

Is it a crime?






An easy read guide







People First (Scotland)

Supporting Offenders with Learning Disabilities Network

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What is a crime?

If you have broken a law the Police will want to talk to you. This is also called “**committing a crime**”.

Anti-social behaviour

This is behaving in a way that upsets people near you or who live in the area.

It can be things like

- **bullying** - hurting someone emotionally or physically over a period of time
- **verbal abuse** – calling people names or shouting and swearing at them
- **threatening behaviour** – saying you are going to hurt someone or acting like you are going to hurt someone
- **criminal damage** – breaking things that are not yours or damaging property
- **harassment** - causing someone alarm or distress on at least two occasions



- **nuisance calls** – making calls which can cause distress to someone like:
 - being abusive
 - threatening
 - being obscene (saying something of sexual nature which is offensive).
 - This includes malicious calls. A malicious call means threatening someone over the phone. This can even be staying silent on the phone to scare someone.



You might think that an anti-social behaviour incident is small, but antisocial behaviour can be very upsetting and scare people. It can go on for a long time and it can become very serious.

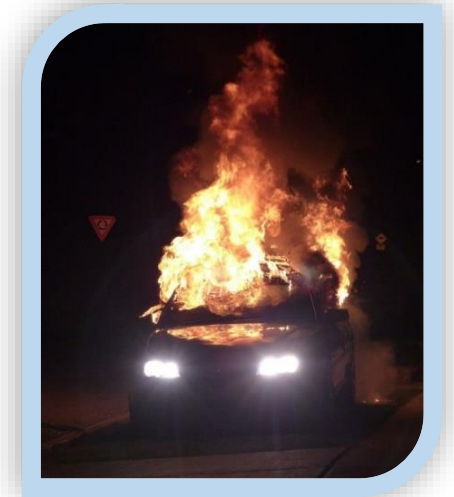
Not all antisocial behaviour is a crime but a lot is.

It is up to the police to decide if a crime has been committed.

Arson

In Scotland this is called “**wilful fire-raising**”.

This means starting a fire on purpose to cause damage.



Assault

An assault is often a physical attack on someone.

But sometimes the assault is not physical.

It is more serious if weapons are used or if someone gets hurt.

Assault can be things like

- **spitting on someone**
- **shouting threats**
- **throwing things, hitting**
- **hurting someone**
- **hurting someone badly**



Breach of the Peace

It is acting in a threatening or abusive way to cause fear and alarm.

This is sometimes called **Section 38**.

Breaching the Peace covers a lot of different things like

- **shouting at someone**
- **swearing at someone**
- **sending abusive text messages**
- **violent behaviour**
- **carrying weapons**
- **making noise at night**
- **following people**
- **kicking a door or a window to scare someone**



A police officer can arrest anyone who commits a Breach of the Peace without the need for a warrant.

Burglary/ housebreaking

Burglary is also called housebreaking.

Entering someone's property without their permission to steal from them.



Cybercrime

Crimes using electronic devices like phones, tablets and computers.

Cybercrime can be things like

- **online bullying (also called trolling)**
- **viewing and downloading illegal material**
- **pretending to be someone else – sometimes called catfishing**
- **having a conversation of a sexual nature with someone who is under 16 yrs old**
- **online scam – someone trying to get your personal and/or bank details to steal money from you**



Domestic abuse

It is the abusive behaviour toward a partner or ex-partner.

It can be things like

- name calling
- controlling what they can do
- not allowing them to see people
- violence
- sexual assault
- revenge porn



Illegal drugs

Possession – means being caught with drugs on you.

Supply – means dealing or sharing drugs.

Production – means helping to make or grow drugs.



Fraud

Fraud is sometimes called **scam** or **con**.

Fraud is when you **trick someone** into giving you something like their money, goods or doing something for you.



Harassment/ stalking

You are harassing/ stalking someone if you keep behaving in a way that makes them feel scared, distressed or threatened.

Harassment/ stalking can be things like

- **pestering or following someone around to scare or upset them**
- **keep sending messages to someone who doesn't want them**
- **hanging around outside their house**



Only 1 incident is enough to harass someone.

If there are two or more incidents this is stalking.

Hate crime



You commit a hate crime when you threaten or pick on someone because of their **disability, race, religion, sexual orientation or transgender identity**.

The law in Scotland protects these 5 groups.

Hate crime can be things like

- **verbal abuse**
- **assault**
- **threats**
- **online abuse**
- **graffiti** – means abusive words written, painted or drawn on a wall, a door, on any surface, etc.
- **harm or damage to things**

Knife/ offensive weapon

Having a knife or offensive weapon with you in a public place without a lawful reason.

Self-defence is not a lawful reason.

Threatening with a knife or offensive weapon is more serious



Manslaughter

In Scotland this is called **culpable homicide**.

Manslaughter means causing the death of another person without planning or meaning to.

Manslaughter (culpable homicide) can be things like

- **injuring someone without meaning to kill them but the person dies**
- **killing someone due to drunk driving**



Murder

This is one of the **most serious crimes**.

This is causing the death of someone on purpose.

There is an intention to kill the person.



Revenge porn

If you share intimate pictures or videos of a partner or ex-partner **without their consent**.

This is a form of domestic abuse to control a partner or ex-partner.

It causes harm, fear and distress to the person.



Robbery

Stealing from someone using force or threatening to use force.



Sexual assault

Any sexual activity with a person who **does not want to**.

This includes

- **touching someone**
- **kissing**
- **fondling**
- **showing your genitals**
- **having sex**
- **other sex acts**

They have to say yes. **They must consent.**

A person can never consent if they are:

- **drunk or asleep**
- **threatened**
- **forced**
- **under 16**



Sexual harassment

It is the unwanted behaviour of a sexual nature.

Some examples of sexual harassment are

- **making sexually embarrassing 'jokes'**
- **keeping asking for a date with someone who doesn't want to**
- **wolf-whistling or catcalling at you in the street**
- **sending inappropriate texts and emails to or about you**
- **making offensive and/or sexually explicit comments**
- **unwelcome touching in a sexual way**



Shoplifting

Taking something from a shop without paying for it.



Theft

Taking something that doesn't belong to you without the owner's consent.



Useful Contacts

IF YOU ARE A VICTIM OF A CRIME YOU SHOULD REPORT IT TO THE POLICE

The law Society Scotland	0131 226 7411	http://www.lawscot.org.uk/
Crown Office and Procurator Fiscal service	01389 739 557	http://www.crownoffice.gov.uk/
Scottish Legal Aid Board	0131 226 7061	http://www.slab.org.uk/
Police Scotland	101	http://www.scotland.police.uk/
To complain about Police Scotland	101	http://www.scotland.police.uk/about-us/police-scotland/complaints-about-the-police/how-to-make-a-complaint/
Supporting Offenders with Learning Disabilities Network	0131 663 4444	https://soldnetwork.org.uk/
People First (Scotland)	0131 478 7707	http://peoplefirstscotland.org/
Victim Support Scotland	0345 603 9213	https://www.victimsupportsco.org.uk/
Samaritans	116 123	http://www.samaritans.org/how-we-can-help-you
Other easy read information about the justice system		http://www.keyring.org/cjs/easy-read



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