Bentley's execution in 1953 had a great importance and effect on people's attitudes in the late 20th century. Partly because of him, ~~THE~~ Evans and Ellis Capital Punishment was abolished.

Derek Bentley's trial, with 16 year old friend, was to bleed guilty or innocent for the death of a Police Officer. Derek did not actually kill the officer, it was his friend. However the law stated anyone under 16 could not be hung after 1906. Derek was found ~~guilty~~ guilty with mercy by the jury, but the judge sent him down. Because of Derek's trial this ~~had~~ caused massive controversy between the public. The reasons for capital punishment were to give closer to victims families, ~~and to~~ ~~if you~~ many people had the opinion that if you took someones life, you should have yours taken. Capital Punishment was

used to fear and remove criminals. However, how could authorities be sure they had the right person? In Derek's case they didn't. Derek's family and friends set up a campaign to clear Derek's name even after the 10 year old's death. Thousands of signatures allowed the campaign to clear his name in the late 20th century, years after his death. Because of this attitudes from the public and the authorities changed, leading to the abolition of capital punishment in 1986. The use of capital punishment was to remove criminals, but the right ones. Crimes didn't really change even after the abolition, murders were still committed but punishments became less harsh; this was supported by the public's attitudes.



ResultsPlus
examiner comment

The second page has a clear understanding of the sense of injustice and outrage that contributed to the abolition of the death penalty. There is a brief reference to the cases of Evans and Ellis, and an explanation of the ongoing campaign to clear Bentley's name; therefore the execution of Bentley is placed in the overall context and its significance is explained. This is enough for Level 3, although the lack of precision prevents it from scoring full marks.

2 The boxes below show two individuals who influenced attitudes towards crime and punishment.

Choose **one** and explain why his execution had an important effect on people's attitudes.

(9)

Jonathan Wild's execution in 1725 and attitudes towards crime. ✓

Derek Bentley's execution in 1953 and attitudes towards punishment.

Jonathan Wild was a very famous thief taker he would get people's (the) possessions back for a fee but he despised the public as he had a criminal gang who would take the possessions then the victim would get him to get them back for money (although he) this made him very rich and when he was finally caught and hung in Newgate prison.



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examiner comment

This answer describes the crimes of Jonathon Wild and therefore reaches Level 2 but does not go beyond that because it does not explain the significance of his execution.

Question 3

Candidates were clear that crimes against authority were punished severely, and could discuss the three examples in the bullet points, but they often found it hard to link these cases to a discussion of changing attitudes. In particular, answers sometimes focused too much on explaining the crime of smuggling or the punishment of transportation and lost sight of the focus on change and continuity. They recognised that the three examples suggested that change had occurred but they did not explain the nature or extent of that change. Other answers began by inferring a change in attitude as punishments became less severe but then became an explanation of general changes in punishment and lost the focus on attitudes to crimes against authority.

Few answers at Level 2 could make effective use of the bullet point about the Tolpuddle Martyrs. However, they are named within the specification and therefore candidates should be reminded that it is not necessary to use the scaffolding in the question to achieve high marks and they should be discouraged from trying to use material that is unfamiliar to them.

Good answers often differentiated between the attitudes of the upper class and the rest of the population. These responses explained ideas about social hierarchy and why crimes against authority were so harshly punished. They then showed that many people did not regard smuggling as a major crime and explained that there was great resistance to the idea that the Tolpuddle Martyrs had committed a crime against authority; this then forced a change in attitude from the government.

It was also very pleasing to see additional examples of crimes against authority being discussed, such as the Gunpowder Plot and the protest meeting that became known as 'Peterloo', together with good contextual knowledge, such as the fear of revolution after 1789. Unfortunately, the example of conscientious objection (possibly prompted by the bullet point in Q6(b)) was outside the time scale of the question.

Indicate which question you are answering by marking a cross .

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 middle ages, crime against authority was seen as a very serious issue. There was strict emphasis on hierarchy and anyone caught committing a crime ~~that~~ against a figure of authority could be harshly punished. For example, the crime of 'petty treason' ~~at~~ which can include just mentioning dislike for the monarchy, ~~at~~ carried a more serious punishment than if a man were to murder his wife. This is because, in the patriarchal society, women were seen as less important to men. The Treason Act also shows that ~~any~~ crime against authority should be punished ~~very harshly~~ by ~~it~~ by death and therefore it was ~~very~~ ~~very~~ taken very seriously.

