

**THROUGH THEIR EYES**

# Assault

TEACHERS' NOTES



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# THROUGH THEIR EYES

## SLIDE 6 -19

### In what circumstances do people physically hurt other people?

Accidentally, examples such as: dropping something very heavy on a person's foot; bumping into someone and causing them to fall; not stacking boxes safely so when one is moved, they fall on someone. The common feature of accidental hurting is that the time when a person hurts someone else, the hurt was not intended and was avoidable.

Lack of capacity, examples such as: very young babies biting someone; people with severe learning difficulties misunderstanding what is happening and hitting out; someone with mental health difficulties who is in a crisis and unaware of the impact on others of their actions. The hurt is likely to happen without warning, it may be a defence strategy on the part of the person hurting someone, and may not be intended.

Loss of control, examples such as: during an angry outburst; as a consequence of having consumed alcohol and drugs; after a period of provocation/abuse. These are incidents whereby quite frequently, although the hurt might not have been intended, with hindsight it could have been predicted, it was deliberate.

Pressure from another person, examples such as: being pressured to hurt someone as part of a bullying situation; being in a work setting where the staff culture is punitive towards service users; when someone misuses power they have to hurt others, to prove they are better, bigger, stronger. These are when hurt is intended, seen as necessary to achieve an aim, without thought for the physical well-being of others.

As part of a crime, examples such as: when stealing from people involves the forcible taking of their property; taking any vehicles, especially without the licence/insurance to drive them; deliberate fire setting as part of a grudge. The focus of the person hurting others is entirely on their gain, without thought for others, for the purposes of a crime, which adds to the seriousness of the hurt.

In wars, examples such as: all countries have armed services with personnel who are trained to hurt people in the event of conflict. In democracies, governments decide when the armed services are called to fight. The extent to which others are hurt then becomes a consequence of the numbers involved, the weapons used, and the duration of the conflict.

### Is it ever okay to hurt other people?

Ask the group to discuss this question. It is never okay, if we put ourselves in the position of the person who is hurt! What do we need to be thinking about when hurt is caused? The group may propose ideas such as:

- If it is genuinely accidental, the person doing the hurt apologises and take steps not to do it again.
- When a person hurting someone has lack of capacity to control themselves, hurt needs to be attended to, and consideration given to how to stop the hurtful behaviour continuing.
- When a person feels under such threat that they need to physically defend themselves.
- We are all responsible for our actions, and by law have to face consequences when we hurt others.

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SLIDE 20 - 27

## What is an Assault?

An assault is any act by which a person intentionally or recklessly causes another to suffer or apprehend immediate unlawful violence. The term assault is often used to include a battery, which is committed by the intentional or reckless application of unlawful force to another person.

### The three types of Assault offence:

**Common assault:** this is when a person **inflicts violence** on someone else or **makes them think they are going to be attacked**. It does not have to involve physical violence. Threatening words or a Raised Fist is enough for the crime to be to have been committed, provided the victim thinks they are about to be attacked. Examples: Threatening words or a raised fist or spitting. **If a weapon is waived at the person, this would be an aggravated assault.**

**Actual Bodily Harm (ABH):** this is when the assault has **caused some hurt or injury** to the victim. The physical injury does not need to be serious or permanent, but it must be more than a small injury which is short lived, which means it must at least cause **minor injuries or pain or discomfort**. Psychological harm can also be covered by this offence. Examples: bruising, scratching, bite marks, minor fractures, swelling, tooth chipped/loss.

**Grievous Bodily Harm (GBH) or Wounding:** this means the assault has caused **serious physical harm**. This requires the victim **skin is broken**, either on the body, or the inner skin, for example, inside the lip. It does not have to be permanent or dangerous. It might heal without leaving any long-term effects. **GBH can also include psychiatric injury or someone passing on an infection.** Examples: very serious injuries - broken leg, fractured skull, facial disfigurement, psychiatric injury, passing on a sexual disease.

Ask the group to think of examples, these will fly in on the powerpoint with a click.

Ask the group to study the definitions and pick out key words. These have been highlighted in these notes for the person leading the session.

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SLIDE 28 - 32

## The legal consequences of Common Assault, Actual Bodily Harm, Grievous Bodily Harm

We live in a democracy. Parliament decides on the laws and the priorities for the country. The Members of Parliament (MPs) for each area of the country discuss and agree on changes to the laws or new laws. Members of Parliament have to stand for election. Everyone over 18 years is eligible to vote for who they want to be their MP. People chose on the basis of the policies of MPs and the party they represent.

Sentencing for assault will depend on the type of assault and other factors which may be taken into consideration. Sentences are required to be just and proportionate.

