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# EUROPE AGAINST BULLYING AND CYBERBULLYING





## SUMMARY

<b>IMPLEMENTED.....</b>	<b>1</b>
<b>PRELIMINARY REMARKS.....</b>	<b>1</b>
<b>LEGAL REFERENCES.....</b>	<b>2</b>
<b>OBJECTIVES.....</b>	<b>8</b>
<b>DEFINITIONS.....</b>	<b>10</b>
<b>BENEFICIARIES.....</b>	<b>14</b>
<b>MEDIA AND PROVIDERS' REPORTS.....</b>	<b>15</b>
<b>INFRINGEMENT PENALTIES.....</b>	<b>20</b>
<b>QUALITY CERTIFICATE.....</b>	<b>26</b>

## IMPLEMENTED

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## PRELIMINARY REMARKS

In the digital society, even if ICT offers new opportunities and benefits to teenagers, it also poses significant challenges to them. More and more teenagers are becoming victims of aggression via ICT. In Europe, among the 9-16 year-old participants, 33 % were bothered or upset by inappropriate material online, 12 % were bothered or upset meeting online contacts offline, and 80 % were fairly or very upset by cyber-bullying. Cyber-bullying does not respect borders but perception of the problem strongly depends on aspects including the culture, the history, the social context and political history of the country or area in question. In Europe, in order to prevent cyber-bullying, policy decisions have been taken and numerous programmes have been defined and implemented. Nevertheless, the impact that this phenomenon has means that European institutions need to continue to research, to legislate and to encourage collective and individual actions in order to address it.

There is no legal act in EU legislation regulating cyberbullying issues comprehensively and directly.



In accordance with the enormous diversity of types of cybercrime, there is no single definition of cyber crimes and offenses. Effective cooperation between investigative bodies often depends on partially unified definitions of cyberbullying, so the key objective remains the work on harmonization and amendment of member states' cyberbullying legislation. The constant emergence of new threats in cyberspace makes it necessary to implement additional legal standards and to unify them in all Member States.

## LEGAL REFERENCES

### Legislation in Estonia

There are no specific laws in Estonia dealing with bullying and cyberbullying, to help the victim and punish the bully. The hate crime law can only be applied in the case of bullying if it is proven that the act of bullying was a danger to the health, life or property of the victim. Which, unfortunately, is quite difficult to do in these situations.

### Legislation in the UK

In the UK, cyberbullying in itself is not considered a crime and is not covered by a specific law. However, by committing an act of cyberbullying, a person may be committing a criminal offense under a number of different acts. Here below the UK acts in relation of bullying and cyberbullying.

Under the Protection from Harassment Act 1997, it is a criminal offense for a person to pursue a course of conduct which amounts to the harassment of another.

The Obscene Publications Act 1959 makes it an offense to publish an obscene article.

Under section 5 of the Public Order Act 1986, it is an offense to use threatening, abusive or insulting words, behavior, writing or any visual representations likely to cause harassment, alarm or distress within the hearing or sight of a person.



If in the course of cyberbullying a person hacks into the victim's online accounts or personal computer, they may be committing an offense under the Computer Misuse Act 1990.

The Education and Inspections Act 2006 provides for staff and teachers to confiscate items from pupils, such as mobile phones. By law, all state (not private) schools must have a behaviour policy in place that includes measures to prevent all forms of bullying among pupils. This policy is decided by the school. All teachers, pupils and parents must be told what it is.

Schools must also follow anti-discrimination law. This means staff must act to prevent discrimination, harassment and victimisation within the school. This applies to all schools in England and Wales, and most schools in Scotland.

## Legislation in Italy

The Law n.71 of 29 May 2017 is an Italian law finalized to raise awareness of young people on the phenomenon of cyberbullying that is defined: "any form of pressure, aggression, harassment, blackmail, insult, denigration, defamation, identity theft, alteration, illicit acquisition, manipulation, illicit processing of personal data to the detriment of minors, realized electronically, and also the dissemination of online contents related to one or more members of the child's family whose intentional and predominant purpose is to isolate a minor or a group of minors by means of serious abuse, a harmful attack, or making fun of them."

