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CYBERVICTIMIZATION BY CYBERBULLYING

CHILDREN AT RISK AND CHILDREN AS RISK

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ABSTRACT. Cybercrime in general derives from a series of events and factors that converge to foster this phenomenon. After an introduction, the reader will find four chapters. The first one provides a contextualization with background information. The changes in socioeconomic life and the accessibility and reach of the new technologies are assessed. The focus is set on the use of the internet and its far-reaching implications including the responses of national and international institutions. Nowadays, the internet is the window to current affairs whereby the social world is projected, and this idea becomes clear throughout the text. The second chapter deals with factors of patterns of cyberbullying. The third one is concentrated on the impact of cyberbullying and the concept of harm. The final one tackles the possibilities of recovery and resilience. All this allows us to draw some general conclusions. The work ends with a list of references and several annexes that help to understand in depth some of the points discussed throughout the text.

Key words: cybervictimization, cyberbullying, disinhibition, proteus effect, resilience.

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I.   Introduction

The purpose of this paper is to present a critical analysis of the phenomenon of cybervictimization with a focus on cyberbullying. This type of criminality has great magnitude and requires a specific approach. Today, its responses are gaining momentum, because of the increasing incidence rates and the severity of the crime. For the Fall 2014 semester, I had the opportunity to study the topic of cybercrime in diverse subjects during my Erasmus stay at Katholieke Universiteit Leuven (Belgium). I thought of interest to deep into it from its counterpoint perspective for my final work towards the Criminology degree in Donostia-San Sebastián. Thus, I considered cybervictimization a fascinating matter of study. I decided to present it in English, because my subjects in Leuven and most of the literature read were in this language[1].

From the perspective of critical Victimology and a qualitative methodology, which includes online questionnaires and content analysis of judicial resolutions, this paper has three objectives (Graph 1). Firstly, it will clarify the concept and dimensions of cybervictimization by cyberbullying by reviewing the existing literature on the subject. Secondly, the factors that shape specific patterns in cyberbullying will be identified, including impact and recovery. Finally, an exploratory study will be presented to verify in our context some of the conclusions drawn from the previous objectives.
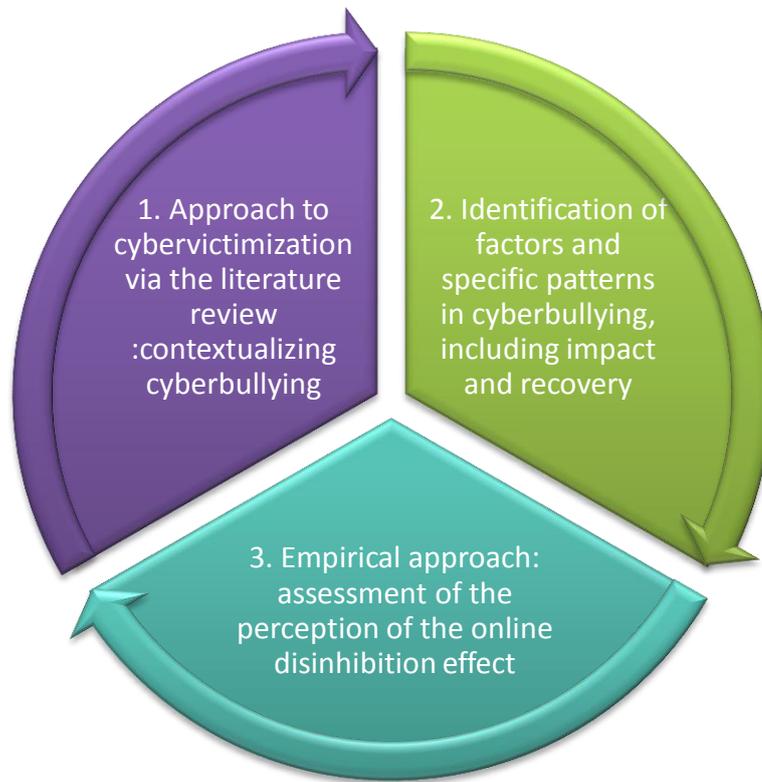
Graph 1: Objectives

