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OCR
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GCSE (9–1)
Teachers' Guide

HISTORY B
(SCHOOLS HISTORY PROJECT)

J411
For first teaching in 2016

Crime and punishment, c.1250 to present

Version 1

Introduction

Teachers' Guide – Crime and punishment, c.1250 to present

Teachers may use this guide as an example of one possible way of approaching the teaching content for GCSE History B and NOT a prescriptive plan for how your teaching should be structured.

Within the History B specification there is flexibility that allows you as a teacher to devise your own programmes of study and to choose your own examples to exemplify content or issues. These can – and should! – pick up on your own areas of interest and expertise, and possibly too on history that is particularly relevant to your own local area. This level of freedom can sometimes be worrying as much as welcome and with a more rigid specification you may feel more instantly certain of what you have to teach. But with a more flexible approach to teaching you are given the freedom to construct a course that is interesting and meaningful for you and your students.

What this guide is intended to do, therefore, is to show you what a term's teaching outline might look like in practice. It should then help you to build your own scheme of work, confident that you've covered all the required content in sufficient depth.

Your starting point for each of the topics you choose to teach in History B should be the *Guide to course planning and Options Booklet*, available from the OCR website. These Teachers Guides build on the information and approaches contained within those documents.

This guide is divided into four sections:

- A brief **overview** of the topic including some common misconceptions and things to watch for.
- **Termly planning document**: how you might structure your term's teaching of this topic.
- **Some lesson elements/ideas**. The termly planning document doesn't include suggested activities, partly because the idea is that you exploit the flexibility of the specification to cover your own chosen content or enquiries, but we've put in a couple of suggested lessons in this section as they've been highly recommended by teachers.
- **Candidate style answers**. In time these will of course be replaced by actual exam answers, but until first assessment you may find these useful as indications of what examiners are expecting to look for in answers.

Overview Crime and punishment, c.1250 to present

Introduction and rationale

Crime and punishment is an interesting and fascinating topic in history. The progress and development of the English criminal system provides a great overview of current affairs and issues, whilst providing the perfect vehicle for students to develop a number of historical skills. Much has changed in this version of the specification compared with previous incarnations, but more in the topics that have been withdrawn, as opposed to any additional content. The new course is designed to be taught within a single term, the removal of pre-1250 crime and punishment history like the Romans and Anglo-Saxons enables a more streamlined content. Other areas have also been slimmed down in length and it is well worth remembering that, although many resource previously used would still be suitable, care does need to be taken to ensure that any older material is relevant to the content of the new specification. This guide will provide an overview of the content that could be covered during the crime and punishment thematic study. It is designed to take approximately 24 hours of teaching time to complete this course, a single Autumn term, though of course this will be dependent on the curriculum hours provided in your centre. The scheme of work does not contain activities. This is intentional to enable you to choose a series of lesson that compliment your own teaching style and the learning style of students. What it does is provide a broken down extended specification content, with topics that you would probably wish to cover during the course as well as an indication of how long each section would take to complete. It also contains, for each section, an overarching enquiry to focus the teaching and learning. Most sections are roughly equal in length, though where appropriate this has been altered to reflect the level of content required. In part 3 of this delivery guide you will find a sample lesson idea. It is focussed on 19th century policing and is meant purely as one way you might choose to cover those 2 hours of the course. We do not advocate any single one way of delivering lessons and these lessons were designed by a teacher of the existing crime and punishment course based solely on how they would deliver the content. Worksheets are included with this. The final section focusses on the 18 mark essay question, with a guide to what to expect as well as a Grade 8/9 and Grade 5/6 response. We recommend looking at the other delivery guides for this topic for more information on how to answer other question types.

