

ONLINE TERROR

Where do you draw the line on bullies?

Some teens support push to criminalize cyberbullying, but free speech an issue

LYNDSIE BOURGON

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HALIFAX—Katie Neu takes her secondary school courses from home.

It's been two years since she walked out of her high school after being cyberbullied so much that she felt forced to leave.

Neu, 16, was threatened by students using instant messaging programs. Her peers called her names in emails after rumours about her spread around the school.

She received messages and emails accusing her of faking a broken arm.

"I had enough of people trying to hurt me and harass me," says Neu from her home in Listowel, Ont.

"I'll probably have to do it myself, but I want to see all forms of bullying made illegal."

An announcement from the Canadian Teachers' Federation calling for the addition of cyberbullying to the Criminal Code has brought Neu's hopes for a change in the Canada's laws one step closer to reality.

Last month, the federation voted

unanimously to endorse a policy that says cyberbullying should be a criminal offence.

"We have (harassment through) telephone in the Criminal Code . . . we have harassing people by letters. We say the Criminal Code is silent on new technology," says Emily Noble, president of the federation.

"The laws in the Criminal Code were all written years ago, let's update it where it's necessary."

But Michael Deturbide, a law professor and associate dean at Dalhousie University in Halifax, says criminalizing cyberbullying could be a difficult process.

As well, says Deturbide, it would be difficult for lawmakers to know where to draw the line.

"I'd be very careful about making online bullying a crime," he says. "The most severe forms of cyberbullying are already captured in the Criminal Code."

For instance, says Deturbide, it's already illegal to harass anyone to the point where they fear for their safety. It's also already illegal, he adds describing the case of Neu's high-school cyberbullies, to spread false rumours that can lead to defamatory action.

He says that while cyberbullying is offensive and unpleasant, it raises issues relating to freedom of expression.

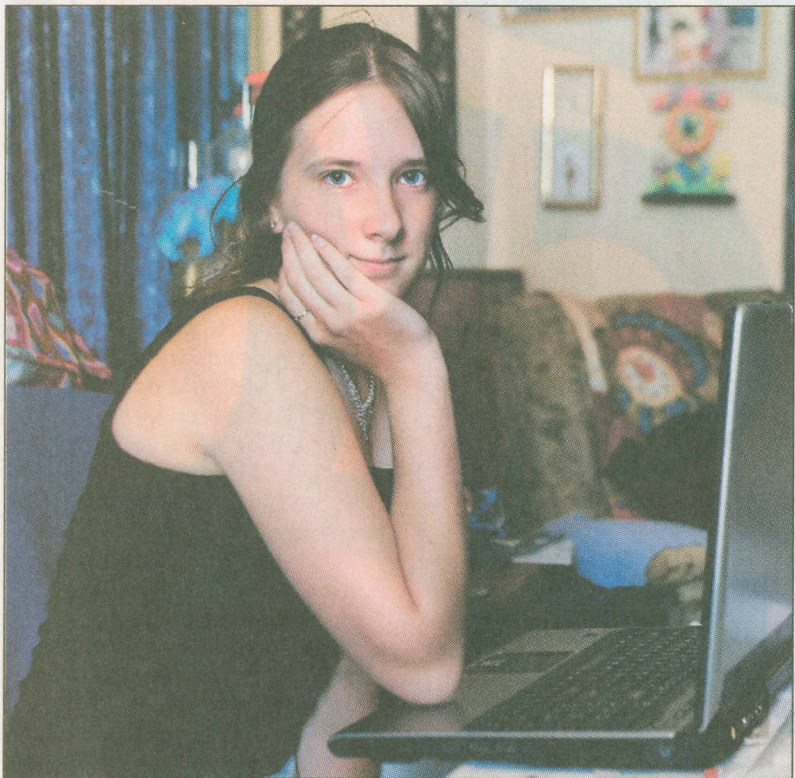
"We do have freedom of expression in Canada and that means sometimes you can say unpopular and even nasty things, and there is a line that's crossed," explains Deturbide.

"That line is already in the Criminal Code and I'm not quite sure why we need a specific law targeting the Internet."

Robert Frenette, 19, started the website BullyingCanada.ca in 2006.

The issues surrounding freedom

CYBERBULLIES continued on L4



DAVE CHIDLEY / THE CANADIAN PRESS

Katie Neu studies at home after cyberbullies forced her from her school.

Legal update needed, victims urge

CYBERBULLIES from L1

of speech and bullying are ones that Frenette has heard before.

"As someone who has been bullied for 11-1/2 years, I'm not sure how you can express yourself through bullying," he says.

"It's something that should have been done a long time ago," says Frenette of the federation's push to including cyberbullying in the Criminal Code.

"If you can get charged for bullying physically you should be able to get charged in regards to the form of cyberbullying."

Frenette was cyberbullied by two girls who threatened him in an online chat room. The next day they sat behind him on the school bus and burned the back of his neck with lighters.

"When I brought it up with the

school, I kept a copy of the chat log where they (threatened me)," says Frenette.

"They said there were no charges that could be laid because it was online. If it had happened in person, they could have pressed charges. That was one time when I was let

6 *I was let down by the justice system*

ROBERT FRENETTE, 19,
ABOUT BEING
CYBERBULLIED

down by the justice system."

University of Toronto social work professor Faye Mishna has studied cyberbullying, and says that one in five kids have been bullied online.

Mishna says her first reaction up-

on hearing the announcement from the federation was that she needed more information.

"I know that they don't believe in criminalizing it alone," says Mishna, who says the sole act of criminalizing cyberbullying would not be effective.

"It's got to be part of the whole package," Mishna says. "The intervention needs to be in prevention, education."

"The policy we passed is mainly all about education," says Noble. "Education of teachers, parents and students of the new cyber-playground."

Mishna says she thinks it's important for kids to learn what freedom of speech is, and what it's not.

"They might think that it's freedom of speech, but it's important for them to learn what their rights are," says Mishna.

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