GCSE MARKING SCHEME

SUMMER 2023

HISTORY
COMPONENT 2: THEMATIC STUDY
2E. CHANGES IN CRIME AND PUNISHMENT IN BRITAIN, c.500 TO THE PRESENT DAY
C100U50-1

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INTRODUCTION

This marking scheme was used by WJEC for the 2023 examination. It was finalised after detailed discussion at examiners' conferences by all the examiners involved in the assessment. The conference was held shortly after the paper was taken so that reference could be made to the full range of candidates' responses, with photocopied scripts forming the basis of discussion. The aim of the conference was to ensure that the marking scheme was interpreted and applied in the same way by all examiners.

It is hoped that this information will be of assistance to centres but it is recognised at the same time that, without the benefit of participation in the examiners' conference, teachers may have different views on certain matters of detail or interpretation.

WJEC regrets that it cannot enter into any discussion or correspondence about this marking scheme.

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COMPONENT 2: THEMATIC STUDY

2E. CHANGES IN CRIME AND PUNISHMENT IN BRITAIN, C.500 TO THE PRESENT DAY

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Instructions for examiners of GCSE History when applying the mark scheme

Positive marking

It should be remembered that learners are writing under examination conditions and credit should be given for what the learner writes, rather than adopting the approach of penalising him/her for any omissions. It should be possible for a very good response to achieve full marks and a very poor one to achieve zero marks. Marks should not be deducted for a less than perfect answer if it satisfies the criteria of the mark scheme.

GCSE History mark schemes are presented in a common format as shown below:

This section indicates the assessment objective(s) targeted in the question

Mark allocation:	*AO1(a)*	*AO2*	*AO3 (a)*	*AO4*
5	5			

Question: e.g. **Describe the punishment of vagrants in Tudor times.** **[5]**

This is the question and its mark tariff.

Band descriptors and mark allocations

	AO1(a) 5 marks	
BAND 3	**Demonstrates detailed knowledge to fully describe the issue set within the appropriate historical context.**	**4-5**
BAND 2	**Demonstrates knowledge to partially describe the issue.**	**2-3**
BAND 1	**Demonstrates a weak, generalised description of the issue.**	**1**

Use 0 for incorrect or irrelevant answers.

This section contains the band descriptors which explain the principles that must be applied when marking each question. The examiner must apply this when applying the marking scheme to the response. The descriptor for the band provides a description of the performance level for that band. The band descriptor is aligned with the Assessment Objective(s) targeted in the question.

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Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below
Some of the issues to consider are:

- *deterrence and retribution remained the main aims of punishment in the Tudor period*
- *unemployment was a major issue at the time which led to high levels of crime*
- *punishment was harsh involving public humiliation and physical pain*
- *in 1530–31 an Act was passed to deal with the huge increase in theft, much of which was associated with the growing problem of begging and vagrancy*
- *an Act of Parliament of 1572 aimed to punish "sturdy beggars", or vagabonds, and Quarter Session courts would commonly order anyone found guilty to be flogged through the streets of a town*
- *for repeat offenders, punishment could be even more severe involving branding and mutilation.*

This section contains indicative content (see below under banded mark schemes Stage 2). It may be that the indicative content will be amended at the examiner's conference after actual scripts have been read. The indicative content is not prescriptive and includes some of the points a candidate might include in their response.

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Banded mark schemes

Banded mark schemes are divided so that each band has a relevant descriptor. The descriptor for the band provides a description of the performance level for that band. Each band contains marks. Examiners should first read and annotate a learner's answer to pick out the evidence that is being assessed in that question. Once the annotation is complete, the mark scheme can be applied. This is done as a two-stage process.

Banded mark schemes Stage 1 – Deciding on the band

When deciding on a band, the answer should be viewed holistically. Beginning at the lowest band, examiners should look at the learner's answer and check whether it matches the descriptor for that band. Examiners should look at the descriptor for that band and see if it matches the qualities shown in the learner's answer. If the descriptor at the lowest band is satisfied, examiners should move up to the next band and repeat this process for each band until the descriptor matches the answer.

If an answer covers different aspects of different bands within the mark scheme, a 'best fit' approach should be adopted to decide on the band and then the learner's response should be used to decide on the mark within the band. For instance, if a response is mainly in band 2 but with a limited amount of band 3 content, the answer would be placed in band 2, but the mark awarded would be close to the top of band 2 as a result of the band 3 content. Examiners should not seek to mark learners down as a result of small omissions in minor areas of an answer.