Each minor over fourteen who is a victim of cyberbullying can forward to the data controller or to the manager of the social application for the obscuring, removal or blocking of the contents shared on the Net. If within 24 hours the manager has not deleted the content, the interested party may make a similar request to the Guarantor for the protection of personal data, which will remove the contents within 48 hours.



Togheter with this law at the Presidency of the Council of Ministers the technical table for the prevention and countering of cyberbullying was born and the Ministry of Education is also involved, having to adopt guidelines for the prevention and contrast of cyberbullying in schools, with the collaboration of the Postal Police.

In the law there is a part for the headteachers of schools that, if they become aware of cyberbullying acts, promptly have to inform the parents of the minors involved. The school regulations must provide for explicit disciplinary sanctions, commensurate with the gravity of the acts performed.

## Legislation in Spain

In Spain there are a series of legal instruments that allow us to fight against the phenomenon of cyberbullying. We will have to name: the Spanish Constitution, educational legislation, the Organic Law of Personal Responsibility of Minors, Instruction 10/2005 of the State Attorney General's Office, the Penal Code, the Statute of Crime Victims and Organic Law 8/2021 comprehensive protection for children and adolescents against violence.

Regarding the Constitution, we will bring up the right to education (article 27), the right to liberty and security (article 17), the right to physical and moral integrity (article 15) and the right to the inherent dignity of person (article 10).

The Organic Law 1/1990, of October 3, on the General Regulation of the Educational System establishes as its main objective to provide children with a full training that allows them to shape their own and essential identity, as well as build a conception of reality that integrate both the knowledge and the ethical and moral assessment of it. Such full training must be aimed at developing their ability to exercise, critically and in an axiologically plural society, freedom, tolerance, and solidarity.



On the other hand, the art. 13 of Organic Law 1/1996, of January 15, on the Legal Protection of Minors, imposes the obligation on any person or authority to notify the authority or its agents of situations of risk that may affect a minor; adding Instruction 10/2015 of the State Attorney General's Office that it is necessary to provide him with the immediate help he needs.

Let's keep in mind that harassment can become a crime, as long as the behaviors are typified in the Penal Code. We will cite art. 173.1, which punishes those who inflict degrading treatment on another person, seriously undermining their moral integrity. Fortunately, our doctrine understands that these crimes can also be committed in a risky environment different than the physical area such as, for example, cyberspace that involves the use of communication technologies like Internet, social network, websites and text messages (SMS, WhatsApp and instant messaging). For this reason, in 2015 a new crime of harassment was introduced in the Penal Code: art. 172. Ter. Now, those behaviours that are carried out insistently and repeatedly by means of which the freedom and sense of security of the victim are seriously undermined, who is therefore subjected to surveillance, persecution or other acts of harassment, are also condemned. There are three access procedures to sanction bullying and cyberbullying, without any of them being preferred over the other: criminal, civil and administrative. The criminal one tries to punish the aggressor, the civil one the reparation of the damage and the compensation of the damages caused and the administrative one to demand the patrimonial responsibility of the Administration as owner of the educational centers\*. All this equating the assumption of fact to the different normative texts through analogy.

***\*Royal Decree 732/1995, of May 5, which establishes the rights and duties of students and the rules of coexistence in schools.***



In 2015, the legislator introduced a general regulation applicable to all victims of crimes that occurred in Spain called the Statute of Victims of Crime. Its objective is to respond to those who have been violated legally, but above all socially, repairing the damage within the framework of the criminal process and minimizing the effects on morale. This law is applicable without prejudice to references to special regulations regarding victims with special needs or with special vulnerability, as is the case of minors. For this reason, we find that in 2021 the legislator published Organic Law 8/2021 on the comprehensive protection of children and adolescents against violence. In which violence is defined as "physical, psychological or emotional abuse, physical, humiliating or degrading punishment, neglect or negligent treatment, threats, insults and slander, exploitation, including sexual violence, corruption, child pornography, prostitution, bullying, sexual harassment, cyberbullying (...)."