Smuggling was also seen as a crime against authority as it meant that the goods were not being taxed and therefore the government wasn't receiving the correct money. Despite this, smuggling was very common as an estimated $\frac{3}{4}$ of the tea in Britain was smuggled due to the tax rates of 119%. Smuggling became punishable by transportation in 1721 which shows that crime against authority was becoming slightly less harshly

punished as transportation was used as a punishment as it was a less harsh sentence than ~~the~~ execution and so the courts were more likely to convict.

The Tolpuddle Martyrs ^{were} a group ~~from~~ of six men from a village in Dorset who formed ~~the~~ a type of early trade union in order to raise their wage from starvation rates to a more human 10 shillings. Their demands were denied however, and, in 1833, they were tried in court. As their crime was seen ~~as~~ to be against ~~authority~~ the authority of the local landowner, they were tried harshly. There was no modern law that they had broken but the jury used an old law that stopped mechanics at £1000 to sentence them to transportation for their crime of swearing a secret ~~an~~ oath. This shows that the rich landowners and lawmakers were scared of challenges to authority and so made an example of the Tolpuddle martyrs to show that they had authority and should not be disobeyed.

The public however, protested ~~ag~~ against their sentence and eventually, in 1836, they were allowed to return to England as their charges had been dropped. This was a very important turning point as it showed the government backing down and admitting that they

were wrong. It also ~~shows~~ shows that the opinion of the public began to have an effect on laws and ~~not just the~~ so had more authority.

Over the time period of the middle age to the mid nineteenth century, crimes against authority became less harshly punished. This shows that there was less tension between the classes and so the authority figures ~~needed~~ ~~not~~ needed to ~~ever~~ show their power less. One reason that the ~~same~~ authority figures felt they needed to keep laws strict was the threat of revolution, much like that of France. In times of public unrest the laws would lessen but when there was any chance of revolution the rich law makers would clamp down to protect themselves.



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examiner comment

This answer is based on the three examples in the bullet points but in each case own knowledge is used to provide additional detail and the explanation links each case very clearly to attitudes about crimes against authority. This makes the response Level 3.

The end of each paragraph also offers comments about change and continuity, suggesting a gradual decrease in severity and identifying the case of the Tolpuddle Martyrs as a turning point.

The conclusion offers an evaluation of the changes and uses good contextual knowledge to support the comments made, justifying the award of full marks.

Indicate which question you are answering by marking a cross .
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 middle ages treason was a very punishable and usually were punished by death if a servant had killed their master. If you said something bad about your master or the king you would get your tongue cut off. Also if you stole something from a ~~been~~, this was usually punishable by death also. In the middle ages punishments were very harsh, even for petty crimes.

By 1721 prisons were very full and the act of Smuggling Act was made punishable by transportation to Australia. Although this seems like a better punishment than something as harsh as death people feared getting transported. The journeys to Australia took a long time, sometimes you would get lost and they were not the best conditions. Also if you had a family you would leave them unsupported and poor. But for some criminals it was a good thing as once their sentence was finished they did not want to go back as they had their own job or little piece of land and some also had found a wife and started a family there. So this punishment was very harsh for some.

people but it turned out good for other criminals.

In 1833 a group of workers from Tolpuddle created a group to protest against their pay getting any lower. They did not use violent ways but the landowners and government were afraid they would use control over their workers so they sent the Tolpuddle martyrs to Australia by transportation. Because the Tolpuddle martyrs had not done anything wrong when they were sent, there were big outbreaks of protests from the people to let them come back. By 1836 the Tolpuddle martyrs were allowed to return from Australia although their sentence was seven years. ^{people thought} This was a harsh punishment for them as they were innocent of any crime.

Overall the attitudes towards crimes against authority changed from the middle ages to the mid-nineteenth century a lot.



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examiner comment

This answer has a descriptive approach and also loses the focus on crimes against authority. Although there is relevant knowledge, there is little analysis of change so it cannot move into Level 3.

Question 4

Answers here tended to focus on prisons. Candidates are very confident on nineteenth-century prisons and punishment but seem less confident when discussing the twentieth century. Indeed, a number of answers were mainly about nineteenth-century prisons with a small conclusion stating that after 1900 the situation changed. This approach failed to recognise the broader focus on punishment rather than on prison and also to understand that 'since 1900' means that events before that date are not relevant. It was sometimes possible to reward comments that showed that twentieth-century changes were rooted in the work of Howard and Fry but this must be linked to examples of such changes after 1900.

