

REACH FOR HELP

There are a number of organisations that may be able to offer support.

- **Ministry of Education** provides guidance on school disciplinary matters:
www.education.govt.nz/
- **Youthline** can give you advice and support:
Call [0800 37 66 33](tel:0800376633) or free text [234](tel:234)
- **Kia Kaha** is a school-based anti-bullying programme:
www.police.govt.nz/advice/personal-and-community-advice/school-portal/resources/successful-relationships/kia-kaha
- **YouthLaw** provides free legal advice for young people under the age of 25. We have a focus on education law:
www.youthlaw.co.nz

FOR MORE INFORMATION

- **Netsafe—Cyberbullying information:**
www.netsafe.org.nz
- **New Zealand Parliament—Harmful Digital Communications Act:**
<http://www.legislation.govt.nz/act/public/2015/0063/latest/whole.html>
- **Wellbeing at School guide for schools:**
<https://www.wellbeingatschool.org.nz/>



YouthLaw

Free legal help throughout Aotearoa

YouthLaw provides free legal help for young people under the age of 25. We have special expertise in the area of education law, and can give advice on school disciplinary processes. If you know a young person who needs assistance, please get in touch with us.

Visit our website:
www.youthlaw.co.nz

Contact YouthLaw
for further free help or advice:

Free phone: **0800 UTHLAW**
(0800 884 529)
Email: info@youthlaw.co.nz



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CYBERBULLYING

The rights of young people with cyberbullying, the school's role, and bullying on social media.

A guide for parents and supporters of young people



WHAT IS CYBERBULLYING?

Cyberbullying is using the internet, phones, cameras or other technology to hurt or embarrass other people.

Cyberbullying may be:

- Sending nasty or threatening messages in social media or by texting;
- Sharing embarrassing photos or videos;
- Spreading rumours about classmates online; or
- Stealing passwords or hacking online accounts.

Cyberbullying is not ok, and the Harmful Digital Communications Act 2015 makes sure people on the internet are safe.

WHAT IS THE SCHOOL'S ROLE?

Under the National Administration Guidelines for Schools, schools have a legal responsibility to ensure the emotional and physical safety of all students. This includes addressing behavior outside of school which may affect a student's learning and wellbeing at school.

It is common for schools to have internet and social media policies. Often, bullying policies will also apply to cyberbullying. *You can ask for copies of your school's policies.*

BULLYING ON SOCIAL MEDIA

Social media sites also have terms and conditions that address cyberbullying. Facebook's Code of Conduct protects users from **sexual content, harassment and unwanted contact** and **offensive acts**.

Facebook members who want to report any abuse of guidelines can go to the 'Report' link on most Facebook pages.

Reports of offensive material will be responded to.

Currently, the victim will be informed of the steps that will be taken against the offender within 72 hours. Facebook rules do change very often so be sure to check regularly.

Facebook users can also 'Block' other users. When you block a user, you won't see any of their content and they will no longer be able to contact you over Facebook. You can block a user for as long as you want.

CYBERBULLYING LAW

Cyberbullying can be both a civil or criminal offence. In 2015 "*Causing harm by digital communication*" became a crime. The penalty is up to 2 years in prison or a fine of \$50,000. The digital communication posted must meet three conditions:

- There is actual harm to the victim (this includes emotional or psychological harm); and
- The perpetrator intended to cause harm; and
- A reasonable person would be harmed by what happened.

Encouraging someone to commit suicide is now a crime as well—regardless of whether the victim attempts to take their life. Punishment is up to 3 years in prison.

Harassment, sexual harassment and racial harassment that happen online are also now against the law.

Additionally, a new law has been made against collecting, sharing or using private information (for example intimate photos or videos taken in a relationship), if it would be highly offensive to a reasonable person. This outlaws what is known as "revenge porn".

If young people under 17 commit an offence they may face warnings, police diversions, Family Group Conference, or go to the Youth Court.

Young people 17 and older who commit an offence are treated as adults by the courts.

IF YOU ARE CYBERBULLIED

If you are cyberbullied—it's not your fault.

Contact a counsellor or support person to talk about any distress you might be feeling.



Youthline can give you advice and support: Call 0800 37 66 33 or Free Text 234.

- Save evidence of all bullying messages and posts—e.g. screenshots.
- If the messages or posts contain physical or sexual threats, contact the Police.
- Report internet cyberbullying on the website where it happened.
- Block bullying users on social media or ask your mobile network provider about blocking a bully's number so they can't contact you anymore.
- Contact your school as soon as possible if it's a school related matter.
- Make a complaint to NetSafe who can advise, mediate and resolve complaints.