

CYBER-HARASSMENT, CYBER-STALKING AND CYBER-BULLYING

Monday 14th November 2011

Please prepare for a short discussion of this topic with the rest of the class by reading and talking about the material provided in small groups.

You have been given the following articles to read in your group:

1. 'How the web became a sexists' paradise' The Guardian Online Article (6/4/2007)
<http://www.guardian.co.uk/world/2007/apr/06/gender.blogging>;
2. 'Puddick cleared of harassing wife's lover on the internet' BBC Online Article (17/6/2011) **<http://www.bbc.co.uk/news/uk-13815657>**;
3. 'Cyberstalking 'now more common' than face-to-face stalking' The Guardian Online Article **<http://www.guardian.co.uk/uk/2011/apr/08/cyberstalking-study-victims-men>** (8/4/2011);
4. The University of Bedfordshire, 'ECHO Project' **<http://www.beds.ac.uk/echo>**;
5. 'Cyber-bullying continues to rise' Sky News Australia Online (11/11/2011)
<http://www.skynews.com.au/tech/article.aspx?id=684277&vId=>
6. 'Law student dubbed 'paedophile' by former friend who posted child porn on his Facebook page wins £10,000 libel damages' The Daily Mail Online Article (28/8/2010) **<http://www.dailymail.co.uk/news/article-1298010/Facebook-libel-Law-student-dubbed-paedophile-wins-10-000-libel-damages.html>**

Some questions you may like to consider:

- What do you think about cyber-harassment, cyber-bullying and cyber-stalking?
- Do you think these articles are reflective of the extent of cyber-harassment, cyber-bullying and cyber-stalking happening on the Web?
- Has the Web made these things worse – or is there just a manifestation of the old issues?
- Is there any difference between 'Facebook-stalking and cyber-stalking?'

1. How the web became a sexists' paradise

Last week, Kathy Sierra, a well-known software programmer and Java expert, announced that she had cancelled her speaking engagements and was "afraid to leave my yard" after being threatened with suffocation, rape and hanging. The threats didn't come from a stalker or a jilted lover and they weren't responses to a controversial book or speech. Sierra's harassers were largely anonymous, and all the threats had been made online.

Sierra had been receiving increasingly abusive comments on her website, Creating Passionate Users, over the previous year, but had not expected them to turn so violent - her attackers not only verbally assaulting her ("fuck off you boring slut . . . I hope someone slits your throat") but also posting photomontages of her on other sites: one with a noose next to her head and another depicting her screaming with a thong covering her face. Since she wrote about the abuse on her website, the harassment has increased. "People are posting all my private data online everywhere - social-security number, and home address - a retaliation for speaking out."

While no one could deny that men experience abuse online, the sheer vitriol directed at women has become impossible to ignore. Extreme instances of stalking, death threats and hate speech are now prevalent, as well as all the everyday harassment that women have traditionally faced in the outside world - cat-calls, for instance, or being "rated" on our looks. It's all very far from the utopian ideals that greeted the dawn of the web - the idea of it as a new, egalitarian public space, where men and women from all races, and of all sexualities, could mix without prejudice.

On some online forums anonymity combined with misogyny can make for an almost gang-rape like mentality. One recent blog thread, attacking two women bloggers, contained comments like, "I would fuck them both in the ass,"; "Without us you would be raped, beaten and killed for nothing,"; and "Don't worry, you or your friends are too ugly to be put on the black market."

Jill Filipovic, a 23-year-old law student who also writes on the popular blog, Feministe, recently had some photographs of her uploaded and subjected to abusive comments on an online forum for students in New York. "The people who were posting comments about me were speculating as to how many abortions I've had, and they talked about 'hate-fucking' me," says Filipovic. "I don't think a man would get that; the harassment of women is far more sexualised - men may be told that they're idiots, but they aren't called 'whores'."

Most disturbing is how accepted this is. When women are harassed on the street, it is considered inappropriate. Online, though, sexual harassment is not only tolerated - it's often lauded. Blog threads or forums where women are attacked attract hundreds of comments, and their traffic rates rocket.

Is this what people are really like? Sexist and violent? Misogynist and racist? Alice Marwick, a postgraduate student in New York studying culture and communication, says: "There's the disturbing possibility that people are creating online environments purely to express the type of racist, homophobic, or sexist speech that is no longer acceptable in public society, at work, or even at home."