Some answers became a general discussion of twentieth-century crime and punishment, discussing new crimes, such as speeding, and the use of CCTV, DNA and fingerprinting to catch criminals. Others appeared to be trying to use the stimulus material for Q6(b) and discussed domestic violence, which was again not relevant here. ASBOs also tend to be associated with the punishment of youths and, together with the bullet point on Borstal, some candidates saw this question as focusing on youth.

Meanwhile, the basic idea of reform and education in prison was understood but few candidates could support their comments with specific examples. The limited development of the bullet point about Borstal tended to explain why the prison was set up, but added little detail about what happened inside, and only a few explained the transition to Young Offenders' Institutes. Similarly, there was little use of own knowledge to discuss changes in prison, such as drug programmes, open prisons or day release. However, there were frequent comments about prison now being a 'soft' option, with gyms, televisions, electronic games, etc.

The abolition of the death penalty was often identified as a major change but few candidates could explain the context of changes to this punishment throughout the early twentieth century or explain how this reflected changes in the nature of punishment.

ASBOs were generally well known but they were not integrated into an answer on change and continuity. Answers tended to explain why ASBOs were used but not to discuss the underlying attitude to punishment and there were few additional examples of the development of alternative punishments such as parole, community service or electronic tagging. It is possible that since these recent measures are often identified as reforms, candidates do not associate them with other punishments and therefore did not see their relevance. Where such examples were discussed, there was often a very good explanation; for example, the use of community service as a method of rehabilitation and actively paying back the community.

The focus of this question was about the shift from retribution to reform and about the development of a range of punishments. This was generally well understood but the precision in knowledge and understanding that is expected at Level 3 meant that a number of candidates who understood the focus of the question could not support their comments well enough to score high marks. Candidates should also be reminded that the question asked 'how much' punishment had changed; a number of answers did look at both change and continuity and then failed to weigh the two sides and reach a judgement, thereby denying themselves full marks.

Indicate which question you are answering by marking a cross .
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

Throughout the 20th century, punishment has evolved greatly, so much so that in the 21st century it is almost unrecognisable. Firstly, punishment has changed greatly as the death penalty was abolished, so punishments became a lot less harsh over time. A key example of this was with Ruth Ellis, who was the last woman to be executed after she killed her boyfriend in self defence after ~~she~~ ^{she} was being domestically abused by him. Along with this, a man called Derek Bentley, who had the mentality of a child, was killed after his friend shot a policeman and blamed it on him. This raised an uproar as the public were confused as to why someone who thought like a child should die, and saw it as inhumane. Therefore we can see that punishment has changed, as they ~~have~~ have become more humane by abolishing the death penalty, showing a massive change since 1900.

Furthermore, there has been a significant change, as flogging and hard manual labour was abolished in prisons during 1968. This shows that over time, people have decided that retribution was not the only way to go, and some they started to become

alot more lenient in regards to punishing people, which is shown as people could get an education more and they did not have to ~~be~~ pay to stay inside the prison. This would of made them better, ~~rehabilitate~~ rehabilitating them for society. Therefore, we can see that there was a significant change as prisons became less about retribution, and more about rehabilitation, as flogging and hard labour were abolished in 1948, and they were prepared for society.

^{Plus} However, there was a ~~small~~ ^{giant} change in the form of ^{a prison in} Borstal (introduced ~~in~~ in 1902) being changed to only accept young criminals, having it's name changed to a ^y "Youth Offenders Institute" and being spread around the country. These prisons were introduced to separate young criminals from older, more experienced criminals, so that they would not be manipulated or influenced by them in any way, making prisons safer and easier to handle. These have stayed solid and are still being used today, showing that it has stayed a continuity since it was started. therefore we can see there was a change and continuity in the form of a youth only prison, as it separated ^{young and old} people (like in ^{separate} ~~separate~~ prisons) criminals, but was kept throughout the 20th century, enough to the 21st century, showing a continuity ~~alongside~~ the change.

Overall, there was ~~a~~ massive change throughout the

20th century, as they introduced revolutionary ideas such as abolishing the death penalty and making prisons a lot more lenient, all whilst creating a separate prison in 1902 for young offenders, so that they were safe from the adult manipulations, even whilst taking some elements from separate prisons, showing a large amount of change, but some continuity.



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examiner comment

This is an excellent answer. There is an explicit ongoing focus on change and continuity, using comments such as 'massive change' and 'significant change', which is enough for Level 3. There is also a discussion of the nature of the changes in punishment, showing the shift in prisons from retribution to reform. It therefore analyses change in two different ways.

