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Legal situation in England

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What does the English law say?

Cybermobbing

There is no legal definition of the term cyberbullying in England. However there are many laws that apply to cases of cybermobbing and accompanying attacks on the victims:

- Protection from Harassment Act 1997; Criminal Justice and Public Order Act 1994; Malicious Communications Act 1988
- Communications Act 2003, section 127:

This law prohibits the sending of obscene, offensive or inappropriate news. It should be mentioned that online groomers do not belong to those news, because they write first friendly and want to establish a trust relationship with their victim.

Education Act 2011:

- Teachers are allowed to solve cybermobbing problems by searching and deleting such content on mobile phones or computers of their students.

Defamation Act 2013:

- This rule stipulates that the database provider is responsible for the deletion of offensive content.

In addition to the legislative effort to handle the problem of cyberbullying, there is a wealth of guidelines and guidance on how parents, teachers and students should behave in order to avoid such incidents or to quickly resolve such incidents.

Cybergrooming

According to the criminal law in 2015, a new criminal record was established with adults to protect minors against unwanted and sexual contact. Against the background of changing communication channels and techniques, contact should be punished for the purpose of establishing sexual contact between perpetrators and victims. This includes in particular the initiation of contacts through chat and the Internet in general with the intention of the adult to approach the minor, to gain his trust and later to have any sexual contact with him. The maximum penalty is 10 years.

In the area of civil law, the adult who is looking for such contacts can impose a kind of "risk of sexual harm" order in the context of prevention. This prohibits the person concerned from seeking online contacts with minors.

It should be noted that the age limit is 16 years. In general this is the case, because even adolescents can abuse others of the same age or children. Where volunteering is on two sides, the law enforcement authority will deny the public interest and cease the pursuit.

Sexting

English criminal law has its own criminal record for sexting. It is called "Revenge Pornography", translating revenge pornography. The fact that the Criminal Justice and Courts Act 2015 has been dealt with in Section 33 of the Criminal Justice and Courts Act and threatens a maximum sentence of two years of imprisonment. For the law enforcement agencies to act, the published recordings must be "sexual" and "private". Both terms are defined in section 35.

Posing



For posing pictures it is forbidden, if one is under 18 years old, to make indecent pictures of themselves or other underage persons or to share with others.

→ Source: <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/online-abuse/legislation-policy-practice/>

→ For more information click: http://www.cps.gov.uk/legal/h_to_k/indecent_images_of_children/