

The Effective Means of Addressing the Cyber Bullying in Schools

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ABSTRACT: *Cyber bullying is an increasing epidemic that is currently most frequently faced by young people and the effects manifested in classrooms, or bullying by the use of technology. Cyber bullying shares many of the same characteristics as face-to-face bullying on the part of the victim, such as a power imbalance and a feeling of helplessness. Not surprisingly, face-to-face bullying targets are gradually turning to the law, and cyber bullying targets are likely to do so in an acceptable situation as well. This paper discusses the different laws on criminal, civil and vilification that could relate to cyber bullying cases and explores the possible efficacy of these laws as a way of correcting the disparity of power between the victim and the goal.*

KEYWORDS: *Adolescence, Cyber Bullying, Psychosomatic Symptoms, Technologies, Vindication, Violence.*

INTRODUCTION

In the digital world, the ubiquity of modern telecommunications has brought tremendous benefits to society with it. It still does, however, have its darker side. This included the phenomenon of 'cyber bullying'-a concept coined by Canadian Bill Belsey to describe 'the use of information and communication technology to encourage a person or group's intentional, repetitive, and aggressive conduct that is intended to harm others.' Cyber bullying is faced through numerous walks of life, but it is probably the most common among school students at present [1]. Indeed, electronic socializing and digital interactions are an integral part of their everyday lives for so-called 'Net-Gen'-those who were born after 1982. In reality, a 2005 Canadian study showed that 94% of kids accessed the Internet from home, with some as young as Grade 4 depending on the Internet to network with their peers. So it may not be shocking that what little research has been done to date on cyber bullying has centered mainly on these digital natives [2]. However, there is reason to believe that cyber bullying may become more prevalent in older age groups as technology continues to permeate all society and as digital natives transition from adolescence to adulthood.

Technologies such as online social network sites such as MySpace and Facebook, message boards, online forums, blogs, wikis and e-mail, as well as the now ubiquitous cell phone, have a strong potential to be used against other users as a form of mala fides. The potential of deviant adult predators' abuse of the Internet has been widely publicized and well known. It is only increasingly understood, however, that aggressive behavior using technology may also have significant and long-lasting impacts on its targets. Bullying victims of some sort typically feel unable to repel or strike back against their attackers. In its potential to hit the target 24 hours a day, 7 days a week, cyber bullying introduces a new dimension to this powerlessness. Today, a victim cannot even be reliant on his or her home as a safe haven from bullying acts [3]. Victims of abuse, both civil and criminal, are gradually turning to the law as a way of solving the power disparity between them and their bullies, or at least gaining some sort of vindication. Although this may seem an excessive reaction to actions that may be deemed insignificant or 'just a joke' by others, the possible damage

that victims may experience makes the efficacy of the different laws that might be called into play worthy of examination [4].

THE CONCEPTS OF CYBER BULLYING

Examples of how technology is used in bullying can describe cyber bullying. A related concern is whether principles relevant to conventional face-to-face bullying apply equally to cyber bullying, or whether new thinking is required to use technology to bully. The fact that sociological researchers don't even agree on the concept of face-to-face bullying doesn't answer this issue. However, most scholars believe that bullying per se is a type of violence that has at least four characteristics underlying it. These concepts, on examination, would at least seem capable of extending to cyber bullying [5].

Second, the attacker aims to harm the target, whether emotionally or physically. Bullying cannot be accidental. It would appear that the aim to harm is also present in cyber bullying. Second, the idea of an imbalance of power is included in common definitions of bullying. The bully typically has a power differential in face-to-face bullying due to height, age or place. In the case of cyber bullying, by comparison, the bully also prefers to remain anonymous. This may be assumed to negate any sense of power imbalance, because if he or she does not know the other person's identity and characteristics, the target will not perceive that he or she is less powerful. It can be argued, however, that an imbalance in power is created by the very act of bullying. In addition, the anonymity of the bully in itself puts the aim at a disadvantage and invests the bully with a measure of control over the target [6].

The repetition or continued threat of more violence is the third fundamental principle of face-to-face bullying. Both the attacker and the target conclude that the attack will be sustained, creating ongoing agitation or fear of the target. It would appear that this idea is readily transferable to cyber bullying. Technology offers simple means for a seemingly ceaseless barrage of animosity to rain on the goal. Finally, targets of face-to-face bullying are typically unable to defend themselves, or unable to fight back as they feel helplessness, hurt and shame. Because of the global scope of technology and enabled by the aggressor's normal anonymity, cyber bullying targets are no less helpless to respond to threats than, for example, a physically weaker target is at a disadvantage and powerless to respond to a face-to-face bully's physical hits [7].