Last year I had my own run-in with online sexism when I was invited to a lunch meeting with Bill Clinton, along with a handful of other bloggers. After the meeting, a group photo of the attendees with Clinton was posted on several websites, and it wasn't long before comments about my appearance ("Who's the intern?; "I do like Gray Shirt's three-quarter pose.") started popping up.

One website, run by law professor and occasional New York Times columnist Ann Althouse, devoted an entire article to how I was "posing" so as to "make [my] breasts as obvious as possible". The post, titled "Let's take a closer look at those breasts," ended up with over 500 comments. Most were about my body, my perceived whorishness, and how I couldn't possibly be a good feminist because I had the gall to show up to a meeting with my breasts in tow. One commenter even created a limerick about me giving oral sex. Althouse herself said that I should have "worn a beret . . . a blue dress would have been good too". All this on the basis of a photograph of me in a crew-neck sweater from Gap.

I won't even get into the hundreds of other blogs and websites that linked to the "controversy." It was, without doubt, the most humiliating experience of my life - all because I dared be photographed with a political figure.

But a picture does seem to be considered enough reason to go on a harassment rampage. Some argue that the increased visibility afforded people by the internet - who doesn't have a blog, MySpace page, or Flickr account these days? - means that harassment should be expected, even acceptable. When feminist and liberal bloggers slammed Althouse for her attack on me, she argued that having been in a photo where I was "posing" made me fair game. When Filipovic complained about her harassment, the site responded: "For a woman who has made 4,000 pictures of herself publicly available on Flickr, and who is a self-proclaimed feminist author of a widely-disseminated blog, she has gotten pretty shy about overexposure."

Ah, the "she was asking for it" defence. "I think there's a tendency to put the blame on the victims of stalking, harassment or even sexual violence when the victim is a woman - and especially when she's a woman who has made herself public," says Filipovic. "Public space has traditionally been reserved for men, and women are supposed to be quiet."

Sierra thinks that online threats, even if they are coming from a small group of people, have tremendous potential to scare women from fully participating online. "How many rape/fantasy threats does it take to make women want to lay low? Not many," she says.

But even women who don't put their pictures or real names online are subject to virtual harassment. A recent study showed that when the gender of an online username appears female, they are 25 times more likely to experience harassment. The study, conducted by the University of Maryland, found that female user-names averaged 163 threatening and/or sexually explicit messages a day.

"The promise of the early internet," says Marwick, "was that it would liberate us from our bodies, and all the oppressions associated with prejudice. We'd communicate soul-to-soul, and get to know each other as people, rather than judging each other based on gender or race." In reality, what ended up happening was that, online, the default identity became male and white - unless told otherwise, you would assume you were talking to a white man. "So people who brought up their ethnicity, or people who complained about sexism in online

communications, were seen as 'playing the race/gender card' or trying to stir up trouble," says Marwick.

And while online harassment doesn't necessarily create the same immediate safety concerns as street harassment, the consequences are arguably more severe. If someone calls you a "slut" on the street, it stings - but you can move on. If someone calls you a "slut" online, there's a public record as long as the site exists.

Let me tell you, it's not easy to build a career as a feminist writer when you have people coming up to you in pubs asking if you're the "Clinton boob girl" or if one of the first items that comes up in a Google search of your name is "boobgate". And for young women applying for jobs, the reality is terrifying. Imagine a potential employer searching for information and coming across a thread about what a "whore" you are.

Thankfully, women are fighting back. Sparked by the violent harassment of Sierra, one blogger started a "stop cyberbullying" campaign. This was picked up by hundreds of other bloggers and an international women's technology organisation, Take Back the Tech, a global network of women who encourage people to "take back online spaces" by writing, video blogging, or podcasting about online harassment.

It won't mean the end of misogyny on the web, but it is a start. Such campaigns show that women are ready to demand freedom from harassment and fear in our new public spaces. In the same way that we should be able to walk down the street without fear of being raped, women shouldn't have to stay quiet online - or pretend to be men - to be free of threats and harassment. It is time to take back the sites.

2. Puddick cleared of harassing wife's lover on internet

Plumber Ian Puddick has been cleared of internet harassment after tweeting and blogging details of his wife's affair.

Mr Puddick, 41, hailed it as "a victory for free speech and the small man", following the verdict at City of Westminster Magistrates' Court.

He had tweeted, blogged and posted videos online after being enraged by his wife's 10-year relationship with company director Timothy Haynes.

Lawyers think the case may help define the limits of free expression online.