Common misconceptions:

Most learners will find, as with many things, that the more modern the time period, the bigger the changes are that occur. Changing attitudes and changing beliefs occur throughout the period leading us to where we are today. It is important to remind learners of the ideals and values that were commonplace in any given time period. The role religion plays in the earlier periods is particularly important when compared to today. Indeed, it could be argued that although we no longer hunt for witches, many of the things that are common to us would appal some of our ancestors. The development of the court system can, at times, cause confusion amongst some learners. Many of the concepts used in earlier periods are still commonplace today, including the use of Justices of the Peace, modern day magistrates and the use of the term constables, whilst baring similarities, are very different. It is important for learners not to confuse 'new crimes' with 'new opportunities for old crimes'. It can be argued that there are very few 'new crimes' in the 20th century. Many learners will hone in on technological change and argue that cybercrime is a brand new offence. It can, of course, be argued quite rightly that much of the offences that occur in the 'cyber sphere' are purely a new opportunity. Online fraud, identity theft, cyber-bullying etc… are all variations of much older crimes. The first speeding offence in a motor vehicle is recorded as being in 1896, admittedly only shortly before the final era in the theme, but still before it! Traffic calming as an offence first came into law under the 1865 Locomotive Act, so even more evidence of a new opportunity for a crime from a previous era! Of course, some crimes can be considered 'new' perhaps most controversially, for example, it took until the landmark ruling of R v R in 1991 to make marital rape a criminal offence! In the era before the 20th century, fare-dodging on the railways or stealing water companies water from stand-pipes were not crimes in or before 1750 but became them as new technology took hold.

Termly planning guide

Notes on the termly planning guide

It is important to note that, as well as being divided into four chronological periods **(column 1 in the planner below),** the study is organised around three issues: the nature and extent of crime, the enforcement of law and order, and the punishment of offenders. These issues are the direct focus of bullet points 2-4 in the specification content and in the planner below. The first bullet point is an *overview* of the chronological period. It is not necessary to spend more than an hour on that, with the rest of the teaching time divided approximately equally between the three issues **(column 2 in the planner below)**.

We recommend that you structure the course around historical enquiries, in order to provide a clear focus for the students' learning. In the example below **(column 3 in the planner),** four such enquiries are suggested, one for each chronological period. However, you could plan shorter enquiries around individual bullet points.

The specification content is sufficiently broad that you can approach your enquiries in such a way as to emphasize aspects, or use case studies, that you find particularly interesting, and that will help bring the content to life for your learners. Some brief suggestions are made in **column 4 in the planner below,** but this is very much an area where you can exercise your professional judgement. Exam questions will reinforce this by rewarding any relevant and valid knowledge.

GCSE History Specification B (SHP) has the development of deep and wide knowledge and understanding at its heart. **Column 5 in the planner below** should not be seen as a checklist, but does exemplify the knowledge and understanding that can reasonably be expected to be gained as a result of the enquiry your students undertake against each specification point. It has been drafted to be consistent with the forthcoming Crime and Punishment textbook (Jamie Byrom and Michael Riley, *Crime and Punishment, 1250 to present* (Hodder Education, 2016)). The bullet points in this column can usefully be considered in the light of the **five factors influencing changes and continuities** listed in the specification: belief, attitudes and values; wealth and poverty; urbanisation; government; technology.

Remember, the thematic study has a particular emphasis on developing students' understanding of change and continuity. Change and continuity should be considered within the four chronological periods, as well as across the whole time span.

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)
Medieval Britain c.1250–c.1500	**What were they thinking of?** *What explains the puzzling nature of medieval crime and punish-mint?*	The characteristic features of medieval Britain: an overview	• Religion • 'Class system' – people, lords, everyone else • Land ownership • Food and famine • War and rebellion • Technology • Homes and possessions • Life and leisure	1
		Crimes and criminals in medieval Britain	• Types of crimes • Serious – murder, theft over 12d, bodily harm, harm of possessions • Petty crimes – theft less than 12d, debt, limited harm • Differences between crimes against property, crimes against person, crimes against authority • Changing nature of crimes through the medieval period • Reasons for changing nature of crimes • Who were the criminals and why did they commit crimes?	1.5

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)