Banded mark schemes Stage 2 – Deciding on the mark

Once the band has been decided, examiners can then assign a mark. During standardising (marking conference), detailed advice from the Principal Examiner on the qualities of each mark band will be given. Examiners will then receive examples of answers in each mark band that have been awarded a mark by the Principal Examiner. Examiners should mark the examples and compare their marks with those of the Principal Examiner.

When marking, examiners can use these examples to decide whether a learner's response is of a superior, inferior or comparable standard to the example. Examiners are reminded of the need to revisit the answer as they apply the mark scheme in order to confirm that the band and the mark allocated is appropriate to the response provided.

Indicative content is also provided for banded mark schemes. Indicative content is not exhaustive, and any other valid points must be credited. In order to reach the highest bands of the mark scheme a learner need not cover all of the points mentioned in the indicative content but must meet the requirements of the highest mark band.

Where a response is not creditworthy, that is contains nothing of any significance to the mark scheme, or where no response has been provided, no marks should be awarded.

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Question 1

Mark allocation:	*AO1*	*AO2*	*AO3(a)*	*AO4*
4		**2**	**2**	

Question: **Use Sources A, B and C to identify <u>one</u> similarity and <u>one</u> difference in combating crime over time. [4]**

Band descriptors and mark allocations

	AO2 2 marks		**AO3(a) 2 marks**	
BAND 2	**Identifies clearly one similarity and one difference.**	**2**	**Uses the sources to identify both similarity and difference.**	**2**
BAND 1	**Identifies either one similarity or one difference.**	**1**	**Uses the sources to identify either similarity or difference.**	**1**

Use 0 for incorrect or irrelevant answers.

Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below.

Some of the issues to consider are:

Similarities – B and C show professional, uniformed police officers
B and C show proactive policing
B and C show policing in the public eye.

Differences – B shows the police targeting people of all ages whereas C shows police targeting younger people
A shows an individual apprehending a criminal whereas B and C show police operating in numbers
B and C show police with specific equipment such as torches and radios whereas A shows the use of more basic equipment.

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Question 2

Mark allocation:	*AO1 (b)*	*AO2*	*AO3 (a+b)*	*AO4*
6	**2**		**4**	

Question: **Which of the two sources is the more reliable to an historian studying the nature of crime over time? [6]**

Band descriptors and mark allocations

	AO1(b) 2 marks		AO3 (a+b) 4 marks	
BAND 3			**Fully analyses and evaluates the reliability of both sources. There will be analysis of the content and authorship of both sources, producing a clear, well substantiated judgement set within the appropriate historical context.**	**3-4**
BAND 2	**Demonstrates detailed understanding of the key feature in the question.**	**2**	**Partial attempt to analyse and evaluate the reliability of both sources. There will be some consideration of the content and authorship of both sources with an attempt to reach a judgement set within the appropriate historical context.**	**2**
BAND 1	**Demonstrates some understanding of the key feature in the question.**	**1**	**Generalised answer which largely paraphrases the sources with little attempt at analysis and evaluation.**	**1**

Use 0 for incorrect or irrelevant answers.

Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below. Some of the issues to consider are as follows.

- *Source D is reliable to a degree as it is from "Utopia" written by Sir Thomas More, where he bases his commentary on the economic and social pressures of the times, which led to a sharp increase in poverty and unemployment, meaning that for many, the only way to survive was to resort to crime. More recognises the injustice of the times while offering his interpretation of events*
- *To assess the reliability of the authorship there should be reference to the vision of a perfect, imaginary world as an intellectual exercise which would not be a true representation of contemporary thought. More would use vivid and descriptive language to create depth and interest in his work. As a literary work he might be highlighting and exaggerating the social issues of the times such as poverty, hunger, exploitation, cruelty and injustice in order to push for change.*
- *Source E is reliable to a degree as it is from a speech made by Robert Owen to the people of New Lanark. In the speech he focuses on the social and economic evils of the times making the link between poverty and crime. He appreciates the plight of the poor and advocates a more sympathetic approach to the treatment of the downtrodden which was contrary to contemporary opinion that the poor were responsible for their own condition*.

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- *To assess the reliability of the authorship there should be reference to Owen as a philanthropist who concerned himself with the causes of suffering and set about to alleviate the problems of the times. When addressing his audience, he uses powerful and emotive language to promote his views. As a champion of the working classes and a campaigner for social reform, he might exaggerate, social issues such as poverty, exploitation and injustice in order to promote his personal agenda.*

There should be reference to the time and circumstances under which the sources were produced.

