



HERTFORDSHIRE

CONSTABULARY

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# Why am I here?

- **Banter or Bullying? The differences and the implications**
- **Racist, Homophobic & Misogynistic abuse – The legal consequences**
- **Online behaviour**



# *Banter or Bullying?*

When does banter become bullying?

“It’s only bants...”

- Banter – just a bit of fun, right? Bit of bants between mates? BUT ***banter*** can very quickly become ***bullying***.
- **The difference between banter and bullying:**
- It’s hard to define the differences between banter and bullying, partly because they are so subjective to the individual experiencing them. What might be banter for one person could be experienced as bullying to another! The key is knowing how to recognise the difference in each individual case and behave appropriately.

# Offensive subjects

- The subject of banter could sometimes be considered as bullying, it won't matter that you're only having a laugh! Negative language or behaviour targeting any of the protected characteristics under the Equality Act 2010 are always considered inappropriate, irrespective of the bullying/banter debate. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender or sexual orientation.
- If a person involved in banter has an insecurity or problem with a particular subject, it would not be banter to joke about this subject. For example, if someone was concerned about their weight then it would not be funny to joke about this, even if they appeared to be joining in. Just because someone chooses certain words to use about themselves, it doesn't give others the right to use those words too.

# When does banter become bullying?

- Sometimes the person on the receiving end of this 'banter' feels like they can't speak out about it because it may seem like they can't take a joke. Nobody wants to be seen as the friend who can't take a joke.

So, what do *I* do? – 5 simple rules:

## **1. Keep it clean**

- Know your limits, don't laugh at someone's appearance, their race, sexuality, identity or disability. Not cool.

## **2. If it isn't funny, don't laugh**

- If you have to fake a laugh to brush off a hurtful comment, you're only encouraging more comments. If it goes too far, let them know.



### **3. Don't stand by and let it happen if someone is clearly not having fun**

- Try not to be a bystander, if someone else is clearly not enjoying a bit of a banter, then don't be afraid to point it out. Often the person saying the hurtful comments will stop when they realise they don't have an audience.

### **4. Don't pick on something you know someone is already insecure about – it's cheap!**

- Never pick up on a feature that you know is a sensitive subject for someone. Laughing at someone's appearance when you know they're self-conscious is a low blow.

### **5. Saying "it's just banter" or ending your sentence with "only joking" doesn't unsay a hurtful comment**

- Just because you *say* it's banter, doesn't mean it *is*. Think before you speak and ask yourself, would I find this funny if the tables were turned? Remember that you can't put the toothpaste back in the tube.
- Most importantly, Laugh *with* your friends, not *at* them...

Any Questions so far?





A young woman in the foreground is looking down at her smartphone with a sad or thoughtful expression. In the background, two other young women are standing, one with her arms crossed, suggesting a social setting. The overall mood is somber, and the image is dimly lit.

# Cyberbullying

# What is cyberbullying?

- When harassment and intimidation take place online, it's called cyberbullying.
- Cyberbullying is treated by parents, teachers and the police with the same seriousness as face-to-face bullying.

# What does cyberbullying look like?

- Cyberbullying comes in many forms but the most common are:
- Receiving intentionally hurtful text messages, emails or DMs on social media
- Spreading rumours or lies about someone online
- Sending images or videos intended to humiliate or embarrass someone
- Sending threats to someone
- Setting up and using fake online profiles to embarrass or intimidate someone.

# How does cyberbullying differ from face-to-face bullying?

- Cyberbullying is carried out online, although many victims state that they have also been bullied face-to-face, and this means that the abuse feels inescapable. There are some differences between cyberbullying and 'direct' bullying, including:
  - Cyberbullying can happen at any time of day. The bullies can access the internet at any time, and so their behaviour is not confined to school or social hours.
  - A larger audience can be involved. For example, if a bully adds a photo of a victim to the internet, that photo can be seen and shared all over the world!
  - Evidence is easier to secure with cyberbullying. One potential benefit to cyberbullying victims is that they often have good evidence that they can keep and give to the police. The victims can take screenshots, download images and share website addresses to help with investigations and secure convictions. If the police get involved in a cyberbullying investigation, we will take your mobile phone / laptop etc. and "download" it – We'll see your pictures, videos, messages, all your apps, your contacts etc. etc. And even if you delete everything, we'll still find it...
  - Bullies can hide their identity more easily on the internet. Often known as keyboard warriors or trolls, bullies can behave in ways that they might not in the 'real' world because their identity can be hidden.
  - Cyberbullies don't usually see their victims' reaction when they bully them online, which means that they are separated from the emotional distress that they cause. This is especially concerning as cyberbullies don't suffer the emotional impact their behaviour causes, which means they are less likely to stop.