Medieval Britain c.1250–c.1500	**What were they thinking of?** *What explains the puzzling nature of medieval crime and punish-mint?*	Enforcing law and order including policing and different types of court	• The role of the king
			 • The role of the sheriff
			 • The role of chief constables
			 • The role of the parish constable
			 • The role of the people (i.e. tithing, hue and cry) and onus on the victim of crime
			 • Watchmen
			 • The court system:
			   • Royal courts
			   • Justices of the Peace / Quarter sessions
			   • Manor Courts
			   • Borough courts
			   • Church courts
			   • Jury system
				2

		Punishing offenders: capital punishment, fines, whipping, public humiliation and imprisonment	• Nature and use of fines • Public humiliation • Use of prisons/gaols • Execution – types of and use of • The purpose of punishing offenders, including retribution, removal, rehabilitation and deterrence • How frequently was the death sentence imposed? • How could it be avoided? (Juries role, pardons, benefit of clergy, pregnancy, military service, approver)	1.5

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)
Early Modern Britain c.1500-c.1750	**More of the same?** *Did crime and punish-mint change significantly during the Early Modern Period?*	Major religious, political and social changes: an overview	• Where people lived and worked • Inequality • Growing population • Beginnings of urbanisation and associated consequences • Establishment of colonies and associated consequences • Transportation changes • Growing power of the state • Religious changes, including rise of the puritans • Civil war and subsequent upheaval • Power of the landowners • Technological changes, including the printing press	1
		The changing nature of crime including vagrancy, moral crime and witchcraft	• Reasons why crime changed • Vagrancy – what was it, why did it happen, why were people so worried about it how was it dealt with • Moral crime – growth of Puritanism and consequences for crime, types of crime introduced under Puritan values and how it was dealt with • Witchcraft – reasons for increase in witchcraft trials, who was accused, punishments of 'witches' • Organised crime – smuggling and highway robbery – views, nature and frequency. Punishments for organised crimes and reasons behind them	2

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)
Early Modern Britain c.1500-c.1750	**More of the same?** *Did crime and punish-mint change significantly during the Early Modern Period?*	Enforcing law and order including secular and church courts and the roles of different law enforcers	• Continuity and change from medieval era • Constables, hue and cry, JPs, watchmen • Onus on the victim of crime • Court system: 　• The Assizes 　• The Quarter sessions 　• Petty sessions 　• Manorial courts 　• Church courts • Issues with law enforcement in this period – including lack of police, responsibility of local communities	1.5
		Changes in punishment including the introduction of the 'Bloody Code'	• Types of punishment used • Reasons behind punishments • Introduction of the Bloody Code, reasons for it and its growth, problems with enforcement and eventual decline.	1.5

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)
Industrial Britain c.1750-c.1900	**All change?** *Why was there so much change in crime, policing and punish-mint, 1750-1900?*	The enlightenment, urbanisation and political change: an overview	• Technological change • Population growth • Movement of population • Industrial revolution / industrialisation • Life for the rich and poor • Changes in agricultural sector • Growth of intellectualism • Growth of the Empire • The development of the railways • Changes in education and reading habits • Extension of the franchise and growth of parliamentary rule • Increase in the pub trade	1
		Crimes and criminals in industrial Britain including the increase in crime in the first half of the nineteenth century	• Economic and social change impact on crime, including growth and new crimes • Changing crime rates and statistics and difficulties in analysing this • Growth of the 'professional criminal' • Causes of the increase in crime, including population growth, urbanisation, growing poverty, economic problems and war • Views on crimes / criminals during this period	1.5

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)
Industrial Britain c.1750-c.1900	**All change?** *Why was there so much change in crime, policing and punish-mint, 1750-1900?*	The introduction and development of the police force	• Reasons for the introduction of the police • The Bow Street Runners and Sir John Fielding (1750s) • Robert Peel and the Metropolitan Police Force (1829) • Development of the police force (1829-1900) • Changing role of the police officer during this period • Impact of police on the court system	1.5
		Changes in punishment including the growth of prisons, transportation to Australia and prison reform	• Changes in capital punishment, reduction of capital offences and capital punishment • Reasons for the introduction of transportation • Use of transportation • Conditions on the ships • Life in the colony • Arguments for and against its use and eventual ending • Prison reformers, including John Howard and Elizabeth Fry • Impact of Millbank • Eventual increase in development of prisons • Changing views on punishments – including the silent and separate systems • Conditions in prisons	2