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Question 3

Mark allocation:	*AO1 (a)*	*AO2*	*AO3*	*AO4*
5	**5**			

Question: **Describe the punishment of vagrants in Tudor times. [5]**

Band descriptors and mark allocations

	AO1(a) 5 marks	
BAND 3	**Demonstrates detailed knowledge to fully describe the issue set within the appropriate historical context.**	**4-5**
BAND 2	**Demonstrates knowledge to partially describe the issue.**	**2-3**
BAND 1	**Demonstrates limited knowledge to describe the issue.**	**1**

Use 0 for incorrect or irrelevant answers.

Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below. Some of the issues to consider are:

- *deterrence and retribution remained the main aims of punishment in the Tudor period*
- *unemployment was a major issue at the time which led to high levels of crime*
- *punishment was harsh involving public humiliation and physical pain*
- *in 1530–31 an Act was passed to deal with the huge increase in theft, much of which was associated with the growing problem of begging and vagrancy*
- *an Act of Parliament of 1572 aimed to punish "sturdy beggars", or vagabonds, and Quarter Session courts would commonly order anyone found guilty to be flogged through the streets of a town*
- *for repeat offenders, punishment could be even more severe involving branding and mutilation.*

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Question 4

Mark allocation:	*AO1 (a+b)*	*AO2*	*AO3*	*AO4*
9	**2**	**7**		

Question: **Explain why the abolition of the death sentence was introduced in 1965.** **[9]**

Band descriptors and mark allocations

	AO1(a+b) 2 marks			**AO2 7 marks**	
			BAND 3	**Fully explains the issue with clear focus set within the appropriate historical context.**	**5-7**
BAND 2	**Demonstrates detailed knowledge and understanding of the key features in the question.**	**2**	**BAND 2**	**Partially explains the issue within the appropriate historical context.**	**3-4**
BAND 1	**Demonstrates some knowledge and understanding of the key features in the question.**	**1**	**BAND 1**	**Mostly descriptive response with limited explanation of the issue.**	**1-2**

Use 0 for incorrect or irrelevant answers.

Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below. Some of the issues to consider are:

- *since early times, capital punishment had been used for the most serious offenders*
- *attitudes to capital punishment had shifted during the nineteenth century leaving only murder and treason punishable by death by the end of the century*
- *some reformers began to call for an end to capital punishment but the case for abolishing it was not really well supported*
- *by the 1950s, the arguments both for and against the use of capital punishment were being actively debated with opinion revolving around the cost of long-term imprisonment, that released murderers could murder again and the obvious argument that the wrong person may be hanged*
- *attitudes began to shift by the mid twentieth century when there was huge media interest and popular discussion about particular instances – each of which had involved the use of the death penalty – such as the cases of Timothy Evans (1950), Derek Bentley (1953) and Ruth Ellis (1955)*
- *by the 1960s, the topic was regularly debated but opinion remained divided between those who saw execution as uncivilised and unchristian and those who thought it imparted retributive justice for the victim's family and the public generally*
- *in 1965, the Abolition of the Death Penalty Act was introduced for a trial period and made permanent in 1969.*

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Question 5

Mark allocation:	*AO1 (a+b)*	*AO2*	*AO3*	*AO4*	*SPaG*
20	**6**	**10**			**4**

Question: **Outline how responsibility for enforcing law and order has changed from c.500 to the present day. [16+4]**

Band descriptors and mark allocations

	AO1(a+b) 6 marks		**AO2 10 marks**	
BAND 4	**Demonstrates very detailed knowledge and understanding of the key issue in the question.**	**5-6**	**Provides a fully detailed, logically structured and well organised narrative account. Demonstrates a secure chronological grasp and clear awareness of the process of change.**	**8-10**
BAND 3	**Demonstrates detailed knowledge and understanding of the key issue in the question.**	**3-4**	**Provides a detailed and structured narrative account. Demonstrates chronological grasp and awareness of the process of change.**	**5-7**
BAND 2	**Demonstrates some knowledge and understanding of the key issue in the question.**	**2**	**Provides a partial narrative account. Demonstrates some chronological grasp and some awareness of the process of change.**	**3-4**
BAND 1	**Generalised answer displaying basic knowledge and understanding of the key issue in the question.**	**1**	**Provides a basic narrative account. Demonstrates limited chronological grasp and limited awareness of the process of change.**	**1-2**

Use 0 for incorrect or irrelevant answers.

Indicative content

The process of change and continuity in the responsibility for enforcing law and order will be explored through the creation of a balanced narrative covering the three historical eras in this theme.

