

Penalties for sexting and cyber bullying too harsh, young people say

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(Phys.org)—Half of children surveyed in NSW said they had been bullied online or knew someone who had, and more than a third had been asked, or knew someone who had been asked, for a naked or sexy photo. However many were unaware of the serious criminal penalties that can apply to the practices.

The [questionnaire](#) of 1,000 students aged between 12 and 17 and the accompanying *New Laws/New Voices* legal education project is the basis of a law reform research report launched today by Children's Legal Service (CLS) of Legal Aid NSW and the National Children's and Youth

Law Centre (NCYLC) based at UNSW.

Students were taught about the criminal laws around sexting and cyber bullying and then asked to share their opinions on these laws and their penalties. While most young people felt that sexting and cyber bullying should be against the law, they also believed there should be a more appropriate range of responses and penalties.

Significantly, the project found that most young people believe that people under the age of 18 should never be charged with child pornography offences or placed on the sex offender register for peer-to-peer sexting.

It also found that young people are confused by the age difference in the Commonwealth and state child pornography laws (18 years v 16 years), and disconcerted that child pornography laws apply equally to consensual and non-consensual sexting, despite the vastly different levels of harm caused.

68.3% of students surveyed said that learning that online behaviours could be crimes made them less likely to engage in these behaviours, and 66.3% said that this knowledge made them feel more confident about being able to deal with these issues if confronted with them.

"The really encouraging thing about this research is that young people are eager for information and that education around [sexting](#), cyber bullying and the law can have a real impact on [behaviours](#)," said NCYLC Director, Matthew Keeley.

"Young people want and need education about the laws that apply to their use of mobile phones and the internet. Most agree the issues are serious, but they also think any penalty should suit the offence and should take into account the offender's awareness of the law, offending

history and the level of harm caused."

Based on the findings CLS and NCYLC have made 10 recommendations about reforming the criminal law, instituting police guidelines, providing better education and support to young people and continuing to consult with young people on the development of resources, policies and laws in this area.

"We are dealing with [young people](#) who are too afraid to go to police for help for fear of being charged with these very serious offences. [Law](#) makers need to take note," Mr Keeley said.

More information: www.law.unsw.edu.au/sites/law....aw_reform_report.pdf
prezi.com/jjudkskuct0h/new-voicesnew-laws-report/

Provided by University of New South Wales

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