THE OCCURRENCE OF CYBER BULLYING

There is still scant research published on the incidence of cyber bullying. Much of the research that has been done concerns the cyber bullying of adolescents. This is perhaps understandable because this is the birth of the first generation that knows only about a world connected to digital technology. In 2006, a Canadian study found that 24.9 percent of teenagers reported being cyber-bullied. This compares to an Australian study in 2005 that put the incidence at just 14% 5 and a North American study in 2004 that found that only 7% were confirmed to have been victimized. Other study indicates a clear increase from 25% of young people reporting cyber bullying targets in 20027 to 35% in 2005.8 A factor hindering any concrete comparison between these studies is the tendency of researchers to use various concepts of cyber bullying that often involve all types of violence and do not comply with widely known co-existence. Probably the best that can be said is that the actual prevalence of cyber bullying appears to be around 20 percent of teenagers. An open question is whether boys or girls are more cyber-bullied, although no variations were found in one report. If anyone who cyber bullies often participates in face-to-face bullying is also not understood. The same study found that 64% of cyber bullies admitted that they were still face-to-face bullies [8].

➤ ***The Significances of cyber bullying:***

The consequences of cyber bullying are still little known for sure. There have been several media reports connecting suicides with the deceased being identified as cyber bullying targets. Research into the effects of face-to-face bullying on teenagers, however, has shown that it can lead to increased levels of victims' depression, anxiety and psychosomatic symptoms. Research has also shown that victims can suffer even more severe effects, including significant physical damage, attempted self-harm, and confirmed suicides. Students who are the targets of bullying, with consequences for potential jobs, may have greater behavioral problems and feel socially inadequate, and have higher levels of school absenteeism and lower academic competence.

Although there is little research explicitly on the effects of cyber bullying, due to the variety of characteristics that can accentuate the effect of the conduct, it can have far more severe consequences than face-to-face bullying. This can include, depending on the individual circumstances, a larger audience, the bully's anonymity, the more lasting existence of the written word, and the freedom to meet the target at any time and in any location, including the home of the target. In addition, cyber bullies will feel emboldened because they cannot see their targets or their immediate reactions, and assume that they will not be identified due to their anonymity. This anonymity has been suggested to increase the severity of the attacks and to enable them to continue for longer than they would otherwise do face-to-face. Although it is true that cyber bullying can only threaten, rather than inflict, physical abuse, research has shown that verbal and psychological bullying can have longer-term negative effects [9].

➤ ***Cyber bullying as an illegal offence:***

It might appear to some that an extreme reaction to bullying conduct will be a criminal prosecution. First of all, in a given instance, the Director of Public Prosecutions can be uncertain that a case can be made beyond reasonable doubt, in particular with regard to the requisite intention to commit the crime in question. However, even if there is some resistance on the part of the prosecuting authority, cyber bullying targets may find that the mere presence of a police investigation allows them to reclaim a sense of control and power that the abuser would otherwise lose. Therefore, a review of the spectrum of criminal offences which may be applicable is required [10].

➤ ***Criminal responsibility:***

A threshold question when considering the criminality of conduct is whether the perpetrator is considered by statute to be responsible for his or her acts. In the case of young offenders it may be thought that they lack the same capacity to understand the effects of their behavior, empathy towards others and ability to regulate their impulses that might be fairly expected of adults. Criminal liability is assessed exclusively on the basis of age, regardless of such factors.

The age of criminal liability under common law is 7 years. In all Australian jurisdictions, this age has been increased to 10 years by regulation, meaning a cyber-bully under 10 may never be criminally liable, whereas anyone between 10 and 14 years of age can be criminally liable if the prosecutor can show beyond reasonable doubt that the child knew he or she could not have committed the offence. In other words, it must be shown that the child knew that, as distinct from an act of mere 'naughtiness or childish mischief', it was a wrong act of some seriousness. By comparison, someone aged 14 and over is considered to have the capacity required and is thus criminally liable for his or her actions.

➤ **Harassment and Stalking:**

In Australia and abroad, the last decade has seen a proliferation of anti-stalking, bullying and harassment laws. Both Australian jurisdictions now have stalking laws banning behavior that is intended to annoy, threaten or intimidate. Stalking has been described as 'one person's pursuit of what seems to be another's harassment or molesting campaign.' Common examples include following the target, sending articles to the target, waiting outside or driving past the home or workplace of the target, and frequent phone, email or text communication. As part of a broader strategy to contain domestic abuse and related activities where a disparity of power is manipulated in somewhat unthinkable and bizarre, yet highly terrifying, ways, these offences have proved extremely useful. Therefore, they are of special interest to cyber bullying, where, in all cases of bullying, power inequality is equally abused.

CONCLUSION

Cyber bullying is a growing phenomenon, particularly among the natives of the digital age, 'Generation Y.' Cyber bullying shares many attributes with face-to-face bullying, including the imbalance of power and the feelings of helplessness and incapacity of the target to defend itself, but introduces additional dimensions such as the ability to reach the target at anytime and anywhere and the perceived anonymity of the perpetrator.

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