Some of the purposes of this new law are:

- a) The implementation of awareness measures for the rejection and elimination of all types of violence against children and adolescents, providing effective instruments in all areas.
- b) Establish effective prevention measures against violence.
- c) Promote the early detection of violence through the interdisciplinary training of professionals.
- d) Strengthen children's knowledge and skills so that they can recognize violence and react to it.
- e) Guarantee the eradication and protection against any type of discrimination and the overcoming of stereotypes of a sexist, racist, homophobic, transphobic nature or for aesthetic reasons, disability, illness, aporophobia or social exclusion or for any reason other personal, family, social or cultural circumstance or condition.





f) Establish the protocols, mechanisms and any other necessary measure for the creation of safe, well-treated and inclusive environments for all children in all topics developed in this law in which the minor develops his life. A safe environment will be understood as one that respects the rights of children and promotes a protective physical, psychological and social environment, including the digital environment.

Thanks to this law, new criminal types have been created to avoid impunity for behaviours carried out through technological means and communication, which produce serious risks to the life and integrity of minors, as well as great social alarm. Those who, through these means, promote suicide, self-harm or eating disorders among minors, as well as the commission of crimes of a sexual nature against them, are punished. In addition, it is expressly provided that the judicial authorities will remove this content from the network to prevent criminal persistence. The fight against violence in childhood is a human rights' imperative. Let's keep working!

## Legislation in Slovenia

Research focused solely on cybernetics (online and mobile) peer or other harassment in Slovenia, is not known. The share of cyberbullying is compared to the European average in Slovenia slightly lower (4 % vs. 6%). Criminal law in Slovenia does not deal with cyberbullying, nor do we have any prescribed penalties. Cyberbullying would only be prosecuted if it escalated into physical violence or endangered the health or lives of others. Cyberbullying can be reported to the police if we have evidence and it involves sharing intimate photos of minors, extortion, threats.



The Slovenian police have written on their official website that in the case of cyberbullying, they advise:

- Encourage young people to communicate "live" with friends.
- Encourage them to engage in other interests and hobbies, such as sports, music, etc.
- Teach them to protect themselves from cyberbullying and bullies.
- Check out what they do online.
- In serious cases of online violence, inform the police

## OBJECTIVES

The goals of the initiative are to get a clear definition of cyberbullying and to clearly specify forms of cyberbullying. It proposes for penalties for offenders based on common definition of intimidation and ... in the EU.

These definitions will help create a framework to help prevent bullying and also to deal with cases of bullying.

This proposal aims to help raise awareness which will make people more open to help and ask for help. One of the common reasons for not helping somebody who is being bullied is the fear of becoming the next victim. The European Union recognizes the importance of the public interest activities aiming at preventing and neutralizing bullying, cyberbullying and hate speech actions, either for the victims or for the perpetrators.

In addition, it promotes and supports programmes and projects addressed to students, teachers and families aiming at spreading knowledge and law, respect to people's dignity and protection of minors' psychophysical health. Furthermore, the European Union supports the activities promoting the correct and conscious use of the internet and the digital tools.



The law aims at promoting activities and initiatives to protect the general education, social and psychological growth of children and teenagers in order to prevent bullying, cyberbullying and hate speech phenomena. It heads to increase awareness, raising actions and interventions for the victim protection and punishments on perpetrators –initially the guilty pupils will be warned twice so to have the chance to redeem.

Further objectives to be achieved:

- To make information, help, advice and emotional or practical support available to victims of cyberbullying in school, work and social settings.
- To provide practical advice for parents on those who are seeking for emotional support and further information, such as: training links, up to date government, information, interactive tools....
- To report cyberbullying
- To learn about the phenomenon of cyberbullying, the different forms it takes and its characteristics.
- To understand the reasons that can lead to cyberbullying.
- To discover the role played by social networks, society in general, administrations, police and relevant people.
- To know how to identify that someone is being bullied and how to proceed in these cases to support and help the victim.
- To create an action protocol in case of cyberbullying.
- To spread awareness in the use of new technology, respectful of the rights of the individual.
- To reduce and protect from the risks that may occur related to the use of online media.



- To promote networking with both public and private institutions, in order to better manage technologies.

## DEFINITIONS

### Estonia

**Bullying:** a set of deliberate and repetitive actions which aim to make somebody feel bad. Bullying often includes unequal positions (older students against younger, a group of people against one, etc.).