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)
Britain since c.1900	**New crime? New opportunities?** *How great an impact has modern-it had on crime and punishment from 1900?*	Major technological, social and political changes: an overview	• Continued growth of cities and towns • Changing work and increased wealth • Development of rights • Decline in church attendance and changing beliefs • Technological change • Increasing role of government • Transportation changes • Leisure and entertainment • Growth in migration and multiculturalism • Changes in society and family life	1
		Changes in the crime rate and in types of crime	• Difficulties in analysing crime statistics • Crime between 1900 and 1955 – including impact of WW2 • Rise in crime post 1955 • New crimes including car crime and cybercrime • New opportunities for old crimes including hooliganism, race/religious crimes, hate crimes, drug crime	1.5

Termly planning guide

Periods	Enquiry	Specification Content	Possible examples	Suggested timing (hours)

Britain since c.1900	**New crime? New opportunities?** *How great an impact has modern-it had on crime and punishment from 1900?*	Changes in law enforcement including the use of new technology	• Developments in the police force, including organisation, recruitment, training, pay, specialisation and scope of policing
			• Community policing
			• New technologies, including cars, weapons, identification methods, communication and data storage, surveillance
			• The court system:
			  • Women's rights
			  • Juvenile courts
			  • End of local courts and current courts
			  • CPS
			  • Juries
				2

		Changes in punishment including the abolition of capital punishment and changes in prisons	• Decline use and abolishment of corporal punishment • Arguments for and against capital punishment • End of capital punishment • Development of prisons and prison reforms • Treatment of young offenders and women • Continuing issues with prisons • Alternative to prisons, including probation and community service orders • Treatment of victims	1.5

Assessment strategies

Assessment strategies for question 5

> **Teachers may use these exemplar answers as an example of one possible way of achieving the marks given and NOT an exact approach for how an answer should be structured.**

Learners will be credited wherever and however they demonstrate the knowledge, skills and understanding needed for a particular level.

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

What is important to note about this question is that it is not time limited. The question asks for a focus on 1750-1900, but can be answered by comparing this to other eras; indeed many learners might find this approach more accessible than arguing solely between the period date range. The mark scheme itself has some notes and guidance on this:

Answers may be awarded some marks at Level 1 if they demonstrate any knowledge of policing in the period 1750–1900.

It is possible to reach the highest marks either by agreeing or disagreeing or anywhere between, providing the response matches the level description. BUT, to achieve the two highest levels, answers must identify and consider the alternative point of view. OR answers may reach a judgement on how 'big' the changes were in policing in the period 1750 and 1900 by comparison with other periods.

Answers are most likely to show understanding of the second order change, continuity and significance but reward appropriate understanding of any other second order concept.

Grounds for agreeing include: the introduction of the first police force in London in 1829 was an important advance; legislation was introduced to establish police forces throughout the country; the number of police officers increased significantly; people accepted the need for a police force.

Grounds for disagreeing include: there were limitations to policing in the period 1750–1900 (e.g. limited numbers of police officers and limitations to their effectiveness); the changes came after 1829 –little change in the period 1750–1829.

Assessment strategies

The question is assessing AO1 (6 marks) and AO2 (12 marks). The levels are as follows:

Level 6 (16–18 marks)
Demonstrates strong knowledge of key features and characteristics of the period in ways that show very secure and thorough understanding of them (AO1).
Shows sophisticated understanding of appropriate second order concepts in setting out a sustained, consistently focussed and convincing explanation and reaching a very well-supported judgement on the issue in the question (AO2).
There is a well-developed and sustained line of reasoning which is coherent, relevant and logically structured.

