



ACTIONS TO PREVENT AND COUNTERACT THE CYBERBULLYING PHENOMENON: AN OVERVIEW

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Abstract:

The progress of technology and the increasingly widespread use of the Internet are leading to deviant behaviours such as cyber violence and, among these, cyberbullying. The latter is a growing phenomenon among adolescents that has forced institutions to implement action plans, such as legislative interventions, to prevent and counteract cyberbullying. The aim of this contribution was to provide a brief overview of the projects and laws implemented at international level to prevent this phenomenon as well as the fundamental role of teachers and parents. The analysed studies demonstrate how widely the phenomenon of cyberbullying is widespread in numerous countries with percentages that grow year by year and the Italian situation also appears in line with the international context. Further projects should be implemented to prevent the growing phenomenon of cybercrime in general.

Keywords: cyber violence; cyber-criminality; cyberbully; cyberspace; digital native

1. Introduction

Nowadays, it is unthinkable to imagine our daily life without digital media, which offer us great benefits and numerous opportunities for development and cultural and social growth. However, the Internet has unfortunately also favoured the criminal use of the electronic medium for the purpose of committing crimes, both by organized crime and by the common user who remains the victim of the illusions of omnipotence and anonymity typically found. It is within this context that the alleged invisibility, the weakening of ethical hesitations, the greater spontaneity and immediacy, the absence of space-time limits and disinhibition become the means by which most teenagers take the path of digital violence.

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In this overview, the phenomenon of cyberbullying or electronic bullying (Cadoppi, Canestrari, Manna, & Papa, 2019, pp. 631-655) has been specifically analysed, a term that is used to define the use of information and communication technologies such as e-mail, social networks, etc. on the part of individuals or a group, in order to convey intentional, defamatory and intimidating and repeated behaviour over time, to the detriment of one or more subjects. Unlike traditional bullying, the victim in most cases does not know the identity of his attacker. In fact, the cyberbully moves between technologies while remaining anonymous, protected by a fake profile, an avatar, or a nickname, destroying a person's privacy, offending and harassing without limits.

It is essential to study this phenomenon because it is a source of malaise for the subjects involved. Counteracting cyberbullying is possible only thanks to an awareness and prevention work whose aim is to remember that cyberspace often hides many dangers potentially harmful for the development of children and adolescents going against the principles of an optimal social life. For this reason, an overview of some counteract and prevention projects that have so far been implemented at national and international level was presented, as well as educational interventions aimed at teachers and parents.

2. Digital violence: the various forms of cyber violence

Nowadays, teenagers live not only in real contexts, such as school, the group of extracurricular friends, but also "elsewhere", in virtual worlds that become more and more captivating with the progress of technology. "Digital natives" or "native speakers of digital language" are terms coined by Prensky (2001), to indicate the new generations that have grown in the last 20 years, in a society in which being connected represents a fact, an innate experience in everyday life (Raskauskas & Stoltz, 2007). Unfortunately, this living in virtual contexts can lead to deviant online behaviours that are nothing more than a form of violence.

When we talk about Internet violence, we can refer to some types of cyber violence:

- *Cyber-threats*: these are general statements that suggest that the writer is emotionally upset and may consider the project of hurting himself or others (Willard, 2007). The threats are divided into:
 - direct threats: actual threats of hurting someone or themselves like committing suicide;
 - distressing material: online material that provides clues to the fact that the person is emotionally upset and may think he is hurting someone, himself or committing suicide.
- *Cyber-bashing*: criminal behaviour that begins in real life (an individual or a group of individuals physically harasses a subject while others resume the scene with the videophone) and which then continues, with different characteristics, online: the images, published on the internet and viewed by users to whom the network offers (even though they did not participate directly in the event) an opportunity to share, can be commented on and voted on (Hinduja & Patchin, 2009);

- *Grooming or solicitation of minors online*: the term derives from the verb "to groom", because the potential adult abuser "grooms" the potential victim, gradually inducing the child or boy to overcome resistance through techniques of psychological manipulation (O'Connell, 2003). This technique is used to gradually gain the necessary trust that can lead to the offline meeting. Online grooming is a booming phenomenon that increasingly involves boys and girls under the age of 18. To this end, there is legislation on online soliciting to counteract the phenomenon, in fact, the law provides that whoever "*lures a minor under the age of sixteen, is punished, if the fact does not constitute a more serious crime, with imprisonment from one to three years*" (from article 609-undecies of the Italian criminal code; hereinafter referred to in Italian as 'c.p.', i.e. 'codice penale').