### Common Assault

- The maximum sentence is six months custody.
- If the assault is against an emergency worker, the maximum sentence is one year's custody.
- If the assault is racially or religiously aggravated, the maximum sentence is two years' custody.

### Actual Bodily Harm

- The maximum sentence is five years' custody.
- If the assault is racially or religiously aggravated, the maximum sentence is seven years' custody.

### Grievous Bodily Harm or Wounding

- The maximum sentence is five years' custody.
- If the assault is racially or religiously aggravated, the maximum sentence is seven years' custody.
- If the assault was committed with the intent to cause GBH/wounding, then the maximum sentence is life imprisonment.

When an Assault charge is being considered by a Court, what will they take into consideration?: An assessment of the harm done to the victim; whether the assault was sustained or repeated; an assessment of how responsible was the offender for the assault; the court will also include consideration of the harm done if the victim is an emergency worker, or if the assault was motivated by racial or religious hate.

Emergency workers are: police, prison officers, custody officers, fire service personnel, search and rescue services, ambulance/paramedics.

Why are assaults on emergency workers taken so seriously? They work on behalf of us all. They face dangers and life-threatening situations every day to keep us all safe. They are identifiable by their uniform. They need to be respected and protected to do their jobs.

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# THROUGH THEIR EYES

SLIDE 35 - 56

## Football Association

Ollie and Callum talk about a football match. Their talk reminds us about the rules of football, the excitement, and times when players might get hurt:

“Did you see that equaliser...”

“It was off-side.....”

“My dad was shouting at the tele....”

“The fans were going mad....”

“That foul on Zazim was bad....”

“Should have been a yellow card....”

“Did you see him get up and shove the player...”

“I would’ve punched him....”

“Me too....”

Leo has listened, it is his news when he goes home, he reflects on his football skills:

“They both make the team each week. I am usually on the bench as a sub. They are better than me”.

**The Football Association has the laws of the football**, just as there are laws that we all have to obey. The point of this discussion is to make the link that there are laws/rules in all areas of life. It is important to be inclusive in the discussion, not allowing it to be about Championship teams, or famous names, or male footballers. Football is played by men/boys, women/girls, players with special needs, walking football for older people, etc.

### What do you think these FA laws are about?

The field of play: must be natural, or if artificial it must be green. The pitch is rectangular and marked with continuous lines: touch lines, halfway lines, etc.

The ball: must be spherical, made of suitable material, of the right size and pressure.

The number of players: a match is played by two teams with a maximum of 11 players, one of whom must be a goalkeeper. All players and substitutes must be named before kick-off. There are complicated rules about substitution.

The kit/equipment: a player must not use equipment or wear anything that is dangerous. The equipment of a player is a shirt with sleeves, shorts, socks, shin-guards, footwear, goalkeepers can wear tracksuit bottoms.

The referee: each match is controlled by a referee. The decisions of the referee with regard to the match play are final and must always be respected.

Match officials: there are other match officials who support the referee in controlling the match.

The duration of the match: a match lasts for two equal halves of 45 minutes with an interval at half-time, not exceeding 15 minutes. Allowances are made for lost time.

Starting the match: the referee tosses a coin and the team that wins the toss decides which goal to attack in the first half. A kick-off starts both halves of the match.

The nature of player offences: offences committed when the ball is in play: charges, jumps at, kicks/attempts to kick, pushes, strikes, head-butts, trips, bites, spits.

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SLIDE 57 - 58

## What is the Football Association rule E3?

A participant shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of:  
violent conduct, serious foul play,  
threatening, abusive, indecent or insulting words or behaviour.

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SLIDE 60 - 66

## What do you think about Callum's comment?

Callum: "If that were me, I would've punched him?"



## What do you think the FA laws about spectators/fans are?

Conduct of spectators: Rule 21 a club must ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any match.

Inappropriate behaviour: Rule 20 a Club shall be responsible for ensuring, amongst other things, that its supporters refrain from improper conduct.

Football chanting: clubs are required to take measures about offensive chanting, gesturing and displaying offensive messages based on football-related tragedies, which causes significant distress to the victims' families, survivors and affected-club supporters.

Pitch invasions: it is illegal to enter the pitch area in any stadium, and these actions are putting players, fans, and people who run the game, at great risk.

Carrying and using objects: entering the pitch without permission, carrying or using smoke bombs or pyrotechnics and throwing objects - as well as drug use and discriminatory behaviour.

What is discriminatory abuse? Calling/chanting about a player/fans which focusses on protected characteristics, for example race/ethnicity.

