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Cyber Bullying

How to
Counter it



The **League for Human Rights**, an agency of B'nai Brith Canada, is dedicated to combating antisemitism and racism. The objectives of the League include advocating for human rights for all Canadians, building bridges between communities, and fighting racial discrimination and bigotry in all its manifestations. The League accomplishes these goals through educational outreach programs, anti-racism initiatives, community action and legal/legislative interventions.

The *League* operates a twenty-four-hour, seven-day-a-week Anti-Hate Community Hotline (1-800-892-BNAI [2624]) offering assistance to victims of antisemitism and hate-motivated crimes. *League* members interact on an ongoing basis with the community, the police, synagogues and schools, legal and legislative experts, and government agencies that deal with racism.



Cyber Bullying

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What is Cyber Bullying?

Bullying has always been a problem, but with the growing popularity of home computers and internet usage, a new and insidious form has emerged - cyber bullying.

This pamphlet, produced by the **League for Human Rights of B'nai Brith Canada**, will explore the phenomenon of cyber bullying, as well as current legal remedies in Canada. It will also provide advice for children, parents and educators on how to combat this growing problem.

Cyber bullying involves the transmission of harmful or aggressive comments, photographs or videos, via e-mail, social networking websites, blogs, personal websites, and/or cell phones. Recent cases of cyber bullying have included not only students harassing fellow students, but also students harassing their teachers.

Students are becoming conversant with the new networking technologies at increasingly early ages. As a result, cyber bullying is not confined to high schools, but occurs at the elementary and middle school levels also.



Why is Cyber Bullying a Problem?

Traditional bullying has always taken place in the schoolyard, the classroom, the school bus, etc. However, cyber bullying has no physical boundaries - any time children access a computer, they risk becoming a victim of cyber bullying. Considering that almost all young Canadians access the Internet from their homes, they are not safe from victimization anywhere - not even in the privacy of their own bedrooms.

Cyber bullying has a much larger audience than traditional forms of bullying. For example, the online forum Facebook now has 29 million members, each of them a potential bystander.

The prospect of being publicly humiliated in front of so many people is mortifying and can be psychologically damaging for the victims. In fact, cyber bullying may lead to depression and has already resulted in a number of suicides of students across Canada.

One out of three teenagers reports being the victim of cyber bullying. Research data indicates that girls and members of social networking sites are especially at risk. It can be very difficult for parents or educators to help these students, because the perpetrators of cyber bullying can remain anonymous. This apparent immunity from being caught and punished encourages cyber bullies and makes their victims feel helpless.

What Does the Research Show?

- At least 94% of young Canadians go online from their home computers.
- Nearly 40% of Canadian students have their own computers with an Internet connection.
- Close to 25% of young Canadians have their own cell phone, with approximately 45% of these phones allowing Internet access.
- As many as 50% of Canadian students spend at least one hour a day on the Internet.
- Over 50% of Canadian students use Instant Messenger or enter chat rooms.
- At least 25% of Canadian students report they have received messages that humiliate a fellow student.
- Only 16% of young Canadians discuss their online activities with their parents.



What Does the Law Say?

The Ontario Safe Schools Act

In Ontario, new regulations under the *Safe Schools Act* effective in 2008 will allow schools to suspend or expel students for off-site cyber bullying. Specifically, any instance of cyber bullying that occurs outside the school campus, but that nonetheless impacts the school climate, may be subject to discipline by the school. Furthermore, the *Act* has been amended to explicitly state that cyber bullying includes student bullying teachers and other school staff.

The Canadian Human Rights Act

The *Canadian Human Rights Act* is applicable because the telecommunication industry, including the Internet, is a federally regulated service provider and therefore falls under the jurisdiction of the *Act*.

Under Section 13 of the *Canadian Human Rights Act*, cyber bullying may be equivalent to distributing hate messages telephonically. Specifically, cyber bullying is termed discrimination - treating a person or group of persons negatively or differently - when the communication amounts to expressing hatred for a person or persons on the basis of a prohibited ground of discrimination. The prohibited grounds of discrimination listed in the *Canadian Human Rights Act* are race, national or ethnic origin, colour; religion, age, sex, sexual orientation, marital status, family status, disability or conviction for which a pardon has been granted.

What Does the Law Say?

Furthermore, harassment is a form of discrimination prohibited by the *Act*. Harassment includes any physical or verbal behaviour that abuses or humiliates an individual or group based on a protected ground. If this type of cyber bullying occurs, a complaint may be filed with the Canadian Human Rights Commission against the telecommunication company facilitating the bully's activities.

For more information on how the Commission can help you, visit www.chrc-ccdp.ca or call 1-888-214-1090.

The Criminal Code of Canada

Certain manifestations of cyber bullying are illegal under the *Criminal Code of Canada*. In particular, it is a crime to repeatedly transmit communications that cause the recipient to fear for his/her own or others' safety. In addition, it is a crime to publicly disseminate defamatory libel that unfairly damages another person's reputation. The content of the messaging may also amount to a hate crime – namely, inciting hatred against an identifiable group.