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 ☒

Since 1900 punishment ~~is~~ has changed significantly. Punishment is now more about reforming criminals and helping the community rather than punishing the criminals by making them suffer.

In 1902 a prison was opened at Borstal for young offenders. This was the first prison which ~~is~~ solely dealt with the youth and no adults. By having prisons only for young people this meant they could be treated differently and given some form of education.

Another form of punishment which deals mostly with young people, although it can be given to anybody regardless of their age is the ~~is~~ ASBO, antisocial behaviour order. This means that ~~any body~~ anyone who commits an antisocial crime, such as vandalism, can be given an ASBO which means if they ~~is~~ commit a crime again, the police are aware of their background.

Punishment is also much less violent

In 1948 flogging and hard labour were abolished in prisons meaning that criminals could only be made to learn new skills which would be of worth to them when they were released. Also, by doing this criminals had qualities to enable them to get a job when they were let out making them less likely to commit another crime.



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This answer identifies the change from retribution to reform in the opening sentence but then becomes a description of punishments during the twentieth century. Any analysis of change and continuity remains implicit and there is limited use of contextual detail, which means the answer stays at Level 2.

Question 5(a)

Anglo-Saxon law and order tends to be well known and candidates were very confident here. The tithing and hue and cry were usually well explained, with a small number of answers also including detail about the folk moot and compurgators. The best answers placed these methods into the context of small villages, where people lived in close proximity and knew each other, and a society that lacked an organised police force, showing why the community had to be self-policing.

However, a number of answers included descriptions of Trial by Ordeal, which was irrelevant unless the answer explained that such trials were conducted by the priest and carried out in front of the community. Comments about the Blood Feud were rarely relevant since they show an emphasis on family rather than community. Answers that became a discussion of crime or punishment could not be rewarded and comments about the importance of the parish constable were anachronistic.

Question 5(b)

Candidates who relied on the stimulus material tended to stay in Level 2, offering a description of punishments based on the prompts. Where candidates recognised the focus on ideas about punishment, they were more likely to form their own argument and use the stimulus material as support, usually reaching Levels 3 and 4.

Continuity was well explained, with candidates able to show that there was continued emphasis on deterrence and retribution, usually in the form of physical and public punishments. However, the bulk of the answers focused on change, which was most often discussed in the introduction of whipping for vagabonds. Interestingly, although questions about the punishment of vagabonds usually produce an explanation of the differentiation between the deserving poor and the sturdy beggar, this was not often included here, where it would have been useful in a discussion of changing ideas about punishment.

Candidates could often explain what Benefit of the Clergy was but they did not understand its rationale. Too often this was seen as an escape clause, without any explanation of why the clergy received different treatment or of the fact that they were still punished, sometimes avoiding execution but being expelled from the clergy and losing their livelihood. It should also be noted that Trial by Ordeal was not a punishment.

Good answers to this question were rooted in a secure understanding of the historical context; for example, the need to set an example of harsh punishment when there was no police force or the fear caused by the growing numbers of 'masterless men' in the Tudor period.

Once again a lack of understanding of chronology inhibited some candidates. The question covered the period till 'the end of the Tudor period (c1600)'; therefore comments about the Bloody Code and transportation could not be rewarded.

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 Anglo-Saxon period, community played a massive role, as it was used to catch criminals along with warning people if a criminal was about. This was due to the fact 'Tithings' and the 'Hue and Cry' was used. A 'Tithing' was ten men in a hundred who had to make sure that no one in the ten did committed a crime, and if one was accused, they had to find prove to see if it is true. The leader was called the 'Tithingman', and they controlled the rest of the Tithing. Furthermore, the role of community was important, as the 'Hue and Cry' was used to alert the other people in the village that one of them had committed a crime. They did this by going outside their house and shouting "Hue and Cry", which was reciprocal until everyone knew and could capture the criminal. Therefore, this shows how important the role of the community was in the Anglo-Saxon society, as it was their method in capturing and finding criminals, when they needed to be found.

Furthermore, community was important as it led to feuds between families, dubbed "Blood Feuds". Blood

((a) continued) feuds involved two families killing each other off, after one started something by hurting a different family, and often led to whole families being wiped out. therefore, community was important as whole families were often at each others throats, ready to kill the other.

(b) Within the time period between the Normans and Tudors, ideas about punishment changed a lot. This can easily be shown by the shifts from the Trial by Ordeal, to using a jury to decide and confirm whether or not someone was guilty.

