

## SEMINAR



# Should the school make a tougher stand?

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**The University of Hong Kong**

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Children of today from all parts of the globe are confronted with adversities far from the understanding of many parents, educators and most especially policy makers. They are faced with problems never experienced by other generations—cyber bullying. From the acts that before proliferated only in schools and on playgrounds, bullying took a completely new platform by way of the cyberspace. It was taken to a whole new level, global in scale, and now referred to as Cyber bullying. The internet, its most famous social networking sites, cellular phones and even e-mail providers, have all contributed and influenced the way we act, think, and live. These same tools however, which are of great benefit to this generation, have been a den to the new generation of offenders—the cyber bullies.

This paper reviews the extent of legal responsibilities along with current legislations, regarding cyber bullying in schools, and how the institution should deal with such issue at hand. Although it is a given that many aspects of cyber bullying (if not the act itself due to lack of law) are, in nature, illegal, technicalities of it being executed in the cyberspace makes the liability questionable. Thus, the school is posed to a greater dilemma, of whether or not they are providing enough measures to minimize if not completely eradicate cyber bullying and whether these measures are sufficient to free the schools from liabilities. This paper also discusses possible strategies that the school may opt to adopt in order to eradicate or if not, minimize the extent of their liabilities. Moreover, the implications of the emerging legislations in the Philippines such as the Cybercrime Act of 2012 and the Anti-Bullying Act of 2010, are discussed in this paper. Other statutes that are currently being applied to such cases to impose damages and liabilities are also explained.

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