Guide for children on Law 71/2017 for preventing and combating cyberbullying

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BERBULLYI

WHAT IT IS AND HOW TO DEFEND YOURSELF





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# **C Y B E R B U L L Y I N G ←** WHAT IT IS AND HOW TO DEFEND YOURSELF

Guide for children on Law 71/2017 for preventing and combating cyberbullying









#### CYBERBULLYING - WHAT IT IS AND HOW TO DEFEND YOURSELF

Guide for children on Law 71/2017 for preventing and combating cyberbullying

The content of this booklet has been produced by the office of the Italian Independent Authority for Children and Adolescents, with the collaboration of the Istituto degli Innocenti. This document can be found on the website of the Authority **www.garanteinfanzia.org April 2020** 

#### Dear Girls and Boys,

the web represents an extraordinary resource, a tool through which you can exercise what is provided for in the UN Convention on the Rights of the Child.

But there are also many risks you may encounter when surfing the web, including cyberbullying.

It is therefore necessary to use it in an appropriate and conscious way and above all to know what your rights are in order to understand when they are being violated and what to do.

This booklet is aimed at helping you to understand what the law on preventing and combating cyberbullying says, in order for you to protect yourself.

It also aims at helping those who commit such acts, or witness them, to understand the real consequences of their actions.

Preventing and combating bullying and cyberbullying is possible. To do this, you must first of all talk to someone you trust and then act by exercising the remedies provided for by the law.

You are not alone.

Filomena Albano



#### THE UN CONVENTION CONTAINS YOUR RIGHTS.

Find them all in the dedicated section at **www.garanteinfanzia.org** 



## YOUR RIGHTS, TRAVEL COMPANIONS TOWARDS THE FUTURE

Under the **UN Convention on the Rights of the Child**, signed in New York in 1989 and ratified by Italy in 1991, all children and young people are holders of rights, such as the right to live in a safe and nonviolent environment, to express their opinions, to be heard, not to be discriminated against and to receive care and assistance. The Convention also establishes that States, parents or guardians of the child, including other individuals, such as teachers, shall have the responsibility to respect, protect and promote your rights and shall

guide you so that you can fully exercise them. **The rights concern all aspects of your life:** from the family environment to school, from safeguarding health to protection from

any form of abuse and violence.

This also applies to the digital world, because even on the web there are people who may misbehave and violate your rights.

# WHAT IS CYBERBULLYING?

**Cyberbullying is one of the most serious forms of violation of online rights.** It occurs when someone commits, by telematics means, acts of aggression, harassment, pressure, blackmail, insult, defamation, or other behaviours aimed at isolating or ridiculing you.





#### FURTHER INFORMATION

Visit the project website dedicated to the relationship between children and the digital world implemented by the Ministry of Education in collaboration with the Authority for Children and Adolescents and many other partners www.generazioniconnesse.it



## VIOLATIONS OF RIGHTS IN THE DIGITAL FIELD

#### Let's give some examples:

**Identity Theft**: when somebody steals your passwords, uses your accounts and pretends to be you on social networks, etc.

**Illicit processing of personal data**: when someone acquires and spreads images, videos or information about you without informing you or against your will, etc.

**Stalking**: when someone repeatedly sends you rude, offensive, insulting, disturbing and persecutory messages through social networks.

**It can also happen that**: someone spreads data and information online (videos, photos, posts, etc.) to attack or ridicule you, your family or your group of friends and/or to exclude you from a group chat. In this case, too, you are a victim of cyberbullying.

#### WHAT TO DO IF YOU ARE A VICTIM OR WITNESS AN ACT OF CYBERBULLYING

Tell someone you trust, a parent or another adult of reference, a school contact person, a teacher, a sports coach, etc.

Evaluate with them how to behave and whether it is necessary to lodge a complaint with the authorities.



## PROTECTING YOURSELF FROM CYBERBULLYING: LET'S START TALKING ABOUT IT

#### The protection of children's and adolescents' rights is achieved

**through the involvement of adults**, who are responsible for guaranteeing your rights, such as families, teachers, law enforcement agencies, community members, institutions, the independent Authority for Children and Adolescents and other competent authorities.

#### Children and young people also have an important role to play:

they must know their rights in order to be able to understand when their rights are violated and to be able to implement the remedies provided for by law, enabling adults to intervene.