Within the time period between the Normans and the Tudors, ideas about punishment evolved a lot, becoming more and more harsher over time. We can see that it has become a lot more violent over time, as the Normans used to punish petty crimes with fines, which is a lot less violent than the Tudor methods of flogging, and causing damage to people if they committed a crime. This shows that over time, people have become a lot ^{less} more lenient in regards to minor crimes, as the punishments became more and more painful, even if the person could withstand it, which might not be the case for people who can't afford to pay the fines, such as poor people.

~~Furthermore~~ However, we can see that the punishments were almost the same in regards to ^{the} clergy, as they could escape any form of serious punishment by claiming benefit of the clergy. The Benefit of the clergy was solely for people who were apart of the church, and allowed them to not be punished, as they only had

((b) continued) to resign. Furthermore, in both periods they were put under trial in a church court, which dealt with moral crimes such as adultery. Therefore, this shows that there was a continuity between the two time periods, as the role of religion often saved clergymen from any and all major punishment, which shows how important religion as it made punishments alot weaker.

However, there was a change between the two time periods in regards to attitude, as beggars became a greatly hated group of people, and often had serious punishments. This was due to the fact that there was a rise in people who did not want to work, and tricked people before taking all their money. These people were called sturdy beggars, and as a result, the Vagrancy Act was created to harshly punish people who were beggars. The punishment for beggars was, the first time flogging, followed by being flogged and branded if you did it again with a "V". Therefore, this shows that punishments became harsher along with the opinion of the public, as the people branded beggars, which was different than in the Norman period as begging was not even a crime, which also shows how the opinions of the public caused the justice system to evolve.

Overall, I believe that punishment changed greatly between the Norman period and the end

((b) continued) of the Tudor period, as punishments became exceedingly harsh over time, and even new crimes came to be, so also more people came to be, as with the case with ^{begging} flogging. However, there was some ^{continuity} ~~changes~~ as the priests and the clergy were often punished a lot less harshly, due to the role religion played in their society, showing how ~~attitude~~ attitude affects how people are punished.



ResultsPlus
examiner comment

In part (a), the tithing and the hue and cry are used as examples of community law enforcement and the idea of collective responsibility is clear. However, the comments about the blood feud are not really relevant here, so the answer is Level 3.

In part (b), elements of change and continuity are identified and excellent contextual detail is provided when discussing vagabonds. This means that the answer is clearly Level 3, and when there is also an attempt to evaluate the extent and nature of the changes in the conclusion, it moves into Level 4. However, the evaluation is not sustained so it is not a high Level 4 mark.

SPaG: The meaning is clearly conveyed with accurate use and spelling of specialised vocabulary such as 'trial', 'moral', 'adultery', 'sturdy beggars', 'vagrancy' and 'religion'. Punctuation is largely accurate, including the correct use of apostrophes and inverted commas.

(b) continued) Ideas of punishment from the Norman
~~Things~~ period changed a significant amount till
the end of the ~~the~~ Tudor period. Although these periods
had a difference of about 500 years, there was ~~still~~ still some
minor continuities.

After William of Normandy had ceased
power over England, he began to create laws which protected
himself, his men and also the ~~the~~ greenery of England. However,
there was still a trend since the Anglo Saxon period to
punish lesser crimes such as theft by fines, whipping and
then appearing at the manor court which was run by the
local lord. Normans still used the death penalty for crimes
such as murder, which shows continuity since the Saxon period.
~~When~~ Forest laws implied that no one was allowed
to chop down trees or indeed poach animals such as
deer and rabbits. The consequence either resulted in mutilation
or death by hanging which showed the severity of the crime. The
Murder Fine was also used against the Saxons who had
murdered or injured a Norman. The ~~Normans~~ Trial by jury
was still used, but the Normans introduced a new way of
proving your innocence - Trial by Battle. The guilty was required to
fight the victim. If he won he was innocent or
vice versa. In the Norman period, priests could also ~~claim~~
claim benefit of clergy. By reading Psalm 51 verse 1 from
the bible, ~~legislation~~ lessened the punishments of the

((b) continued) ~~prison~~ into a more minimal punishment.