**Cyberbullying:** a form of bullying, where the actions are carried out using different devices, social networks and/or platforms.

**Hate speech** (according to Cambridge Dictionary): public speech that expresses hate or encourages violence towards a person or group based on something such as race, religion, sex, or sexual orientation.

### UK

**Bullying:** a behavior that hurts someone else. It includes name calling, hitting, pushing, spreading rumors, threatening or undermining someone.

It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying can take different forms: physical bullying, verbal bullying, non-verbal abuse, emotional abuse, exclusion, controlling or manipulating someone, making silent or abusive calls.

**Cyberbullying:** it can be defined as the use of electronic communication devices to bully a person. Electronic communication can include the use of computers, mobile phones, tablets and games consoles.

Cyberbullying can take place through the use of emails, text messages, social networking sites such as Facebook and Twitter, chat rooms, interactive video games and in many other areas too. As technology progresses, more potential avenues for cyberbullying open up.

## Italy

A **cyberbully**: an individual or a group of people with aggressive behaviour to individuals or groups of people through digital devices.

A **victim**: someone who is negatively affected by an individual or a group of people on digital devices.

**Webmaster**: According to this draft law, given the law n. 2017/71, webmaster is referred to the information society service provider, unlike what stated in art. 14, 15, 16 of the Legislative decree n. 70 dated April 9th 2003 referring to the person in charge of the website content management;

**Providers**: According to this draft law, the term “providers” refers to those media service providers working on online platforms where the users share all types of multimedia contents with other specific users or a broader multimedia audience ( the social networks for example).

## Spain

**Bullying**: the deliberate and continued physical or psychological abuse that a someone receives from another or others, who behave cruelly with the aim of subduing and frightening, sometimes causing the social exclusion of the victim.

**Cyberbullying**: when violent behavior is carried out through new technologies.

More aspects contained in cyberbullying:

**Sextortion**: Blackmailing a person using nude pics or videos of the victim.

**Grooming:** An adult using new technologies to scam a child pretending to be one of his/her peers, with the intention of having sex with him.

**Mobbing:** Every bully action done at workplace.

**Fraping:** stealing the social network of another person, pretending to be the owner.

## Slovenia

**Cyberbullying** (bullying, harassment): the violence perpetrated online by one or more people against another person or group. Cyberbullying is the most common form of violence among teenagers and it takes this name because it involves digital devices such as mobile phones, computers and tablets. It can happen through SMS, MMS messages, various applications and chat rooms, through social networks, forums and games. It is often a matter of sending, posting and sharing negative or harmful content about someone, thus embarrassing or humiliating them.

### **Forms of cyberbullying:**

**Flaming messages and comments:** insulting or sending an hostile content aimed at a specific person.

**Creating Hostile Groups:** Individuals create a group to which they invite others in order to spread hatred against an individual or another group of individuals.

**False profiles:** the perpetrator creates a false profile of the victim and publishes content on his behalf that embarrasses or humiliates the person. Alternatively, he can use a fake profile to deceive or insult others, thereby denigrating the affected person.

**Sharing and blackmailing with intimate footage:** the perpetrator shares nude photos or videos with others or threatens the victim to publish these footage if he does not send him money.



Edit photos in an offensive way - affecting the person in the photo, but also the author.

**Offensive memes:** creating memes with photos or peer data for the purpose of insulting, mocking, humiliating ...

**Hacking:** intrusion in one's privacy and it could be compared to a burglary.

**Password theft:** the perpetrator gets the victim's password without the victim's knowledge.

**Cyberstalking:** stalking online (social networks, forums, etc).

**Threats:** threats through messages or public announcements, in extreme cases, death threats.

**Extortion:** sending extortion messages in which the perpetrator demands something from the victim (for example, asking for naked photos).

**Doxing:** disclosing personal information about someone without that person's permission.

**Happy slapping:** posting videos online where someone attacks the victim while others record it.

**Sending violent or horrific photos and videos:** the act of sharing scenes of violence that can have a strong negative impact on who is watching, such as nightmares and fears.