There were cheers from the public gallery and Mr Puddick shook his fist and smiled as District Judge Elizabeth Roscoe delivered not-guilty verdicts on two harassment charges at the end of a three-day trial.

Accompanied by his wife Leena, he said: "For the last 12 months this has taken over my life. Purely and simply there has been an abuse of power. If this can happen to me it can happen to anyone.

"It is absolutely a victory for free speech and the small man. I'm a plumber and drive around in a Transit."

Mr Haynes, from Billingshurst, West Sussex, had a 10-year affair with Leena Puddick, which was exposed after her husband read a text message on her mobile phone in 2009.

'Little nuisance'

The court heard details of e-mails and text messages that Mr Haynes had sent her over the course of their affair.

Mrs Puddick told the court she and Mr Haynes first had sex after a Christmas party in 2002 after initially meeting when she had joined reinsurance firm Guy Carpenter in 1997. Mr Haynes was a company director.

He would often send her 30 to 40 text messages a day, she told the court, and would doctor expenses to pay for their wining and dining.

Mr Haynes lost his job as a director at re-insurance firm, Guy Carpenter, as a result of the affair.

He admitted he had been "deceitful" but said Mr Puddick should have taken up his anger with him alone rather than launching a "campaign of harassment against him".

But on Friday, defence lawyer Michael Wolkind QC, representing Mr Puddick, said: "All Ian Puddick tried was to be a little nuisance. The little nuisance value of the little man."

Mr Haynes said both he and his wife needed counselling after the "embarrassment and shame" of neighbours and colleagues receiving texts and phone calls.

BBC legal affairs correspondent Clive Coleman said the case "points up the issue of whether someone freely expressing themselves widely online can be guilty of harassment".

He added: "As with jurors using Facebook, and people tweeting details of privacy injunctions, the law and the internet are working out their growing and not especially comfortable relationship."

3. Cyberstalking 'now more common' than face-to-face stalking

First study of its kind shows complete strangers target victims, of whom nearly 40% are men.

Up to 5 million people experience stalking each year according to a 2006 crime survey, but there are no official statistics on the percentage cyberstalked. Photograph: AP

Cyberstalking is now more common than physical harassment, according to new figures due to be released next week, with many victims finding themselves pursued by complete strangers online.

The first study of its kind to look at the extent and effect of cyberstalking, taking in **social networking** sites, email and mobile phones, has revealed the profile of perpetrators to be radically different from those who pursue victims face-to-face. Victims surveyed by Echo (Electronic Communication Harassment Observation), at Bedford University, reported that their harassers were more likely to be a complete stranger or a casual acquaintance than a former partner.

Another major finding was that nearly 40% of cyberstalking victims are men. Past studies have identified women as much more at risk from face-to-face stalking.

Most of the victims surveyed were aged 20 to 39, although ages ranged from 14 to 74, with teenagers reporting social networking sites as the environment in which they were most likely to be harassed.

Dr Emma Short, psychologist and co-author of the study, launched last September with the backing of the Crown Prosecution Service, said the **crime** was not taken as seriously as it should be: "There is a lack of understanding of the impact of this behaviour. One of the biggest questions was, 'Is there psychological harm?' Worryingly, a third experienced this. Not just stress, but a clinical record of psychological harm.

"There have been threats to kill. They give the impression that they know where their victims live and can get at them physically. There is a lot of damage to or loss of reputation, people being compromised by false allegations. I spoke to a teacher who was followed through chat rooms and the net by someone claiming to have met him through a child porn site. He had a very supportive head but it went on for several years. He never found out who or what their intention was."

Another victim was bombarded with vivid images of violent rape. It is often unclear what the stalker aims to get out of it, other than causing "misery and distress", she said.

The pattern of harassment is different between male and female victims, she said, with men targeted by strangers more than women. Around 37% of men were stalked by a stranger, compared with 23% of women. Only 4% reported being stalked by a former partner, compared with victims of face-to-face stalking, where around half are former partners, according to Echo.

The largest category of all victims where the perpetrator was a stranger did not know where they had come from, how they were targeted and never found their of those who pursued them, the survey found identities. One in five said the offender targeted them via social networking sites and 16% via blogging forums. Only 4% came from online dating.

Short, who surveyed 250 victims through a questionnaire, said while it is clear that a third of all victims reported clinically recognised symptoms of PTSD, men and women often reacted differently. "For women the fear is of physical violence to themselves and then to their families or children. For men, they are afraid of damage to their reputation.

"The population who harass online are different to the population already understood as harassers by the police and the legislators, so the risks are unclear."

