

Anonymous bloggers causing defamation, harassment, bullying and other illegal activities...What do we need to do to eliminate the bad ones? Any current UK laws to stop them?

Cyber bullying is defined as an action that ‘uses information and communication technologies to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to harm another or others.’

Website browsing, discussion forums and other mobile technologies such as SMS text messaging are a part of everyday life. We have the freedom to voice our opinions and make positive or negative comments about different services or current affairs. This has also led to some users abusing the system with the purposeful intention of causing emotional hurt. The practice is becoming increasingly common especially with the rise of social media platforms.

Crossing the Rubicon

So what are the parameters and where do we draw the line? Couldn't giving a business a poor product review or any small comment you make, cause hurt? The areas that constitute cyber bullying are comments that are deliberately hostile or intended to incite hatred, humiliation or other adverse reaction. This could be posting a message or starting a rumour through malicious gossip that aims to manipulate, provoke by intimidation, exert control, embarrass, cause shame or ruin, denigrate or wrongly discredit the person on the receiving end. Such action is usually repeated but this may not always be the case. An erroneous message could be posted on a site about another person's professional activity, without substantiation, which could potentially harm the recipient's career.

Stranger or Acquaintance

The perpetrator could be a person with whom the target is familiar or an anonymous stranger. He or she could solicit mass action from others to cause harm, known as a “digital pile-on”.

Cyber bullying can range from annoying an individual to serious provocation and threat. In a professional environment whereby a highly qualified person is at risk, it could ruin a career.

How can we filter abusive comment?

Many people may unintentionally cause distress to another – such as sending a tweet which carries an inappropriate reference and causes misunderstanding.

So how can we eliminate obvious harassment?

The abuse must be reported and taken seriously by the authorities. This may not necessarily be the police. It could involve reporting accusatory remarks to relevant professional bodies. Magazine owners or publishers might be one example when comments are posted online. Professional associations could be contacted about a false statement that could ruin an otherwise exemplary reputation.

Organisations should create specific statutes designed to address defamatory comments; they could make it illegal to post obscene remarks, threats, accusations or other immoral suggestions.

UK law

Although, within current UK law, there is no legal definition of cyber bullying, the following existing laws are applicable to cyber bullying: - Protection from Harassment Act 1997 - Criminal Justice and Public Order Act 1994 - Malicious Communications Act 1988 - Communications Act 2003 - Breach of the Peace (Scotland) - Defamation Act 2013. Guidelines issued by The Crown Prosecution Service in Dec 2012 explain how cases of cyber bullying will be assessed under the current legislation.

In addition, The Defamation Act 2013 came into force on 1st January 2014.