The interest of this work resides in a criminological and victimological contribution, which will help to shed light on an issue that does not currently have sufficient research. In addition, we hope to indicate future lines of study. This can be promoted by rethinking classic problems from the perspective of the characteristics of today's society and, in particular, of the socialization of minors. In addition, it should be taken into consideration how society as a whole is evolving and how socialization is changing. Thus, mechanisms of social control -as a key element in Criminology- must be revised. In our digitalized world, youth are continuously growing up with easier accesses to new means of communication through the internet. These interactions generally do not have a direct face-to-face communication. The youths' daily activities have shifted online. However, there is an apparent increase of communication opportunities that reveals a trivialization of intimacy and private life.

The term 'virtual' is a commonly used word when referring to online or digital environments and their actions, however, in this paper it is not considered to be an accurate term. Virtual refers to people, places, circumstances or situations as not-real.

However, the actions and behaviors carried out in cyberspace relative to cyberbullying cannot be considered unreal. In addition, the harm and consequences suffered by the victims of this phenomenon are also real. Thus, unreal, virtual lives can occur in and outside the internet (Pantallas Amigas, 2015).

Cyber, digital, and online are the most accurate words to describe the nature of everything relative to the internet, insofar as all of them will be used in the present work. There should be recognition for the complex phenomenological and epistemological implications of the previous statement. However, due to the limitations of this work, these issues cannot be tackled in depth at this moment.

Before delving into cyberbullying, it is important to note that cybercrime derives from a series of events and factors that converge to foster this phenomenon. Following the Introduction, the reader will find four chapters. Chapter 1 provides a contextualization with background information. The changes in socioeconomic life and the accessibility and reach of the new technologies are assessed. The focus is on the use of the internet and its far-reaching implications, and the responses of national and international institutions. Today, the internet is the window to current affairs whereby the social world is projected, and this idea becomes clear through the text. Chapter 2 deals with factors that create patterns of cyberbullying. Chapter 3 concentrates on the impact of cyberbullying and the concept of harm. Finally, Chapter 4 tackles the possibilities of recovery and resilience. At the end of every section, key messages are summarized for the reader on green rectangles.

Finally, all partial outcomes allow us to draw some general conclusions. The work ends with a list of references and several annexes to help the reader better understand some of the points studied among this work.

> ➢ This work attempts (i) to clarify the concept of cybervictimization by cyberbullying; (ii) to identify the factors of different patterns, including aspects of the impact and recovery; and (iii) to develop an exploratory study in order to assist in verifying some conclusions and to promote new lines of research.
> ✘ The word `**virtual**´ is not an accurate term.
> ✓ **Cyber, digital** and **online** are the most accurate words which will be used in this work.

II.   Contextualization

1. The development of new ways of committing crimes: 'cybercrime'. A multidisciplinary approach

The proliferation of the new technologies and more specifically of the internet has allowed to a great extent the communication and the connection between people all over the world immediately and inexpensively. Furthermore, it has brought more opportunities parallel to the fact that it has also increased the risks in a way that technologies have empowered lay people as never before. Given that the Information and Communication Technologies (ICTs) continue to advance, the opportunities for cybercriminal activities will be enhanced having a tremendous impact all over the world. The dark side is that the ICTs enable the speed, efficiency, cheapness and anonymity in a way that not only new crimes are committed but also the way traditional crime types are committed through these new means (Choo & Grabosky, 2013).

Nowadays, people access the internet for a variety of reasons and with the possibility to develop a wide range of actions going from simple entertainment, social interaction, making online purchases like buying goods and services and checking emails, to working or managing any kind of financial transactions. Nonetheless, there is plenty of personal information involved in these activities and the risk of exposure can easily lead to online victimization (Reisig, Pratt, & Holtfreter, 2009).

Before continuing with the revision of this issue, it is important to provide some useful data to support the statement prior mentioned about the proliferation and the advance of

the ICTs. Thus, according to a report developed by the Eurostat[2] in 2013, Spain is in 9th position of the ranking list of European countries which have internet access in households. A 70% of them have internet access and a 54% of the individuals use internet daily or almost every day (Eurostat, 2013).