Echo is launching a website at beds.ac.uk/echo which goes live on Monday.

The British Crime Survey 2006 estimates up to 5 million people experience stalking each year, but there are no official statistics on the percentage cyberstalked.

Last week MPs called for an overhaul in the laws governing such crimes, so that both stalking and cyberstalking is legally defined. The Protection from Harassment Act 1997, the law most used to deal with stalking, has not been updated since the explosion of social media, and does not include online stalking.

At the launch of a parliamentary campaign on the issue, most victims reported that they were unable to get the police to take it seriously; that police found it extremely difficult to gather evidence or were met with a lack of understanding of how best to use the law.

A report by the National Stalking Helpline, due out next week, National Stalking Awareness Week, is expected to reveal that more than half of all calls to the helpline are those who have been harassed online or by mobile phone.

Harry Fletcher of Napo, the probation Union, said that areas such as stalking through social networking sites and the use of the **internet** to damage reputations were poorly understood by police and not properly defined in law. It is often difficult to get information from internet service providers and proving attribution can be difficult as stalkers have multiple untraceable means of accessing the internet.

Fletcher called for a change in the law to "catch up with technology". He said: "There needs to be training for police and probation into the nature of stalking, the nature of stalking behaviour and how to investigate, particularly internet crimes."

'It was terrifying'

It started with a notice on an online bulletin board he knew Joanne would see: her name, her husband's name, their address, email and telephone number. Then, to show he was watching, small details about her family would appear – updates her children had posted on their Facebook sites, with comments such as "X doesn't seem to be very happy today".

A series of false allegations followed. That Joanne and her husband were paedophiles who had sold their daughter to him for sex; that Joanne was a drug dealer and had been involved in criminal activities at work.

The harassment consumed Joanne, 47, and her family, but police failed to take it seriously, she says. "It was in the hands of a community support officer. They just thought I was a hysterical woman. He put us through hell. It was terrifying. One Monday I got up and I couldn't do anything but cry. I thought he was going to kill me."

They knew who he was, a casual acquaintance with a grudge, but it was only after attacks on their car began, causing £3,000 of damage, that he was arrested and charged with harassment, criminal damage and falsifying an alibi. The harassment charge was dropped in a plea bargain and he was sentenced to 200 hours' community service plus costs for criminal damage.

Joanne wants a "more robust law" so that stalkers can be convicted and punished appropriately. "Otherwise people like him will continue to be allowed to make people's lives a misery."

What to do if you have experienced harassment or stalking

Advice from the Electronic Communication Harassment Observation (ECHO) is as follows:

Report – as soon as you are concerned contact your local police and the stalking helpline on 0300 636 0300, or visit www.stalkinghelpline.org

Support – seek support from groups such as Network for Surviving Stalking (www.nss.org.uk)

Evidence – gather evidence including times and means of stalking. Save any texts, emails, Facebook messages, screenshots

You should then assist police AND report to the network provider/ISP/Facebook. The service providers may not be able or willing to help, but you must log the complaint.

ECHO, at the University of Bedford, is conducting research into stalking and is interested in hearing from victims. www.beds.ac.uk/echo

4. University of Bedfordshire: ECHO Project

<http://www.beds.ac.uk/echo>

Electronic Communication Harassment Observation (ECHO)

This ECHO questionnaire has been developed by the National Centre for Cyberstalking Research (NCCR) and Network for Surviving Stalking (NSS) builds upon an earlier study. We want to find out about your experience of harassment -- via electronic communication methods such as the internet or your mobile phone - . It also aims to record the impact that this experience has had on your life.

Download the ECHO Pilot Report now

5. Cyber-bullying continues to rise

More than a third of young people have been affected by cyber-bullying but many fail to tell anyone, according to a new study.

The research also revealed fears among 12-16 year olds that cyber-bullying will continue to rise.

The study commissioned by the Diana Award children's organisation found that 38% of young people had been victims or knew someone who had been a victim.

Of these, 39% said they had experienced it once or twice.

More than one in four, 28%, of those who had experienced it themselves or witnessed it had never told anyone and more than half, 53%, did not save the evidence.

Asked whether cyber-bullying was increasing or decreasing, the majority - 78% - said they believed it was on the rise.

Because it takes place online or via mobile phones, the bullying can happen 24 hours a day, seven days a week.

Bullies can also act anonymously to hide their computer's IP address, which stops them being traced.

The number of people involved may also be much bigger than other types of bullying.