Level 5 (13–15 marks)
Demonstrates strong knowledge of key features and characteristics of the period in ways that show secure understanding of them (AO1).
Shows very strong understanding of appropriate second order concepts in setting out a sustained and convincing explanation and reaching a well-supported judgement on the issue in the question (AO2).
There is a well-developed line of reasoning which is coherent, relevant and logically structured.

Level 4 (10–12 marks)
Demonstrates sound knowledge of key features and characteristics of the period in ways that show secure understanding of them (AO1).
Shows strong understanding of appropriate second order concepts in setting out a sustained and generally convincing explanation to reach a supported judgement on the issue in the question (AO2).
There is a developed line of reasoning which is clear, relevant and logically structured.

Level 3 (7–9 marks)
Demonstrates sound knowledge of key features and characteristics of period in ways that show some understanding of them (AO1).
Shows sound understanding of appropriate second order concepts in making a reasonably sustained attempt to explain ideas and reach a supported judgement on the issue in the question (AO2).
There is a line of reasoning presented which is mostly relevant and which has some structure.

Level 2 (4–6 marks)
Demonstrates some knowledge of features and characteristics of the period in ways that show some understanding of them (AO1).
Shows some understanding of appropriate second order concepts managing in a limited way to explain ideas and reach a loosely supported judgement about the issue in the question (AO2).
There is a line of reasoning which has some relevance and which is presented with limited structure.

Level 1 (1–3 marks)
Demonstrates some knowledge of features and characteristics of the period (AO1).
Shows some basic understanding of appropriate second order concept(s) but any attempt to explain ideas and reach a judgement on the issue in the question is unclear or lacks historical validity (AO2).
The information is communicated in a basic/unstructured way.

0 marks
No response or no response worthy of credit.

Assessment strategies

Answer A

Throughout the history of crime and punishment, policing has always been a 'hot topic'. It was not until 1829, however, that any recognisable type of police force was set up. The period from 1829 was a huge change in approach to policing. Prior to this date it was the responsibility of the individual and the communities, on the main, to 'police' there areas. This rarely focussed on prevention of crime and was much more reactionary. During the medieval period, the most common method of policing was the hue and cry or the tithing system with onus very much being on victim to resolve the situation. Other methods of policing did exist of course. Each county had a sheriff, a powerful (but unpaid) Lord who, together with his posse, were responsible for tracking down criminals. Often this would include chief constables, usually wealthy farmers, who were ready to serve should they be called upon. A system of parish constables also existed. These were yearly appointments who had to take on the role to arrest suspicious strangers and keep the peace where possible. As mentioned, it was the people who had the primary responsibility for catching criminals. Groups of ten men, called tithing's, were created and if one of the group committed to crime the others had to bring him to court, or face punishment themselves. The hue and cry was called by all members of a community. If a crime took place the victim would be responsible for raising the alarm and all villagers would have to take up the hunt for the criminal, or again face punishment in the form of fines. The towns had a slightly different system. Watchmen were introduced in 1285 to patrol the gates and walls at night, giving a hue and a cry or arresting anyone suspicious.

By the time we come to the next era little has changed. Local people were still, in the main, responsible for policing the communities. The hue and cry still existed and law enforcers were still unpaid and untrained. Some change did occur in this period, though, and this can be seen by the office of the sheriff becoming less important and watchmen in some towns being paid to patrol the streets.

Contrast this with the period 1750-1900 and we can see that 'big changes' in policing did indeed occur. Quite revolutionary changes for the time, though we would think they were commonplace today. In the 1750s Sir John Fielding became a magistrate at Bow Street Court in London.