3. The characteristics of cyberbullying

The literature on cyberbullying, and therefore the studies and research born in recent years, have allowed us to identify some peculiar characteristics that distinguish cyberbullying from other forms of traditional bullying. To the traditional criteria of the phenomenon (i.e., intentionality, repetitiveness, imbalance of power), new features have been added to the explanation of cyberbullying (Nocentini et al., 2010):

- *Harasser's anonymity and difficult to find him*: protected by the monitor of a computer, a mobile phone or an iPad, the cyberbully can reveal his identity, as could happen with messages and posts via Facebook that have name and surname, or can move between technologies while remaining anonymous, protected by a fake profile, an avatar, or a nickname. If cyberbullying occurs via sms, instant messenger or email, or in a private online forum, for example, it is more difficult to identify and remedy it. In reality, this anonymity is illusory; every electronic communication leave trace, traceable only by denouncing the fact to the competent authorities, able to trace back the one or the one who publishes photos or insults on the internet. However, it is difficult for the victim to trace the molester alone;
- *Weakening of ethical concerns*: the two previous characteristics, combined with the possibility of being "another person" online (see role-playing games), can weaken ethical concerns; often people do and say things online that they wouldn't or would say in real life. This type of communication takes place in a situation that is defined as social distance, i.e. who communicates is not in direct contact with the interlocutor and this, according to some research and psychological theories, could be the cause of violent and horrible acts.
- *Absence of space-time limits*: while traditional bullying usually occurs in specific places and times (for example in a school context), cyberbullying invests the victim every time it connects to the electronic means used by the cyberbully, therefore, privacy is invaded of the victim, at any time of the day or night (Iannaccone, 2009).

4. Law 29 May 2017, n. 71 to prevent and counteract the phenomenon of cyberbullying in Italy

In paragraph 2, the legislator provides a broad definition of cyberbullying. This expression means *"any form of pressure, aggression, harassment, blackmail, insult, denigration, defamation, identity theft, alteration, illegal acquisition, manipulation, illegal treatment of personal data to the detriment of minors, carried out electronically, as well as the dissemination of online content concerning also one or more members of the family of the minor whose intentional and predominant purpose is to isolate a minor or a group of minors by engaging in serious abuse, a harmful attack, or their ridiculed"* (Cassano, 2017, p.150).

By **pressure**, the legislator would seem to refer to private violence (article 610 c.p.). For example, the bully who prevents the victim from leaving their class or the act of coercion.

By **aggression**, we mean the crime referred to in article 581 c.p., the beatings, that is, the act of slapping or punching; or if an injury is caused, the most serious crime of **injury** will be held liable (article 582 c.p.). If it is a psychic aggression, the **threat** is configured pursuant to article 612 c.p.

By **harassment**, we mean the offence referred to in article 660 c.p., i.e. the offense to public quietness by telephone, petulance or other reprehensible reason.

By **blackmail**, we mean the crime of extortion, pursuant to article 629 c.p. For example, the bully uses violence on the victim to force him to do or omit something to get an unfair profit (e.g. snack money).

For **insult**, this is the offense caused by a subject in the presence of the victim, to whom the same offense is addressed, in the absence of other subjects, pursuant to article 594 c.p.

The reverse situation, in fact, i.e. the absence of the victim and the presence of third parties, would entail the different crime of **defamation**, pursuant to art. 595 c.p., rule decriminalized by Legislative Decree n. 7/2016. The legal object protected by this rule is personal reputation understood as the judgment, esteem or professional dignity enjoyed by the individual in the social environment.

By **identity theft** means the crime referred to in article 494 c.p. For example, creating an account with a person's photo and name without his knowledge.

For **alteration, illegal acquisition, manipulation, illegal treatment of personal data** to the detriment of minors, please refer to what is reported in article 167 of the Privacy Code, Legislative Decree n. 196/2003. If there is a violation of the privacy code, with the dissemination of online content concerning not only the victim himself but also his family members whose intentional and predominant purpose is to cause them harm, isolate the minor, implementing a serious abuse or its ridicule, you may be prosecuted, also, criminally, for **aggravated defamation**, pursuant to article 595, paragraph 3, c.p.

Not all of the criminal cases listed above can be prosecuted ex officio. For some of these, a complaint is filed with the competent Authorities within 3 months from the notification of the fact constituting a crime, pursuant to article 124 c.p., or within 6 months for crimes such as **stalking** (article 612-bis c.p.).