# What can happen if I'm caught cyberbullying?

- **Is cyberbullying a crime?**

Cyberbullying in itself is not a crime and is not covered by a specific law in the UK. However, by committing an act of cyber bullying, a person may be committing a criminal offence under several different acts.

These are just some of the pieces of legislation which could land you in trouble with the law if you're caught cyberbullying someone, and you could end up with a criminal record!

- *The Protection from Harassment Act*
- *The Malicious Communications Act 1988*
- *The Communications Act 2003*
- *Obscene Publications Act 1959*
- *Computer Misuse Act 1990*





TRANSSEXUAL INTIMIDATION  
HATE TRANSPHOBIA HATE HATE  
MAIL BULLYING MAIL VERBAL THREA  
PUNCHING ABUSE GRAFFITI  
INTIMIDATION HOMOPHOBIA SLURS VIOLENCE  
PHYSICAL ABUSE SEXUAL HARASSMENT "HONOUR" BASED VIOLENCE INTIMIDATION  
HOMOPHOBIA SPITTING PROPERTY VERBAL ABUSE  
SEXUAL FORCED MARRIAGE HATE MAIL BULLYING GRAFFITI  
VIOLENCE ABUSE ONLINE



# What is hate crime?

- A hate crime is *'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'*

# Types of hate crime

- Hate crime can fall into one of three main types: Physical assault, Verbal abuse and Incitement to hatred.
- *Physical assault*
- Physical assault of any kind is an offence. If you've been a victim of physical assault, you should report it to school or the police, especially if it falls under the hate crime definition.

- ***Verbal abuse***
- Verbal abuse, threats or name-calling can be a common and extremely unpleasant experience for minority groups.
- Victims of verbal abuse are often unclear whether an offence has been committed or believe there is little they can do. However, there are laws in place to protect you from verbal abuse – Online and in-person.
- If you've been the victim of verbal abuse, tell someone!

- ***Incitement to hatred***
- The offence of incitement to hatred occurs when someone acts in a way that is threatening and intended to stir up hatred to a minority group. That could be in words, pictures, videos, music, and includes information posted on websites.
- Hate content may include:
  - Messages calling for violence against a specific person or group
  - Web pages that show pictures, videos or descriptions of violence against anyone due to their perceived differences
  - Chat forums where people ask other people to commit hate crimes against a specific person or group
- Never look at this type of content online, even just out of curiosity, you may be committing an offence!

# Racism & Racist language

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# Racism

- Racism takes many forms and can happen in many places. It includes prejudice, discrimination or hatred directed at someone because of their race, religion, ethnicity or national origin. There are many forms of racial abuse and harassment including racist name-calling and jokes.
- It could also be excluding others from groups or activities because of where they come from. This is against the law and known as a hate crime.

**Texting, Sending pictures & videos which include racist language or discriminatory imagery, Making drawings and Saying racist words to or about someone else – Even “Just as a joke” – IS racism and could be considered a hate crime.**

- **What's your role in dealing with it?**

Do you feel safe calling out the person or people using hate speech? Would it make you feel cooler to do that, or would it make you feel uncool -- like you're not part of the group? Would you block people using hate speech? Would you ignore them? Would you stand up for the person or group of people being targeted?



# Homophobia



## **What is a homophobic hate incident?**

- Something is a homophobic hate incident if the victim or anyone else thinks it was carried out because of hostility or prejudice based on sexual orientation.

## **What type of incidents can be a homophobic hate incident?**

### **Homophobic bullying can include:**

- making comments about your gender or sexuality that deliberately make you uncomfortable
- calling you names or teasing you
- hitting, punching or hurting you
- making sexual comments or asking you sexual questions
- ignoring you or excluding you
- making comments about you online

# Consequences of being convicted of a hate crime

- Criminal record
- Flight restrictions
- Foreign travel impacted – America etc.
- University placements will be affected
- Work opportunities will be significantly reduced