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SLIDE 69 - 74

Callum

What has Callum said,  
that might make you worry about ending up in a situation where people get hurt?

- “I bet there will be a right crowd, maybe a scrap. I would be up for that”.
- “We have got to stand up for ourselves. I am not prepared to be pushed around”.

Do you think Callum is more likely or less likely to be involved in an incident where someone gets hurt?

Ask the group to think about Callum’s attitude to watching football. His talk is about looking forward the excitement of fans and a scrap. It would be a matter of pride for him not to be pushed around. He has made no mention of the team’s football standing in the league, or positive skills of a named player, or enjoying the match with friends, or the end result.

Why is Leo’s mum worried?

She is worried by stories about fans behaving badly and trouble at football matches.

If Leo behaves well, does that mean there is nothing for her to worry about?

The vast majority of football fans behave well. She might be worried that he is hurt by fans committing offences. His dad reassures her that “Leo is sensible enough”.

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## SLIDE 77

### Leo: What are his worries?

- It is the first time he has been to a football match without his dad
- He is usually with a group of men who look out for him
- Callum and Ollie are taller than him
- He has seen that Callum has a temper, and problems controlling his temper
- His dad is always careful to wait after a match for the crowds to go
- He doesn't feel he can tell Callum and Ollie that he is nervous

## SLIDE 78

### What happens after the match?

- Callum wants to leave straightaway, because "there'll be bother outside"
- He doesn't listen to Leo "well you aren't with your dad now"
- There was lots of chanting, Callum joined in and threw cans and bottles at the crowd
- Leo joined in the chanting and raised his fist
- One fan had a cut on his head, another fan threatened Callum
- A fight started and Callum shoved over a fan who was drunk
- He hit his head as he fell, and jolted his neck
- Callum shouted 'kick him', and was kicking his body and stamped on his hand
- When Callum looked at Leo, Leo panicked and kicked the man twice in the leg

## SLIDE 79

### Who is to blame for this man's injuries?

#### Callum, Leo, the crowds, the man who was drunk?

Help the group to think about how the incident could have ended differently. Prompts for their discussion, examples such as:

- Leo knows it is safer to let the crowds leave, he should have waited/not followed them out in the crowds.
- Leo knew that Callum was excited by the thought of a scrap. When the chanting started and Callum threw cans and bottles, he could have stepped aside.
- Days before the match, Callum was up for a scrap. It was his fault.
- Callum could have just joined in the chanting, but he did more, throwing objects at the crowd.
- Faced with the threat of a thump, Callum hit a fan, he could have walked away.
- Callum shoved a fan of the other team, there is no suggestion that the man had done anything.
- The man shouldn't be so drunk, it was his fault he fell over.
- Both Callum and Ollie are to blame for kicking the man, does it matter: who kicked him first, or how often he kicked, or where he kicked him?
- The man was bleeding and not moving, does that make the continued attack on him worse?
- What about Ollie? There is no mention of him. If he did something, what should he do now? If he didn't do anything, what should he do now?

Help the group to think about the assault, in the light of earlier slides about the types of assaults, the factors that are taken into account by courts in deciding on sentencing. Help them to see how this incident is far removed from the benefits of football

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## SLIDE 80

### What type of assault is this?

**Grievous Bodily Harm (GBH) or Wounding:** this means the assault has caused serious physical harm. This requires the victim's skin is broken, either on the body, or the inner skin, for example, inside the lip. It does not have to be permanent or dangerous. It might heal without leaving any long-term effects. GBH can also include psychiatric injury or someone passing on an infection. Examples: very serious injuries - broken leg, fractured skull, facial disfigurement, psychiatric injury, passing on a sexual disease.

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## SLIDE 81

### What will a court take into consideration?

An assessment of the harm done to the victim: the Police Officer says he has a significant head injury; his neck, ribs, and hands, are being checked for fractures; he is heavily bruised; and he remains unconscious.

Whether the assault was sustained or repeated: Callum was kicking and kicking him in the body, he stamped on his hand and he was telling others to kick him. It was a repeated sustained assault.

An assessment of how responsible was the offender for the assault: all the boys are over the age of criminal responsibility, which is 10 years.. Callum has a history of losing his temper. The man was bleeding on the floor and not moving, Callum could have stopped sooner.

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## SLIDE 82

### What is great about football?

It is good exercise

Exercise improves physical and mental health

The rules of the game make it fair and safe for the players

The rules for spectators are to make it enjoyable and safe for everyone

Going to watch football is a sociable activity

Well run matches show everyone that we can all get on, despite rivalry

Footballers can be good role models in society

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