Maggie Turner, chief executive of the Diana Award, says more needs to be done to combat the practice.

'Cyber-bullying is everywhere. It's with you all the time. It's happening in the bedroom and on the bus. Young people are saying particularly on their journey to and from school they were experiencing cyberbullying,' she said.

'They also say the bullying is more contained at school. They feel safer in school than out of school.'

Alex Holmes, 23, was a victim of cyber-bullying as a teenager and says he was targeted because he was different.

'I was bullied at primary school and secondary school. It was racism and verbal abuse just because I was different. The bullies would pick up on that and say and do things just to upset me,' he said.

'I remember going home in tears. My mum didn't know what was going on.

'The biggest advice to young people that are experiencing bullying is to make sure they tell someone, to save the evidence and don't suffer in silence. Make sure you do something about it.'

The study was based on surveys of 1,512 children aged 12 to 16 across England.

6. Law student dubbed 'paedophile' by former friend who posted child porn on his Facebook page wins £10,000 libel damages

A chef was yesterday ordered to pay £10,000 in damages to a former friend he falsely accused of being a paedophile on Facebook.

Jeremiah Barber posted an indecent image of children on Raymond Bryce's page on the social networking website along with the comment: 'Ray, you like kids and you are gay so I bet you love this picture, Ha ha'. The image, which hundreds of users could see, showed Mr Bryce superimposed on to a collage of pornographic pictures.

Jeremiah Barber, posted images of child porn on Raymond Bryce's Facebook page and wrote 'you like kids and you are gay'

It was 'tagged' with Mr Bryce's name, allowing his 800 friends on the site to see it.

But Barber also attached the name of 11 others to the image, meaning the number of users who could access it would have been well into the thousands.

Fearing he would be attacked by vigilantes, 24-year-old Mr Bryce reported the false accusation to police before launching a claim for libel.

Barber, also 24 and from Stafford, has already admitted making and distributing an indecent image and was sentenced to 150 hours community service.

But his victim, who is now a law student, pursued the civil claim against his former school friend and was awarded £10,000 at the High Court yesterday for the stress and anxiety the incident caused him.

Making the award, Mr Justice Tugendhat noted the large number of unsuspecting website users who could have seen the picture before it was removed.

The court heard the dispute between the pair arose after Mr Bryce lent Barber £80 which the chef failed to pay back.

A source said Mr Bryce, who used to work as a bailiff, took the case to the county court to recover the debt.

It was during this process that Barber posted the indecent picture in November 2008, although he removed it within 24 hours. Representing himself, Mr Bryce told the court he was still waiting for an apology from Barber over the 'upsetting' Facebook slur, which he said 'made me appear to be a paedophile with homosexual tendencies, neither of which is true'. The student, who recently finished his first year at Staffordshire University, lives with his sister Jennifer and parents Charles and Diana in Stone, also in the county. Mrs Bryce told the court the family feared reprisal attacks over the untrue allegation, as 'some people just think there's no smoke without fire'.

Setting the damages award, the judge said: 'Damages in libel actions are awarded as compensation, not as punishment, to vindicate reputation, to compensate for harm to that reputation and as compensation for injury to feelings.'

'This was not only defamatory, but a defamation which goes to a central aspect of Mr Bryce's private life as well as his public reputation.

'This post was deeply offensive to him, but also a cause for alarm.

'He could not go out in public because he feared he would be a victim of violence, which is not infrequently the result for those accused of paedophilia.'

Barber was neither present or represented at the hearing and the judge imposed an injunction banning him from repeating the libel. Mr Bryce, who suffers from Asperger's syndrome and works part-time as a doorman to fund his studies, said last night: 'Justice has been served.

'I found the whole incident grotesque and disturbing and it is ridiculous that Jeremiah could ever have found such a thing amusing, as he claimed to have done.

'I was determined not to let him get away with it and that is why I have sought recourse through the courts.'

The case comes two years after a businessman was awarded £22,000 in damages over fake entries posted on Facebook. Grant Raphael, a cameraman, set up a false profile of Matthew Firscht which wrongly said he was signed up to gay groups and had lied to avoid paying loans. The pair had gone to school together in Brighton and worked together in a TV production company before falling out in 2000.

Jeremy Clarke-Williams, a partner specialising in defamation law at London law firm Russell, Jones, and Walker, said: 'Users of Facebook and other social networking sites can be just as much subject to the laws of libel as other media outlets if the information, as in this case, is published online to third parties to view.'