In the Tudor period, punishments were ~~used~~ or even harsher. The trend starting from the Romans was that the only way of reducing crime was by making punishments harsher. If you were identified as a vagabond or someone without a settled home or job, you were whipped ~~severely~~ mercilessly and dragged through the streets on the back of a cart to be humiliated because of your unfortunate position. Tudors believed that vagabonds were behind many of the heavy crimes such as murder and rape, ~~therefore~~ and were also homeless and poor. Therefore grouping them into one and punishing them severely. However, ~~a~~ a majority of these vagabonds were genuinely poor ~~or demobilised~~ people or demobilised soldiers. In Tudor period, punishments started to become more bloodier and so did crime. Crimes such as arson, counterfeiting, murder and the act of high treason earned your neck a place in the noose, as they were seen as one of the most vile crimes one could ever ~~on~~ commit.

In conclusion, the idea of punishment since the Norman period to the Tudor period had some major changes in ideas due to ~~the~~ some of the crimes committed, but at the same time also showed some continuity, ~~such as a more~~ ~~or~~ However some punishments became ~~more~~ irrational and unfair, which was one of the biggest changes since then.



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There is good knowledge here about punishment under the Normans and under the Tudors and valid comments are made about change within this period although some comments are not about punishment. This means the answer is Level 3 but it cannot move into Level 4 as the comments about continuity are about the Saxon to the Norman period and therefore irrelevant in this question.

SPaG: Meaning is conveyed clearly and specialised terms are used and spelled correctly, e.g. 'manor court', 'trial by jury', 'mutilation', 'vagabonds' and 'counterfeiting'. Punctuation is largely correct and capitals are correctly used despite one example of 'tudor'.



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Check the time period in the question – comments covering events outside the time period will not gain marks.

Question 6(a)

It was surprising to see how many answers on such a favourite topic remained in Level 2. Some candidates simply wrote about witches in general and did not describe the tests that were carried out, sometimes focusing on explaining why women were often targeted or why accusations of witchcraft increased during the seventeenth century.

Practically all answers described the swimming test in detail. However, these often included a number of inaccuracies, which might perhaps not have had a great impact if the question had had a wider focus, but in this case they became significant. Common errors included descriptions of Trial by Ordeal: the swimming test did originate as the Trial by Cold Water but other trials were not used on suspected witches; in the swimming test the accused was not tied in a sack, tied to a chair or weighted down with rocks.

For Level 3, answers needed to cover more than one test and to identify a key feature. Acceptable key features included explanations of: the rationale for the form of the test; the role of familiars or the significance of the Devil's Mark; the fact that the tests were often weighted against the accused.

Question 6(b)

A key point to remember with this extension study is that it is not simply three case studies but 'Changing views of the nature of criminal activity'. Therefore candidates need to be aware of the context of each case study and the factors that affected whether an activity was viewed as criminal or not.

In this question, answers at Level 2 tended to provide a lot of information about conscientious objectors and some limited comments about domestic violence. However, answers often described the crime or reactions to it. When candidates realised that this question was asking why some activities became criminalised, they could provide focused comments about the role played by people's attitudes. At Level 4, the influence of attitudes needed to be weighed against other factors, such as developments in technology or greater government regulation.

Conscientious objection was not a crime – exemption from conscription on the grounds of conscience was specifically allowed. However, few objectors were granted exemption and both the government and the public tended to treat all objectors as criminals during the First World War. By the Second World War, the attitude of the authorities had changed but the views of the public did not change to the same extent. Many candidates could describe the treatment of conscientious objectors but could not relate this to the question.

At Level 2, few answers offered much on domestic violence but at Level 3 they were more confident on why domestic violence became a crime, with good explanations of how changing attitudes led to domestic violence becoming less acceptable. There were also a number of answers that reached Level 4 here, through discussing whether the role of public opinion was more, or less, important in criminalising such activity than the work of campaigners like Erin Pizzey or Jack Ashley. Unfortunately, references to the programme *Brookside* missed the point that the storyline appeared well after the 1976 Act.

The bullet point about the Computer Misuse Act was not used by many candidates and some who did use it became sidetracked into a discussion of whether computer crime was a new form of crime. However, where it was well used, it provided an alternative reason for why there were new ideas about crime during the twentieth century,

showing that advances in technology made new activities possible, such as cyber hacking and music or film piracy.

Other good examples from candidates' own knowledge were new laws on racism, drink-driving and smoking in public. There was particularly good use made of the Stephen Lawrence case in a discussion of the role played by changing attitudes and also by the media. A number of candidates made reference to the fact that in our multi-cultural society racism is a crime, and also that homosexuality is no longer a crime, but interestingly there was little reference to religious hatred or to discrimination on the grounds of gender or homosexuality, which would also have been suitable examples to discuss.