**Online Challenges:** Challenges where someone is required to do something humiliating or even dangerous, usually recorded and shared online.

**Online grooming:** interact with children online for the purpose of sexual abuse.



## BENEFICIARIES

People who have been bullied: This could help them to be more open about their experience, help to protect them from the bully.

Bullies: there is a reason behind this kind of behaviour and simply punishing them is not always the best solution. They also need help to deal with their issues.

People who could be bullied: Preventing bullying and teaching students the importance of being friendly, being considerate and caring for people around them will make it less likely for others to be bullied in the future.

Additional beneficiaries:

- Victims
- Perpetrators
- Witnesses
- Schools
- Teachers
- Families
- Friends
- Peers
- Youth workers
- Media
- Social networks
- Authorities
- Social organisations
- Psychologists and psychiatrists
- Police
- Government
- NGO's
- Municipality
- UNIVERSITIES





## MEDIA AND PROVIDERS' REPORTS UK

Social media companies have an obligation to ensure the safety of their users.

It makes sense to gather evidence - text messages and screenshots of social media posts - to show what is happening. In order to stop, it is also essential to it and to show the bully that their behaviour is unacceptable.

### Facebook/Instagram

Everyone has the right to be safe.

You can always report anonymously a post, a comment, a story or a direct message on Facebook or Instagram.

A team reviews these reports 24/7, worldwide and in over 50 languages, and removes anything that is abusive or bullying.

On Facebook, there is a guide to help dealing with bullying that explains what to do.

On Instagram, there is a Parents' Guide which offers recommendations for caregivers on what to do in case of cyberbullying, and where you can also get more information on safety and anti-bullying tools.

- You can filter comments on your own posts.
- You can change your settings so that only people you follow can send you direct messages.
- On Instagram a notification can warn you when you are about to post something that might cross the line, encouraging to think about it twice.
- On Instagram, hidden words help filter out comments and post requests that may be considered inappropriate or offensive by the Community Guidelines. You can also create your own customised list of words.



- For more tips and ideas on how to take control and have a positive experience on Instagram, visit this Guide on @instagram, or check out our resources in Facebook and Instagram Anti-Bullying Centres.

### **Tik Tok**

Everyone has the right to feel safe and to be treated with respect and dignity. Bullying and harassment are incompatible with the inclusive space on TikTok.

Together with new technologies, thousands of security professionals are working to help keep bullying out of TikTok.

There are also simple in-app reporting tools to report harassment. You can report videos, comments, accounts and direct messages to take appropriate action and help keep you safe. Reports are always confidential.

- You can choose who can comment on your videos: no one, friends only, or everyone (for those under 16, we've removed the everyone option).
- You can filter all comments or those containing keywords of your choice. By default, spam and offensive comments are hidden from users when we detect them.
- You can delete or report multiple comments at once and you can also block accounts that post massively harassing or other negative comments, up to 100 at a time.
- A comment warning asks users to refrain from posting a comment that may be inappropriate or malicious; it also reminds them of our Community Guidelines and allows them to edit their comments before sharing them.

### **Twitter**

You can report accounts through the Help Centre or through the in-Tweet reporting mechanism by clicking on the "Report a tweet" option.



- Choose who can reply to your Tweet (either everyone, just the people you follow, or just the people you mention).
- Mute - Remove an account's tweets from your timeline, without blocking or unfollowing them.
- Block - Limit the accounts that can contact you, see your tweets and follow you.
- Report - Report abusive behaviour.
- Safety Mode - A new feature that temporarily blocks accounts that use potentially harmful language or send repetitive, uninvited replies or mentions.