# NOW IT'S EASIER TO DEFEND YOURSELF

#### A law to protect your rights in the digital environment

In order to offer greater protection to children and young people, our country has adopted **Law no. 71 of 2017**, which identifies various measures to:

- **prevent and combat** acts of cyberbullying through an integrated action plan and self-protection
- provide support measures for those who are cyberbullied
- **make the cyberbully responsible** through paths of re-education and warning procedures.

#### If you're a victim of cyberbullying, you can defend yourself in this way:

- if you're already 14 years old, you can ask, on your own or with the help of your parents or guardians, for the concealment, the removal or the blocking of harmful content disseminated via the Internet
- you can immediately apply to the data controller or to the website or social media provider and where, after 24 hours, you have received no communication on the positive outcome of your request, you can make the same request to the Data Protection Authority, by filling in the form you can find on the website **www.garanteprivacy.it**
- in some cases, cyberbullying may constitute a cr iminal offence according to the Criminal Code and therefore, in such circumstances, it is possibile to file a complaint or report to the competent authorities.

# PREVENTION IS THE BEST REMEDY

# Participation in peer education activities

As a student or former student, if you have already participated in peer education activities in your school, you can play an **active role** in the prevention and in the fight against cyberbullying in schools. Active participation in information initiatives targeted at children regarding education on the conscious use of the Internet and on the rights and duties related to the use of information technology

Participate in initiatives promoted by your school and designed for you. It's very important and can help you make better use of the information technology you use every day.



#### Participation in the technical panel for preventing and combating cyberbullying

As a **student**, through your representatives, **you have the right to participate** in the *technical panel for the prevention and combating of cyberbullying*, established at the Presidency of the Council of Ministers and coordinated by the Ministry of education, which has the task of preparing an integrated action plan to prevent and combat cyberbullying.

# PREVENTION IS THE BEST REMEDY

Follow information, awarenessraising and prevention campaigns disseminated through the media You can update yourself by following the information prevention and awareness-raising campaigns on cyberbullying that are prepared by the Presidency of the Council of Ministers, in collaboration with the Ministry of education and with the Authority for Communications Guarantees.

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## THE AUTHORITY FOR CHILDREN AND ADOLESCENTS REMINDS YOU THAT:

- On the web, any behaviour can be tracked, reconstructed and denounced.
- **Defamation, threats and insults on the web** can be denounced by victims.
- Each school must appoint a **contact person** with **regard to cyberbullying** from among its teachers, with the task of coordinating initiatives for preventing and combating cyberbullying, whom you can always contact.



## THE ABC OF ONLINE RIGHTS

**Request**: it can be addressed to the data controller or to the website or social media provider, in order to request that your personal data disseminated on the Internet be removed, blocked or concealed, if you are a victim of cyberbullying. You can personally submit such request if you are 14 years of age or older; otherwise, the request shall be submitted by your parents or by whom is responsible for you.

Data controller: the person who decides "why" and "how" your personal data should be processed. The data controller may be a natural or legal person, an authority, a service or another body.

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**Questore:** Public Security Authority having competence at province level.

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#### Website or social media manager provider: who provides the contents of a website

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#### Data Protection Authority: the

independent public body that has the task of ensuring the protection of fundamental rights and freedoms and respect for dignity in the processing of personal data.

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**Warning**: verbal "reprimand" through which the Questore admonishes the cyberbully and formally requests him/ her to keep a behavior consistent with the law.



**Injury**: an offence committed by anyone who offends the "honour and decency" of a person who is present.

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## THE ABC OF ONLINE RIGHTS

**Defamation**: an offence against the reputation of a certain person, communicated to several people in the absence of the defamed person, either by words or by means of telecommunications.

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**Personal data**: any information concerning an identified or identifiable natural person: e.g. personal data, tax code, telephone traffic, images, habits, lifestyle, personal relationships, racial or ethnic origin, sexual orientation, state of health, economic situation, etc.

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**Concealment**: deleting or blocking or rendering invisible contents that concerns you, disseminated on the web.

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**Technical panel**: a working group whose main task is to adopt an integrated action strategy to prevent and combat cyberbullying and which comprises institutions, practitioners and associations, including those of parents and children.

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School contact person for bullying and cyberbullying: the teacher, appointed in each school, to refer to for initiatives aimed at preventing and combating bullying and cyberbullying.





# CONTACTS AND USEFUL

www.garanteinfanzia.org www.garanteprivacy.it www.agcom.it www.commissariatodips.it www.miur.gov.it www.famiglia.governo.it www.generazioniconnesse.it

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