The best answers also discussed the interaction between government action and public pressure – did the government initiate action or did it respond to people's changing views?

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) When Henry VIII made witchcraft a crime, 'witch hunts' were frequently going on. If a woman was accused of being a witch, she had to pass many tests otherwise she ~~she~~ could be killed. A huge number of women were accused of being a witch in the seventeenth century, mainly due to lack of science explanations, religious beliefs etc. Things like diseases and other unfortunate things were all blamed on witches. People in this century were very religious and they strongly believed that witches were the 'devil's servants'. Women could be accused of being a witch for simple reasons e.g. an extra nipple, muttering something underneath their breath etc.

The witch hunts that took place were ~~the~~ a very traumatic experience for the women accused.

One of the main features of a witch hunt trial was 'The Needle Test!'

(a) continued) The Needle Test was when the woman was pricked with a needle, and if she didn't feel it, she was said to be a witch. People believed that where the 'devil' had touched her body, that part of her body would now be numb and not sense the prick.

Another test was where the women accused would be thrown into a pool of water ~~at~~ a river/lake or even the ocean) and if she floated, she was a witch, if she sunk she wasn't - but either way the woman died. Matthew Hopkins, the man who carried out these witch hunts was eventually stopped as it was discovered he was torturing innocent women.

Tests were carried out very often and it wasn't until new science discoveries that explained diseases took the blame off witches and things like economic problems, the witch hunts were stopped.

(b) 'changes in people's attitudes were the main reason why there were new ideas about crime in the twentieth century'. Do I agree? There are things to back up this statement and things that challenge it.

In the First World War, conscription was introduced in 1916 which meant men had to get involved in fighting for their country. However, some men became conscientious objectors (refused to fight) for various reasons. These conscientious objectors were treated as criminals. Absolutists (people who refused to even do non-combatant work) were sent to prison to do hard labour, COs were beaten up by the public, verbally abused and frequently handed white feathers which symbolised cowardice. Although they were seen as cowards and criminals, when the second world war came around there was a massive change in attitude. Governments were more sympathetic towards them and more people became alternativeists and 'did their bit' in nonviolent jobs. These attitudes changed due to the

((b) continued)

horrors of the first world war and people followed the governments more understanding attitude.

Another example of a change in people's attitudes is the Domestic Violence Act in 1976. During the 19th century, women tried extremely hard to get equal rights to men. Before this act, it was generally accepted in both the law and people's eyes that a husband or father could beat up their wives or children. ~~The~~

The media played a huge part in making domestic violence illegal, programmes began to show stories based on domestic violence - this meant many more women spoke out. Women set up campaign groups and when they were given the vote in 1918, (after seeing women do useful work in WW1) it meant that the parties had to start listening to what the women had to say and some women were even elected. All of this meant that the Domestic Violence Act was eventually made so people's

((b) continued)

attitudes to what a crime was drastically and it was no longer acceptable for a man to hit their wife. Governments began to get more and more involved in families and their wellbeing.

We could argue that new technology also had a massive impact on attitudes and new crimes. For example the invention of cars brought crimes like speeding, car theft. The invention of computers brought things like the Computer Misuse Act in 1990. Without the new technology, these crimes wouldn't ~~ex~~ exist in the twentieth century.

However, I think changes in people's attitudes were the main reason why there were new ideas about crime in the twentieth century. Although attitudes wouldn't have changed without the role of the government, media and campaigns, without people's attitudes changing the things now seen as a crime may still be accepted today.

TOTAL FOR PAPER = 53 MARKS



In part (a), some of the first page is irrelevant but there is an explanation of the needle test with a comment explaining the rationale for this test and also a description of the swimming test, which is enough for Level 3.

In part (b), the first page explains how changing attitudes led to changes in the treatment of conscientious objectors rather than changing views of criminal activity. However, the section on domestic violence has a clear focus on the role of the media and campaign groups in changing attitudes towards domestic violence and it becoming a crime, and it is therefore Level 3.

The final section attempts to discuss technology as an alternative factor leading to new definitions of crime, and the conclusion attempts to evaluate the importance of people's attitudes compared with other factors, making this a Level 4 answer.

SPaG: Meaning is clearly conveyed and specialised terms are used and spelled correctly, e.g 'conscientious objectors', 'alternativists', 'absolutists', 'government', and 'illegal'. Punctuation is accurate, e.g the use of the comma after 'however' and correct use of apostrophes and brackets.