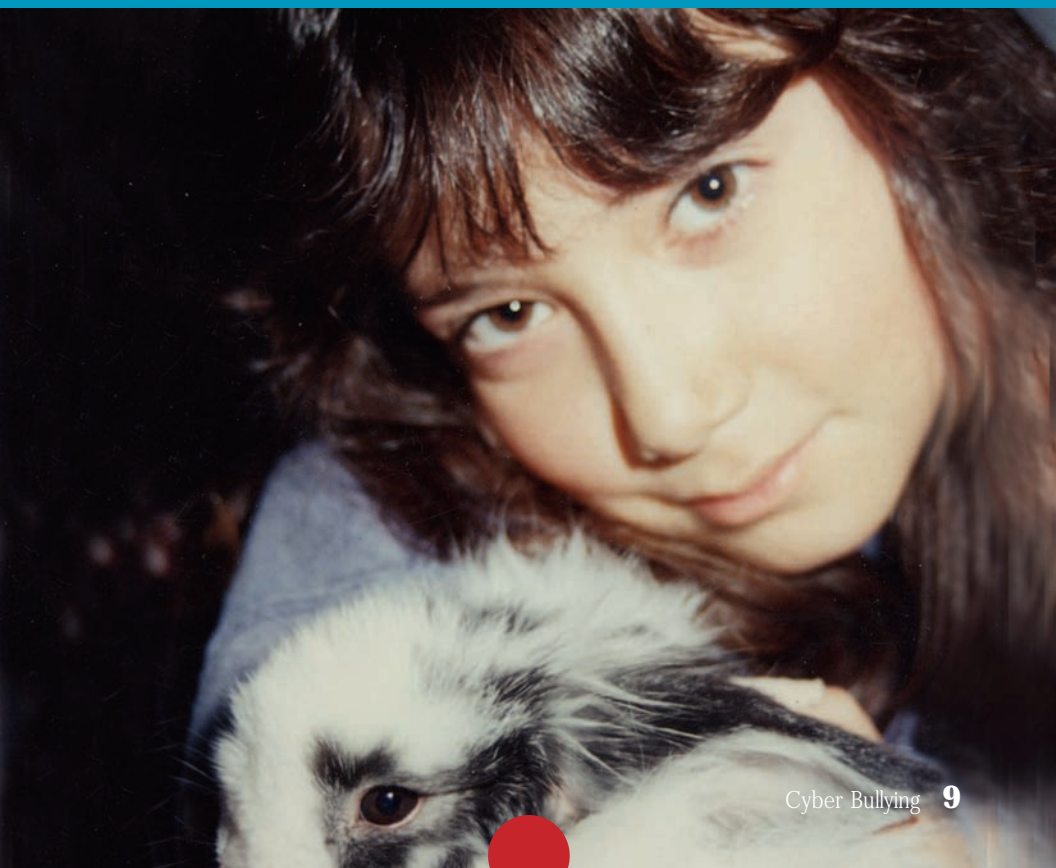
Examples of Cyber Bullying

- A student spreads rumors about another by posting messages on a social networking site. Later, the same student creates a website devoted solely to denigrating the targeted classmate, and invites others to comment.
- A group of high school students launches a social networking page composed of insults and jokes directed against Jewish schoolmates.
- A student sends an e-mail to schoolmates claiming that certain fellow students are gay and should be kicked out of school.
- Students in a high school class persistently taunt their teacher until he is goaded into an outburst. One of the students present videotapes the outburst using her cell phone, and later posts these photographs on the Internet.
- A student repeatedly sends another student threatening e-mails, text messages, or instant messages.
- A student is changing his clothes in the locker room after gym class. A fellow classmate takes a photograph using a cell phone and e-mails it to other students.
- A student creates a fake e-mail account, pretending to be another classmate. Using that account, he/she sends e-mails to others in order to damage the friendships and reputation of the targeted classmate.
- High school students set up a page on a social networking site dedicated to insulting their principal or teacher.

What Can You Do About Cyber Bullying?

Kids

1. Never disclose your e-mail or other passwords to anyone, in order to preserve your privacy. Do not give your cell phone number; e-mail address or screen name to strangers.
2. If someone sends you a threatening message, or if you see a threatening or distressing message posted online, do not respond. Rather, notify an adult because the threat may be real and dangerous.
3. Do not delete any abusive messages or photographs - save them as evidence.



What Can You Do About Cyber Bullying?

Parents

1. Place your home computer in a public area (rather than a child's bedroom), so that you may monitor your child's online activities.
2. Be watchful for clues that your child is being bullied online, e.g., a sudden unwillingness to use the computer.
3. If your child is being bullied by another student, inform the school authorities and ask for their help.
4. Apply pressure on Internet service providers to remove content that constitutes cyber bullying.
5. If cell phone transmissions are involved, make a complaint to the cell phone company.
6. If the type of cyber bullying in question falls under the *Canadian Human Rights Act*, consider filing a complaint with the Canadian Human Rights Commission.
7. If the type of cyber bullying in question falls under the *Criminal Code of Canada*, report it to the police immediately.



What Can You Do About Cyber Bullying?

Educators

1. Encourage your district school board to formulate an official policy addressing cyber bullying that will be displayed each time a student logs on to a school computer.
2. Hold assemblies or classes urging students not to post threats on the Internet, even in a joking manner. Explain to students that such behaviour may lead to suspension, expulsion, or perhaps even arrest.
3. Hold an anti-cyber bullying week to raise students' awareness of the problem.

For more information, go to www.cyberbullying.ca or www.cyberbullying.org or contact Kids Help Phone: www.kidshelpphone.ca or 1-800-668-6868

**Cyber bullies can be traced.
Help remove the cloak
of anonymity and make
bullies accountable
for their actions.**