In the Italian legal system, the minor of fourteen is not imputable (article 97 c.p.), while the minor of eighteen is imputable (article 98 c.p.) and the imputability must be judged on a case-by-case basis, in concrete terms and in relation to the fact committed. For the minor who, at the time when he committed the fact, had not reached the age of 14, as it is not imputable for the Italian legal system, re-educational measures can be taken. In the event that the bully/cyberbully is of age, the responsibility is personal; if instead he is a minor, the responsibility lies with those who have a duty to supervise the children, that is, the school administration and teachers, and those who have the duty to educate the young person, that is, the parents.

5. Projects to prevent and counteract cyberbullying: an international overview

In the first pilot study by Smith et al. (2006), conducted in England with 92 students aged 11-16, 22.2% of teenagers was identified as victims and of these 15.6% on an occasional basis, while 6.6% in severe way. The same division criterion between occasional and serious electronic bullying was also used in the first Italian research relating to the DAPHNE II European Project implemented in 2008 (Genta, Brighi, & Guarini, 2009). Two thousand questionnaires were compiled by students of the second year of first grade secondary school (12-13 years), and of the first (14-15 years) and third (16-17 years) year of the second-grade secondary school. The results showed that 13.3% of students had experienced electronic bullying in the past two months, of which 9.5% were occasional victims, while 3.4% suffered repeated aggressions. Noret and Rivers (2006) in England reported a study of 11,227 subjects between the ages of 11 and 15 in which 7% of them admitted having received threatening or offensive messages or emails at least once.

In Canada, Li (2006), using a sample of 264 second grade secondary school students, showed that 22% of boys and 12% of girls admitted to having committed electronic bullying against other individuals. Also in an American study (Kowalski & Limber, 2007) in which 3,767 students aged between 11 and 14 participated, the results showed how 11% of the students claim to have been the victim of at least one episode of electronic aggression, 7% claim to be both a bully and a victim and 4% to have perpetrated at least one episode of electronic aggression.

In Italy, Pisano and Saturno (2008) carried out a research on 1,047 boys, aged between 11 and 20 years, students of middle schools (702) and higher (345), randomly chosen in the regions of Sardinia, Lazio, Marche, Sicily, Lombardy. 14% of middle school students (there are no substantial percentage differences between the two sexes) and 16% of high school students (one girl in four declares to have suffered online aggressions, while only 6% of boys report having been cyberbullied) reported experiencing electronic bullying.

In the study of Ybarra et al. (2007), conducted in the United States in 2006 out of 1,588 teenagers between the ages of 10 and 15, who have used Internet in the past six months, it was found that 35% have been involved in Internet aggression in the past year. Finally, the study of Hinduja and Patchin (2008), conducted with teenagers recruited

thanks to the support of some commonly visited sites, has shown similar results to the work of Ybarra et al. (2007).

6. The role of teachers and parents in preventing cyberbullying

Some scholars (Mason, 2008; Willard, 2007) suggest how important it is for schools to take preventive actions to protect their students from electronic abuse and at the same time respond to emergencies while maintaining a safe school climate. Attention to the issue is demonstrated by the fact that Law 13 July 2015, n. 107, the so-called Good School law, invites educational institutions to achieve "*priority training objectives*". Among these, in Article 1, paragraph 7, letter l, the "*prevention and counteracting early school leaving, of each form of discrimination and bullying, including cyberbullying*" are identified. The law provides that a teacher is designated as referent in each institution for the initiatives against bullying and cyberbullying. In fact, teachers must help children who are subject to online abuse and listen to any problems, providing advice, also to raise awareness, to give information to children but also to parents on what are the risks of the internet in suffering behaviour or attitudes that annoy, that humiliate.

Parents, often precisely because of their computer illiteracy, seem to remain a little on the margins of the issue and they entrust the school entirely with the educational function, clearly underestimating the negative potential of their children in the field of cyberbullying. However, parents should dialogue and share experiences of using internet with their children; adopt specific mediation strategies, including the use of parental control software that filter content and/or limit access to the internet in certain time slots.

In this regard, every year the "Safer Internet Day" is celebrated in Italy, a world day dedicated to the topic of online security and the positive use of digital technologies, a meeting aimed at informing and training school and family on the risks and opportunities provided by Internet. On a recent "Safer Internet Day" (5/02/2019), UNICEF Italia raised the alarm and called for full implementation, especially in the matter of prevention, of the «Action plan for the fight and prevention of cyberbullying, envisaged by the article 3 of Law n. 71/2017.

7. Conclusions

Ultimately, the results demonstrate how widely the phenomenon of cyberbullying is widespread in numerous countries with percentages that grow year by year and the Italian situation also appears in line with the international context. For this reason, numerous projects and action plans have been undertaken at an international level, in particular at a legislative level, to prevent and counteract cyberbullying and the increasingly growing phenomenon of cyber-criminality in general.

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