(b) In the twentieth century ideas about crime began to change.

Many believe that ~~this~~ ~~the~~ happened as people's attitudes changed in the twentieth century. One example of this is the change of the treatment from the 1910s from world war one to world war two. In world war one conscientious objectors were treated as criminals and sent to prison where the prison wardens treated them harshly, they were usually sent to do labouring work. Some sent to France where they were ordered to fight if not ^{they were} executed. As this failed they were sent to military prisons in France or Cillavan prison in Britain and punished brutally. Many died in prison, after realising and ^{givers} suffering from mental health breakdowns, when returned had no vote for 5 years, impossible to find a job and were beaten when returned. Also were known as

((b) continued) traitors and weak. Although in WW2 there were more CO's ~~and~~ and government understood why they didn't want to fight, also ex-soldiers. As a result of this they were treated better and usually worked on the land or in factories, rarely prison. But still known as traitors and winups but from the change in peoples ideas about crime wasn't as badly punished as in WW1. Also peoples views about domestic violence changing from the role of state, campaigners, right to vote and media which changed peoples views leading to the 1976 domestic violence act. From before they had no role to play in ~~a~~ violence as they believed it was a private matter and ~~to~~ to beat your ^{wife +} child on the other hand, the use of ^{gar} other ways to punish people became more commonly used as they believed some punishments were too harsh, for example execution as then they used transportation as an alternative punishment. Also ~~the~~ the prisons were seen

((b) continued) to be more of a place to reform the criminals and a better way to deter people from crime and help prevent re-offenders, from the new ways they had put in place, such as the open prison where prisoners could work all day and just come back to the prison at night, also community service and tagging. As this changed the idea about crime as they found different and more beneficial way to punish criminals.

I agree and disagree as I believe people's ideas about crime changing was a part to play but there are many other reasons to the change also.



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The bulk of this answer is a description of the treatment of conscientious objectors. It is then followed by generalised comments about domestic violence, which then drift into a description of punishment. There are some relevant details here, so it is Level 2, but there is no sense of analysis or of the material being shaped to fit this question.

SPaG: The sense of the answer is conveyed, but not always clearly, e.g. 'Many died in prison, after realised and others suffering from mental health breakdowns...'. Punctuation is basic with long sentences and a lack of apostrophes. Nevertheless, spelling is often correct, including words such as 'government', 'community', 'criminals', 'beneficial' and 'transportation'.

Summary

- As always, there was a wide range of answers. The best were truly impressive, demonstrating good understanding of the concepts involved and supported by precise and wide-ranging knowledge. At the other extreme, candidates had frequently grasped certain key ideas and details but could not fit them into an overall framework of change and continuity over 600 years, so that details were often anachronistic or vague.
- In addition to the candidate's knowledge and understanding, two aspects of examination technique have a significant impact on the marks: analysing the question and understanding its overall focus, and time scale, often make the difference between Level 2 and Level 3. At Level 2, many answers respond to the topic and consist simply of information, often based on any stimulus material that is provided. At Level 3, answers respond to the specific question and then select and deploy information in order to construct a focused answer. Examiners comment that they often see a plan included with the best answers.
- The final point is about the use of the stimulus material and especially the bullet points in Q5(b) and Q6(b). These are always factual pieces of information and candidates who take them at face value tend to produce additional detail, but the answers remain essentially descriptive and Level 2. Candidates who think about what sort of cause/what aspect of continuity/what nature of change/what extent of impact is being illustrated by these factual examples are more likely to produce a Level 3 analytical response and also more likely to draw on appropriate own knowledge to develop their argument.

- **Spelling, punctuation and grammar**

The decline in handwriting over the last few years is understandable given the increasing use of computers to present work, but a sizeable number of answers displayed handwriting that was difficult to read from the very first question and not simply at the end of the examination. When marks are being awarded for spelling, punctuation and grammar, it is important that examiners can identify capital letters, commas, full stops and apostrophes, and correct spelling.

Spelling was often reasonably accurate although some common words such as 'whipping' tend to challenge candidates and 'definitely' is often misspelt as 'defiantly'.

Basic punctuation was usually accurate but apostrophes were frequently placed incorrectly and there were some very long sentences that lacked punctuation. A surprising number of candidates did not use capital letters for names.

The most common grammar mistakes were 'must of' and 'he done' but there were also a number of casual and vernacular expressions such as 'majorly'.

Although handwriting is not assessed, candidates do need to make the letters in words and their use of punctuation clear.

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