

Cyber Bullying

Cyber-bullying or stalking occurs when someone engages in offensive, menacing or harassing behaviour through the use of technology. It can happen to people at any age, anytime, and sometimes anonymously.

Actions you can take to protect yourself and manage cyber bullying:

Reachout.com¹ recommends five steps for dealing with cyberbullying:

1. Don't respond immediately
The aim of a lot of cyberbullying is to annoy, upset or confuse the person who is being targeted, so that they react emotionally. If you are being cyberbullied, keep in mind that the person who is targeting you wants you to respond. A good strategy for dealing with this is not to give them what they are looking for. Put down your phone for an hour or more. Take that time to give yourself some emotional distance, and think carefully before you respond.
2. Follow up when you're calmer
When you are ready to go back on line, consider having a friend with you. Using calm, neutral language, try to work out the situation with the person without letting them get to you. They might not even realise that you interpreted their actions as cyberbullying, and so a calm conversation is a good place to start. Ask the person to delete the material which disturbed you.
3. Take screen shots
Screenshots are the best way for you to keep evidence of an instance of cyberbullying. After all, the person who is cyberbullying you may delete their comment or photo when they realise that it might get them in trouble. Screenshots will ensure you always have a copy of what was said.
4. Try to stop compulsively checking posts
If the other person doesn't stop, you will need to take control. You can always limit your social media time to a few hours a day. That way, the bullying does not feel constant, and you can take a break from the online world to look after yourself. You should never have to feel like you cannot go online, but you can make sure you do not spend all day online dealing with bullying.
5. Report and block
Most social media sites want to help you feel safe online. They do not want you to experience cyberbullying, either, so they have many built-in tools to keep you safe, including blocking a person or an ability to report their online behaviour.

Reporting Cyberbullying

Reporting cyberbullying material to the first service it is posted on is recommended. Each social media platform typically has a *Terms of Use agreement* this allows you to contact the provider (i.e. Facebook) to report content that is not consistent with the Terms of Use agreement. This might include 'report' buttons or a safety center where you can report cyberbullying material.

The platform might, based on your complaint, delete the user's account.

The Office of the Children's eSafety Commissioner has an index of the services provided by common social platforms [located here \(https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/social-media-services-safety-centres\)](https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/social-media-services-safety-centres)

If you are receiving harassing text messages, the phone company may suspend or cancel a person's phone number or contract. In addition to this, you can use the tools in the platform or on your phone to block the person. In serious cases, the website or phone company may report the illegal behaviour to the police.

Some instances of cyberbullying are also reportable to the Australian Government. The Office of the Children's eSafety Commissioner provides a service to report cyberbullying material targeted at an Australian child (under 18), where the effect is likely to be serious. For more information, refer to <https://esafety.gov.au/>

What support is available?

- Kids Help Line provide confidential online and phone counselling services for persons aged 15-25 on 1800 55 1800.

¹ <https://au.reachout.com/articles/5-strategies-for-dealing-with-cyberbullying>

- Lawmail is a free legal service for persons under 25 years (www.lawmail.org.au)
- For persons over 25 years, contact Legal aid Queensland for more information (1300 65 11 88).
- JCU Student Counselling service (Cairns: 4232 1150, Townsville: 4781 4711)
- For staff, Benestar provides free counselling service (1300 36 03 64)

Can I report the issue to JCU?

Yes, you can.

Typically the University can only take action when there is an identifiable connection with the University, this means where the site or person at the time of the incident, is under the effective control or responsibility of the University. Depending on the issue, Student Complaints may be able to assist, if not they will advise you.

https://www.jcu.edu.au/_data/assets/pdf_file/0010/244918/Student-Complaint-Form-150216.pdf. For JCU Staff, depending on the issue, Human Resources staff may be able to advise the correct policy or procedure to make a formal complaint to JCU.

Please note: if the incident does not have an identifiable connection with the University, there are limits to the measures JCU can take to keep you safe when engaging in social media.

You have tried everything above and you are still being harassed, bullied or stalked.

Apply for a protection order. If someone is using your personal information to stalk, intimidate, harass or threaten you, you may be able to apply to the court for a restraining order to keep him or her from contacting you again.

Just like bullying in the offline world, not all online bullying is criminal, but sometimes it is. There are Australian laws that apply to serious online harassment and online bullying behaviour. Under the *Criminal Code Act 1995 (Cth)* it is an offence to use the internet, social media or a telephone to menace, harass or cause offence. The maximum penalty for this offence is three years imprisonment or a fine of more than \$30,000.²

There are also stalking offences in each state and territory. Stalking involves a persistent course of conduct by a person against a victim, which intends to make them feel fearful, uncomfortable, offended or harassed. This conduct may occur online (for example, by email or on social networking sites) or via text message. Stalking offences carry heavy maximum penalties. Consult your local police website for further information or contact 131 444.³

You can [report serious cyber-bullying or stalking behaviour](#) to the Australian Cybercrime Online Reporting Network (ACORN) if the conduct is intended to make you (or the person you are reporting on behalf of) feel fearful, uncomfortable, offended or harassed. If you are being physically stalked or are concerned for your safety, you should talk to your local police immediately.⁴

When cyber bullying involves unwelcome sexual advances, sexual threats or discriminatory comments from a person at work or school, complaints can be made to the Anti-Discrimination Commission Queensland or the Australian Human Rights Commission. A comment may be discriminatory if it makes fun of someone because of their race, sexuality, gender identity, religion, disability etc.⁵

Sometimes the cyberbullying is very serious and you may need to take major measures to protect yourself.

Options include:

- Changing your phone number.
- Deleting your current social media account or leaving it dormant for an extended period.
- Creating a new social media account in a new name and limiting your followers to only those you know and trust.

The above measures are serious and should be done in conjunction with reporting the person's activity to the police and other relevant authorities.

See also: www.preventcyberbullyingjcu.com.au

² <https://www.acorn.gov.au/learn-about-cybercrime/cyber-bullying>

³ <https://www.acorn.gov.au/learn-about-cybercrime/cyber-bullying>

⁴ <https://www.acorn.gov.au/learn-about-cybercrime/cyber-bullying>

⁵ http://www.lawstuff.org.au/qld_law/topics/bullying/cyber-bullying#wtt