He organised a group of part time constable to patrol the streets and roads of London. These became known as the 'Bow Street Runners'. Sir Jon wanted to do more, indeed he strongly argued that this should be extended across the country, however, put off by the cost, the government did not support him and so did not occur in his lifetime, perhaps suggesting that, for a part at least, the period 1750-1829 did not see 'big change' more an extension of the existing services offered. Huge change was around the corner though. In 1829 Sir Robert Peel gained enough support in parliament to establish the Metropolitan Police. They were paid and trained, showing a significant change from earlier periods and highlighting how big a change this was. Over the course of the next few years, various acts of parliament, like the municipal corporations act, were introduced at government level to spread the police force across the country, establishing a paid and trained law enforcement agency nationwide. They became responsible for keeping the peace in the towns and countryside, arresting drunks, trouble makers and vagrants and catching criminals, operating in a dual proactive and reactive way. Further changes would happen in the 20th century, but for the first time in English history, the people accepted a police force as an essential part of life. This shows, very clearly, that the changes occurring in this period were indeed big.

Of course, it can be argued that the changes were not so grand, indeed, that they only occurred in half of the period given. It could be further argued that the limitations of the police, the fact that many crimes went unsolved and crime rates steadily rose, showed that they were ineffective changes. Despite any misgivings, though, the changes that occur are still 'big'.

The establishment of a police force, from Bow Street to the Met, was unheard of in previous eras, where the methods of policing changed little from one to the next. It also contributed to the fall in crime that occurred during the latter part of the 19th century, again highlighting how 'big' a change the introduction of the police was. The changes made in the 19th century were, then significant, and whilst improvements in technology and effectiveness have occurred subsequently, none of these could have happened without the establishment of the police in the period 1750-1900, proving it was a huge change.

Assessment strategies

Commentary

This is a level 6 response. It shows a strong knowledge of key features and characteristics of policing in both the focus period and across time, showing a very secure and thorough understanding throughout. The response shows a sophisticated understanding of the concepts of significance of a variety of factors as well as highlighting changes and continuities from 1250-1900. There are regular judgements made throughout and shows a sustained and consistently focussed explanation on the issue of policing going through 'big changes' in the period 1750-1900.

Assessment strategies

Answer B

There were big changes in policing during the period 1750-1900. In the 1750s the Bow Street runners were established and were paid to patrol the street of London. They arrested criminals and kept off any suspicious people from the streets, as well as drunks and prostitutes. This was the first type of police to ever appear in England and though they were limited to London only, it shows a big change in the way in which criminals were captured. Later in the period, in the 1820s, Robert Peel set up the Metropolitan Police Force. He managed to convince parliament to fund his new force through taxes, who became known as Peelers, or Bobbies. This was a significant change in the history of crime and punishment. The new police force wore uniforms and carried truncheons, and although many disliked them at first, people began to see the need for them. They did not look like soldiers, nor carry guns and this was important as it shows they were designed to keep the peace as opposed to make war. These initial changes only applied to London, but the government, seeing the success of the force, soon extended it across the country. Acts of parliament that followed set up police forces in other town, then rural areas and finally brought them under national control. This was not an easy thing to achieve. People were firmly against paying any taxes, let along increasing taxation to allow for the police force to be brought in. For this to have happened it shows that attitudes were changing highlighting how big a change the police had on the country

Changing views on crime coupled with an increasing amount of crime during the period meant that people had become more concerned with the issue than ever before. Over the course of the period the role of police began to increase. As well as catching criminals, they would patrol the streets removing drunks and vagrants, they would raid public houses to make sure no illegal drinking or sports were taking place and generally clamped down on any behaviour deemed to be offensive to society. They became a visible symbol to deter criminals and had a significant contribution to the crime rates by the end of the 19th century, which had begun to fall rapidly. So in conclusion, there were big changes in policing during the period 1750-1900, indeed it could be argued that policing could only happen with a police force and as it was only introduced in the 1800s, it was the biggest change that could have occurred in any period of the history of crime and punishment.

Commentary

This is a level 3 response. It demonstrates sound knowledge of key features and characteristics of policing, focussing on the main period throughout. There is an understanding of significance and change as second order concepts to reach a supported issue in the question. There is an overreliance on agreeing with the statement and does not show a consideration to ways in which they disagree nor does it study change and significance across time, either of which could have been included to have dramatically increased the final level.

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