

RESPONDING TO CYBERBULLYING (Staff Guidance)

PRESERVING THE EVIDENCE

Keep a record of the abuse:

- Date and time
- Content of the message
- Where possible a sender's ID (e.g. username, email, mobile phone number), or the web address of the profile/content.

This can help the service provider to locate the relevant content.

HOW TO DO THIS

It is always useful to keep a written record, but it is better to save evidence of bullying on the device itself.

- On mobiles, ensure the person being bullied keeps/saves any messages, whether voice, image or text. Forwarding messages will result in information from the original message being lost.
- On instant messenger, some services allow the user to record all conversations. The user could also copy and paste, save and print these. Copied and pasted conversations are less useful as evidence as they can be edited. Conversations recorded/archived by the instant messaging service are better for evidence. Conversations can also be printed out as hard copy or saved as a screen grab.
- On social networking sites, video-hosting sites, or other websites, keep the site link, print page or produce a screen grab of the page and save it. To take a copy of what appears on the screen, press Control and Print Screen, and then paste this into a word-processing document.
- On chatrooms, print the page or produce a screen grab of the page. To take a copy of what appears on screen, press Control and Print Screen, and then paste this into a word-processing document.
- On email, ask the person being bullied to print it, forward the message on to the staff member investigating the incident (using school's email address), and encourage them to continue to forward and save any subsequent messages. Preserving the whole message, and not just the text, is more useful, as this will contain headers (information about where the message has come from).

IDENTIFYING THE BULLY

KEY QUESTIONS

- Was the bullying carried out on the school system? If yes, are there logs in school to assist in identification?
- Are there identifiable witnesses who can be interviewed? There may be students who have visited the offending site and left comments.
- Was the bullying carried out on a mobile or a particular internet service? The service provider, when contacted, may be able to take steps to stop the abuse by blocking the aggressor or removing content it considers to be defamatory or breaks their terms of service. The police will need to be involved to enable them to look into the data of another person.
- If the bullying was by mobile phone, has the number been withheld? If so, it is important to record the date and time of the message and contact the mobile operator. Steps can be taken to trace the call, but this information can only be disclosed to the police. Content shared through a local wireless connection on mobile phones does not pass through the service provider's network and is much harder to trace.
- Has a potential criminal offence been committed? If so, the police may have a duty to investigate. Police can issue a RIPA (Regulation of Investigatory Powers Act 2000) request to a service provider, enabling them to disclose the data about a message or the person sending a message. This may help to identify the bully. Relevant criminal offences include harassment and stalking, threats of harm or violence to a person or property, any evidence of sexual exploitation (e.g. grooming or inappropriate sexual contact or behaviour). Bullying or cyberbullying is not a specific offence in UK law, there are criminal laws that can apply in terms of harassment or threatening behaviour.