## Italy

1. Those social network providers, receiving more than 100 notifications a year for inappropriate contents published by their own users, are obliged to file a six month report at the local postal and communications police, showing as follows:
  - a. General comments on the providers' efforts to remove the illegal activities accomplished on their own platform;
  - b. The instructions on how to send a notification;
  - c. The criteria applied by the provider to assess the notification effectiveness and/or, if necessary, cancel or block the reported contents; the mentioned criteria must meet the standards established by the postal and communications police;
  - d. Organization, staff, specialists and experts being part of the team in charge of the notification assessment and management ;
  - e. Providers' potential membership to business associations;
  - f. Reported contents gathered in the six months, the amount of received notifications and the reason why a content was reported;



- g. The number of notifications for which the provider has turned to an external agency in order to assess their effectiveness;
  - h. Which profiles have published the contents that have received, in the 6 months taken into account, as many notifications as the views ; the percentage will be subsequently specified in the Implementing Regulation;
  - i. Which measures the provider has carried out after receiving the notification. The provider must indicate as follows: which content assessments have been conducted, whether posts have or haven't been removed, if the authenticity of the profiles posting the reported contents have been verified;
  - j. The existence of any profiles that, in the six months taken into consideration in the report, have caused more than 25 notifications later assessed as false and unfunded by the provider;
  - k. Time lapse from the moment the provider has received the notifications to the moment the reported content has either been approved - in case the notification has been rejected as unfunded-blocked or cancelled - in case the notification has been accepted; the time lapse can be of 24 hours, 48 hours or a week;
  - l. Procedure followed by the provider to inform the person who sent the notification along with the one whose content has been reported about the outcome of the report itself;
2. The above mentioned reports will need to be published on the provider's website leaving out the instructions provided by this article (j) (k) not later than a month after the six month period considered has passed.
  3. The reports published on the provider's website will need to be easily recognisable, immediately accessible and constantly available with the exception described by this article (h), (i), (j).

## Spain

Cyberbullying policies are enforced through self-regulatory mechanisms that social media companies used to address incidents on their platforms. These mechanisms can include reporting tools, blocking and filtering software, geofencing, human or automated moderation systems such as supervised machine learning, as well as antibullying educational materials.

Companies tend to provide tools for their users to report a user or content that they find abusive. After having analysed the situation, the company can decide whether the reported content violates its policy and whether it wants to block the user who posted it, remove the abusive content, or take some other action.

Some companies also develop educational materials in cooperation with e-safety nongovernmental organizations (NGOs) that teach children about positive online relationships in an effort to prevent bullying.

Social media companies' official policies tend to be written on their websites, but these policies do not always explain how the mechanisms against bullying work. Social media platforms are online intermediaries that enable user-generated content, allow for interactivity among users and direct engagement with the content.

The social role of television in the transmission of values for youth has been praised and criticized alike. Some studies address that child violence is highly motivated by the violent content that youngsters watch and learn from it. This fact is especially worrying when we hear of the increase in bullying in recent years.

## Slovenia and Estonia

Social networks in Slovenia and Estonia are fighting against online bullying in the same way as described in other countries.

## INFRINGEMENT

## PENALTIES

### Estonia

Penalties have to be quite case-based - more serious cases need more serious consequences. The first action should be discussing with both parties and give them the help they need. These discussions could be held by qualified school staff members or other people who work with young people. Arrangements and deals should be made with both sides to make sure this situation does not occur anymore.

If bullying continues or if the bully goes on to find another victim, more serious actions have to be taken. These could involve different authorities, including the police.

Protocol for action:

### UK

- When the families become aware that a situation of bullying is occurring against their children, they will talk to him/her and gather as much information as possible: what is happening, since when it has been happening, where it is happening, and who is bullying him/her. With this information, they will make a chronology of the events, attaching, if there are any, injury reports, or medical reports from the psychologist and/or psychiatrist.
- Families should urgently request a meeting with their children's tutor to inform him/her of all the facts and provide documentation and ask the school to carry out an investigation into the reported facts, and to protect their child, arranging a second meeting the following week to inform him/her.
- At this second meeting, the school is obliged to inform the parents of the protective measures that have been taken with



their child and of the sanctioning measures that have been put in place, showing the parents the official action protocol that the school is obliged to open. The action protocol is NOT confidential for the families involved.

- In the third meeting, transmit to the school the satisfaction or disapproval of the process, in which the protection of the victim and the educational sanction must take precedence. All of this after the family has assessed the evolution of the situation with their children.
- If the situation persists, go to the educational inspectorate with all the documentation and if the situation is not resolved, file a civil and/or criminal complaint.