This content is not prescriptive and candidates are not expected to refer to all the material identified below. Some of the issues to consider are:

- *in the medieval era, enforcing law and order was based on the principle of community and collective responsibility and action with the use of tithings; people policed themselves and dealt with crimes against individuals; feudal obligations and duties and allegiance to the king along with the codification of the law and the use of church courts identified offences against the authority of the Crown and Church; the increased status of JPs and other officials and their role in maintaining law and order in the locality*

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- *in the early modern era there was a continuation of civic and parish responsibility for the enforcement of law and order; the position of JPs was enhanced in response to economic pressures as a result of religious changes; the continued use of constables and watchmen and their enhanced role as towns and cities grew and crime rates increased; the act of Charles II which created paid, professional watchmen*
- *in the modern era, industrialisation and urbanisation in the eighteenth and nineteenth centuries meant that methods of policing had to change and parish and civic responsibility for enforcing law and order had to be taken on by the government; constables and watchmen were ineffective and the situation was compounded by "thief-takers", whose methods and actions were not regulated; the work of individuals such as the Fieldings, which paved the way for government legislation; the passing of the Metropolitan Police Act (1829), Municipal Corporations Act (1835) and the Rural Police Act (1839) and the aim to have publicly funded police forces in all areas; moves to rationalise police forces in the late twentieth century and the introduction of neighbourhood watch and community policing.*

After awarding a band and a mark for the response, apply the performance descriptors for spelling, punctuation and the accurate use of grammar (SPaG) and specialist terms that follow.

In applying these performance descriptors:

- learners may only receive SPaG marks for responses that are in the context of the demands of the question; that is, where learners have made a genuine attempt to answer the question
- the allocation of SPaG marks should take into account the level of the qualification.

Band	Marks	Performance descriptions
High	4	• Learners spell and punctuate with consistent accuracy • Learners use rules of grammar with effective control of meaning overall • Learners use a wide range of specialist terms as appropriate
Intermediate	2-3	• Learners spell and punctuate with considerable accuracy • Learners use rules of grammar with general control of meaning overall • Learners use a good range of specialist terms as appropriate
Threshold	1	• Learners spell and punctuate with reasonable accuracy • Learners use rules of grammar with some control of meaning and any errors do not significantly hinder meaning overall • Learners use a limited range of specialist terms as appropriate
	0	• The learner writes nothing • The learner's response does not relate to the question • The learner's achievement in SPaG does not reach the threshold performance level, for example errors in spelling, punctuation and grammar severely hinder meaning

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Question 6 (a)

Mark allocation:	*AO1 (a)*	*AO2*	*AO3*	*AO4*
8	**8**			

Question: **Describe <u>two</u> main aspects of daily life for prisoners in Pentonville Prison. [8]**

Band descriptors and mark allocations

	AO1(a) 8 marks	
BAND 3	**Offers detailed knowledge to fully describe two main aspects of the historic site set within its appropriate historical context.**	**6-8**
BAND 2	**Offers some knowledge to describe two main aspects of the historic site set within its historical context.**	**3-5**
BAND 1	**Offers a generalised description with limited knowledge of two main aspects of the historic site.**	**1-2**

Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below. Any two of the following factors could be described:

- *Accommodation and diet. Each prisoner had his own cell measuring 13 feet (4m) long, 7 feet (2m) wide and 9 feet (3m) high with small windows on the outside walls. Cells contained: a table, chair, a cobbler's bench, a hammock, broom, bucket and a corner shelf, which held a pewter mug and dish, a bar of soap, a towel and a Bible. Prisoners were isolated and worked, ate, and slept in their cells, spending almost twenty-three hours of each day there. Diet consisted mainly of bread and water gruel. Prisoners received 10oz of bread at breakfast, 5 oz for lunch and a further 5oz for supper. Potatoes were often rotten and barely edible. Prisoners were given compulsory doses of potassium bromide to subdue sexual urges which sometimes affected their mental health.*
- *Menial tasks. Picking oakum was a way for able-bodied inmates to earn their board and lodging while keeping them occupied for long periods. The work was monotonous, unpleasant and caused sores on blackened fingers. The treadwheel was introduced in 1818 as a means of usefully employing prisoners. The power generated by the treadwheel was sometimes used to grind corn and pump water, although usually it served no purpose at all other than punishment. The crank was a device that had to be rotated in a cell and had a counter and prisoners were expected to make at least 10,000 rotations a day in order to receive basics such as food and sleep.*
- *The Separate System. The system of Separate Confinement was based on the view that prisoners should have time alone in their own cell to reflect on their predicament and would protect them from the negativity of other convicts. Prison chaplains visited every prisoner in their cell and were responsible for delivering the daily sermons; the inmates were kept alone in their cells for most of the day and if they were taken out of their cell, they were forced to wear a hood that covered their face; during exercise time and in that way, sensory deprivation was added to depersonalisation.*

