

Who from the group of bullies could be arrested and what offence could they be charged with?

- All of the bullies could face arrest, having committed a Section 5 aggravated Public Order offence as they were causing alarm and distress to the victim.
- Linked to the assault depending on the level of injury then a GBH, ABH or Attempted Murder charge.

What sentence might they receive?

- For the Public Order offence most likely a community sentence.
- GBH, ABH and Attempted Murder could all result in lengthy custodial sentences
- The sentence could be harsher if the crime was proved to be motivated by homophobia. This is under hate Crime legislation. Courts must impose an extra sentence tariff in cases with a proven homophobic element.
- If there is a homophobic motivation to an offence this makes it more serious.

During the film, various insults were used against those characters who were seen as being gay. Is this bullying or a criminal offence?

- It is bullying but also a criminal offence as they are causing alarm and distress to the victim through their comments. This would be Public Order offence.
- If the bullying could be proved to have led to self harm or suicide then this could lead to a Manslaughter charge.
- The fact these offences were motivated by homophobia makes them more serious.

What other types of bullying might gay people experience?

- Harrassment
- Being denied jobs
- Criminal damage
- Isolation
- Assault
- Malice communication
- Denied services

- Verbal abuse

Is homophobia acceptable? Is it a problem?

- No, its not acceptable. Homophobia is still a huge problem.
- Jody Dobrowski's killing was one of 1306 homophobic crimes reported to police in London in 2005 – and one of a string of attacks on Clapham Common.

“A former public school pupil ‘Ruby Thomas’ who took part in the “mindless, drink-fuelled” and homophobic beating of Ian Baynham, stamping on him and kicking him as he lay unconscious in Trafalgar square, today began a seven-year sentence in a young offenders’ institution after being sentenced for manslaughter.”

“Judge Richard Hawkins increased Thomas’ sentence from six years to seven because of the homophobic nature of her actions.”

In all three scenarios, homophobic terms and images were used via messaging a phone, Facebook and writing on a text book. Is this a criminal offence?

- Yes, all of these are criminal offences under the Malicious Communications Act. It is an offence to cause alarm and distress.
- If this bullying was seen to lead to self harm or suicide this would lead to a Manslaughter charge.

Did the three bullies from scenario two commit a criminal offence?

- Yes, their homophobic comments would be classed as Public Order Offence, causing alarm and distress.

Why do you think the characters perceived as being gay in the film were bullied?

- Some people have inaccurate stereotypes about people who are gay.
- Some people feel threatened by difference, or people that don't fit their perceived view of masculinity or femininity.
- There may also be a misplaced fear that gay people are attracted to all people of the same gender.
- Lack of understanding through cultural stereotypes or possibly religious views.

Lesson 3 – Question Prompts

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Is this acceptable?

- No. This type of bullying can ruin lives, making people unhappy, possibly depressed and fearful.

What does this say about the bullies?

- That they are misinformed about homosexuality.
- That they are fearful and scared of difference.
- That as bullies they will pick on the minority who they see as different.

In the first scenario, Gene was worried about his mother finding out he was gay as she was religious. Is homosexuality banned in some religions?

- In most religions the scriptures might refer to what can be interpreted as the prohibition of homosexuality. But equally some modern day interpretations of these scriptures promote tolerance and equality regarding homosexuality.

How can we challenge homophobic attitudes?

- We can verbally challenge homophobic language and support those having it used against them.
- We can ensure that homophobic terms such as 'Gay' are not used as a negative jibe and seen as normal acceptable language.
- We should challenge homophobic views in all settings.

What were the effects on the main characters in all three scenarios?

- The characters felt isolated and anxious.
- Upset and in some cases even self-harming.
- A feeling of being different and excluded from society.