Cyberbullying could be considered a crime that can lead to imprisonment, with prison sentences, a fine or community service. When a minor is involved, it is important to remember that civil liability will fall on the parents.

It could be common to be obliged to compensate the victim. However, it is important to remember that punishment is not always the most effective way to change the behaviour of bullies. It is always better to focus on repairing the damage and mending the relationship.

## Spain

A case of harassment is a very serious situation in which it is necessary, first of all, to define what has happened and act with the victim. When the aggression occurs in schools, it is advisable to act both on the person who has suffered the harassment and their aggressor, as well as on the community as a whole.



In the event that it is a case of grooming, the action must be left directly in the hands of the State Security Forces and Bodies. In an event in which it is perceived that a minor may be suffering from one of these situations, it is recommended, in the first place, to sit down with the minor and listen to him/her, allowing him/her to express everything he/she feels and showing him/her all the support from his/her family and that "it is not at all a situation that I have to endure".

It is recommended to ask open questions, to find out the details of the facts and those involved and to highlight the support of the parents for the minor, an important detail for the child to tell everything that has happened. In this sense, the minor's friends can also be a good source of information. Although it is probable that they do not tell all the details of the incident, they can approach the fact that they do not get along with a classmate or if they have met a "child" through the Internet that they do not know, for example.

Thus, according to the Civil Guard's Telematic Crimes Group, "in most cases, when the minor decides to make this situation public, it is because it becomes unbearable and they turn to their parents for help, and at the same time with some fear for the inappropriateness of his previous conduct."

Once you are aware of the facts, in the event that it is a case of cyberbullying, you should go to the school and ask the teachers and tutors if they have detected or can stop and observe if there is any unusual behavior that could lead to think that aggression is happening. Subsequently, in serious cases and especially in those of grooming, the GDT continues to explain, "once the parents have expressed knowledge of the situation, they must report it to the Security Forces and Bodies or judicial authorities to start the investigation, identify the responsible and bring him to justice.





It is not just a matter of putting an end to these situations, which is a priority, but of locating the person responsible to prevent a recurrence in the future or with other potential victims.

On many occasions, stalkers do not act against a single victim, but rather have several 'contacts' that they regularly harass. In this sense, the denunciation of one of them will serve to be able to help all those who are in their situation, but have not yet decided to denounce the harassment."

The process to follow if this situation is detected in a school is to quickly contact the parents, tutors, or legal representatives of the minors affected and, from then on, what is explained in the previous paragraph applies. From this moment on, the mechanism of action in the different areas must begin, depending on what may be happening.

From the judicial point of view, "the application of Criminal Law is the last step; there is also a principle that criminal lawyers must observe: that of minimum intervention. Before starting the judicial machinery and long before, to prevent the events from taking place, we must insist on prevention and education, on the proper use that adolescents, immersed in this "bedroom culture", should make computer technology, to which many spend too much time, become cyber addicts." (*Prosecutor for Minors Avelino Fierro*).

Thus, in this sense, he again emphasizes that "parental control" is important. Parental control exercised for the benefit of children, like the right to correction, which has disappeared from the Civil Code, is exempt from liability because a duty is being fulfilled or a right is being legitimately exercised".



Thus, in Fierro's opinion "before going to make a complaint, it is also possible to act in various ways: report incorrect behavior through the forms provided by email services, or do so through the social networks that they also have an email or contact form to report abuse, or communicate it to the Internet Service Provider that is contracted or to the company that is using the cyberbully."

## Slovenia

If online bullying continues even after warnings, conversations with parents, conversations at school and NGOs, online bullying needs to be reported to the police. If the country had a statutory law against cyberbullying, the victim would be punished, which could mean reducing the number of offenders. Young people often do not dare to report online bullying, or it is still a taboo topic or a topic that we do not take seriously. If prosecuted, more victims would report cyberbullying.

Recently, online intimidations of elderly Internet users has taken place in Slovenia, which also led to suicides, as victims have not been able to report the intimidation anywhere.