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- *The Silent System. It was believed that being left in complete silence with only their own thoughts and the Bible would bring about a spiritual awakening in prisoners. The silent system was also an attempt to deter prisoners from re-offending by making prison life as unpleasant as possible, and warders enforced silence so that prisoners could not influence each other in a negative way. Daily attendance for chapel services was mandatory, and each convict was confined to an isolated booth, or "coffin" as the prisoners referred to them. Their heads were visible to the warder or clergyman but hidden from each other so that communication with fellow inmates was all but impossible and the only time prisoners were allowed to use their voices was when singing hymns. The system involved hard physical labour, harsh living conditions and a strict diet. Silence was enforced by flogging. Prisoners were allowed to see each other in workshops or the dining room but they did so in silence.*

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Question 6 (b)

Mark allocation:	*AO1*	*AO2*	*AO3*	*AO4*
12		**12**		

Question: **Explain why Pentonville Prison changed as a result of parliamentary legislation during the 19th and 20th centuries. [12]**

Band descriptors and mark allocations

	AO2 12 marks	
BAND 4	**Offers a sophisticated and reasoned explanation and analysis of the historic site and its relationship with historic events and developments. The answer fully addresses the position of the historic site in showing why the development of Pentonville Prison was important in showing changes in the way that prisoners were treated set within the appropriate historical context.**	**10-12**
BAND 3	**Offers a reasoned explanation and analysis of the historic site in showing why the development of Pentonville Prison was important in showing changes in the way that prisoners were treated set within the appropriate historical context.**	**7-9**
BAND 2	**Offers some explanation and analysis of the historic site in why the development of Pentonville Prison was important in showing changes in the way that prisoners were treated set within the appropriate historical context.**	**4-6**
BAND 1	**Offers a generalised explanation and analysis of the historic site with limited reference to why the development of Pentonville Prison was important in showing changes in the way that prisoners were treated.**	**1-3**

Use 0 for incorrect or irrelevant answers.

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Indicative content

This content is not prescriptive and candidates are not expected to refer to all the material identified below. Some of the issues to consider are:

- *until the early nineteenth century, the provision and maintenance of prisons was a local matter. From the 1820s, a series of parliamentary measures brought them under the supervision of the Home Office*
- *the Gaols Act, 1823 marked the beginning of government efforts to impose general standards in prisons across the whole country. Prisons were to be inspected by local magistrates and their reports submitted to the Home Secretary who, in turn, would present them to Parliament*
- *the Prisons Act, 1835, appointed prison inspectors*
- *the Prison Act, 1839, directed the new prisons to adopt the Separate System*
- *in 1850, a Select Committee on Prison Discipline was established to examine the relative merits of the Separate and Silent systems. With moves to end transportation, the need was to develop resources to cope with all long-sentence prisoners which resulted in a shift in thinking away from reformation as an aim of imprisonment towards a more draconian system*
- *in 1862, concerns over rising crime rates led to the establishment of a Select Committee of the House of Lords which presented its Report on Gaol Discipline in July 1863, stressing the importance of punishment over reformation*
- *many of its recommendations were incorporated in the Penal Servitude Act, 1864, and the Prisons Act, 1865, which aimed to enforce a strict regime of punishment through "hard labour, hard fare and a hard board"*
- *in 1895, a government report concluded that the purpose of imprisonment should be to punish, but it should also aim to reform the prisoner as part of the move towards a modern penal system*
- *the Prisons Act, 1898, abolished the use of the treadwheel and the crank and isolation in prison cells could not be imposed for periods longer than a month. Later legislation abolished hard labour and flogging and instead recognised that labour within prisons should have a constructive purpose*
- *he Criminal Justice Administration Act, 1914, required courts to allow a reasonable time before imprisonment;*
- *in 1965, the Abolition of the Death Penalty Act was introduced for a trial period and made permanent in 1969*
- *by the 1960s, the consensus in the government was that reforms were needed to prepare prisoners to lead a law-abiding and purposeful life upon release by providing more opportunities for meaningful work for prisoners. Properly equipped workshops were built, and tasks requiring no particular skills, such as sewing mailbags, were phased out*
- *the rise in crime rates from the 1960s led to a move back to more punitive measures in the latter part of the twentieth century. The increase in the number of offenders together with the handing out of longer sentences led to an increase in the prison population resulting in overcrowding, fewer opportunities for education, less workshop time and fewer family visits*
- *trends continued into the 1990s with the focus on punitive approaches to crime and justice*
- *an important development has been the categorisation of prisoners and prisons based on age, gender and security classification: Pentonville became a Category B prison*
- *the "prison works" movement put education at the heart of the prison regime.*

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