Among the more well-known websites on raising awareness of online dangers in Slovenia is the "safe.si" website. Safe.si is a project entitled "Center for Safer Internet". It is a point of awareness on the safe use of the Internet and mobile devices for children, teenagers, parents and teachers. The Safer Internet Center offers three main services:

- Awareness raising point on safe use of the Internet and new technologies,
- Tom Phone Advice Line
- Anonymous online reporting of illegal online content

The project is financed by the HADEA Agency at the European Commission (as of 1 April 2021) and the Government Office for Information Security (as of 31 July 2021).



## Italy

For an effective intervention in the fight against bullying and cyberbullying it is necessary, in addition to financial penalties, to provide for the involvement of different subjects on the basis of a participatory model, network, capable of intercepting social emergencies.

Procedures to be adopted in case of occurrence of phenomena:

- Knowledge of the phenomena to be prevented and countered through both the reading of data and statistics already in existence (for example by national or regional observers) both thanks to the promotion of specific surveys on the places of socialization that show on a sample also representative trends prevailing considering age and identity (social, cultural, gender, religious...). It is preferable to use mixed methods in order to give an integrated view of the level of quantitative and qualitative analysis of the investigations promoted.
- Drafting and updating on an annual basis of a document assessing the risk of bullying and cyberbullying taking into account the results of surveys carried out and related to the community context of reference. With a focus on some indicators such as: community area more involved; typology of school; non-formal places concerned; typology of young people involved; prevalent age group; emerging gender and cultural stereotypes.
- Periodic updating of the community educational plan based on research results to make prevention actions more effective: to whom, with what tools and languages.
- Communication to all the subjects of the community of the actions to be taken to ensure the prevention and the fight against bullying and cyberbullying thanks to the creation of discussion spaces (including virtual) on the trends that emerged. Use of periodic meeting tables for the planning of activities.

- Sensibilisation and dissemination at Community level of the actions carried out with particular attention to families as target subjects.
- Definition of a local listening point to allow all parties involved to report (including anonymously) any cases of bullying/ cyberbullying and to monitor the measures taken.
- Mapping, as exhaustively as possible, the services active in the territory of reference, useful to contrast the phenomena investigated. This mapping will constitute the community support network as a whole, to be implemented and intensified over the time. To this network of structures are connected the resources at expert/sector level to be activated according to the identified needs.

## QUALITY CERTIFICATE

### UK

Create an anti-bullying logo that recognises those places where bullying or harassment has no place (schools, parks, libraries, sports and leisure centers, internet spaces...). The award could be made on the basis of an expert committee's assessment that the conditions and protocols for preventing or dealing with a case of bullying are met. The aim would be to create a network of safe places both online and in person.

### Italy

Creation of a Cyberbullying certificate by The European Commission who will be entrusted to the most diligent school in opposing bullying, cyberbullying and hate speech. The schools offering at least two of the following programmers will be awarded:

**\*\* ATA staff is the administration, technical and auxiliary staff working in primary and secondary schools as well as other education institutions and having administrative, operational, management, accountancy and supervisory functions.**

1. Prevention of bullying, cyberbullying and hate speech phenomena by adopting strategies based on peer-to-peer learning that involve students and ex-students;
2. Specific training on all the following fields: digital, public legal education, affective education, education aiming at mutual respect and conflict resolution addressed to all parents, families and tutors;
3. Specific training on all the following fields: digital, public legal education, affective education, the education aiming at mutual respect and conflict resolution addressed to all teachers and ATA staff\*\*.

Every year on February 7th (the National day of action against Cyberbullying) the European Commission will reward 10 schools within the EU territory among those offering all 3 programmes.

## Spain

Example of a possible International award event to prevent cyberbullying:

INTERNATIONAL AWARDS TO PREVENT HARASSMENT AND CYBERBULLYING.

Story contest to win a €250 gift voucher for a group activity. In addition, the best ones will be published in a publication about cyberbullying.

Create to help: Our contest aims at raising awareness between schoolchildren aged 10 to 18 and make them aware of the proper use of social networks. Say NO to cyberbullying by creating a story that collects the values of not doing, following or sharing the abuse on the Internet.

Who is the contest for? Directed to Primary Education (5th and 6th grades) and Secondary Education (1st, 2nd, 3rd and 4th grades) and Baccalaureate students from all the Educational Centers adhering to the campaign.