The National Observatory for Telecommunication and Information Society[3] (ONTSI) assessed some data provided by the Eurostat which indicate a progressive increase in the number of people who use the internet frequently. In 2014, a 60% of the Spanish population was frequent users which imply a 30% more than in 2007 (ONTSI, 2014). The following graph illustrates it.
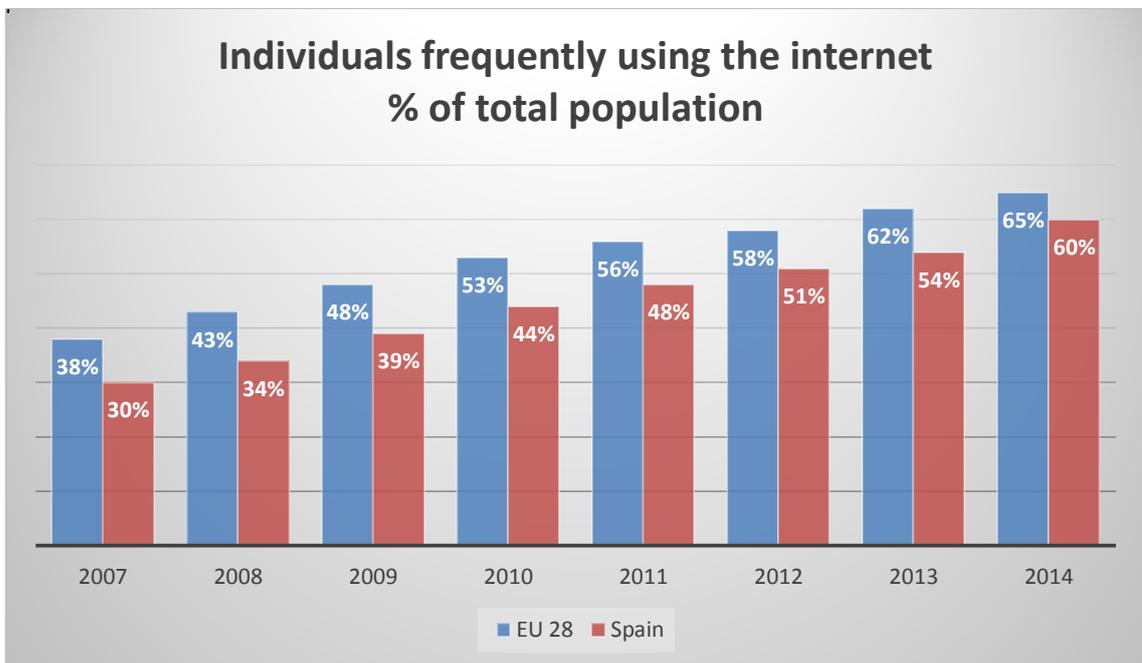
Source: Eurostat

Graph 2: Use of the internet (I)

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[2] Eurostat is the EU statistical office with its principal place of business in Luxembourg. It provides data and statistics at European level which allow making comparisons among the different member states and their regions. Its "main role is to process and publish comparable statistical information at European level" (Eurostat).

[3] The National Observatory for Telecommunications and the Information Society (ONTSI) has as its main objective "the monitoring and analysis of the telecommunications sector and information Society. ONTSI prepares, gathers, synthesizes and systematizes indicators, prepares studies and offers informative and updated services relating to the Information Society and is currently the leading public Observatory of the Information Society in Spain" (ONTSI).

At the European level, a notorious upward trend in the use of the internet is observed. Even though in 2007 a 38% of the individuals used the internet often, in 2014 this incidence rate increases reaching a 65%. Finland, Sweden, Luxembourg, Denmark and the Netherlands stand out with values of 81%. On the opposite side, Greece and Bulgaria with values of 49% and 46% respectively, are far behind the European average (ONTSI, 2014). In the map displayed below, is noticeable the comparative chart and the differences among countries in 2014.

Individuals frequently using the Internet
% of total population

Year 2014

Legend:
- W/o data
- 0 – 56.2%
- 56.2 – 60.4%
- 60.4 – 65.6%
- 65.6 – 79.4%
- 79.4 - 87%

Average EU: 65%

Source: Eurostat
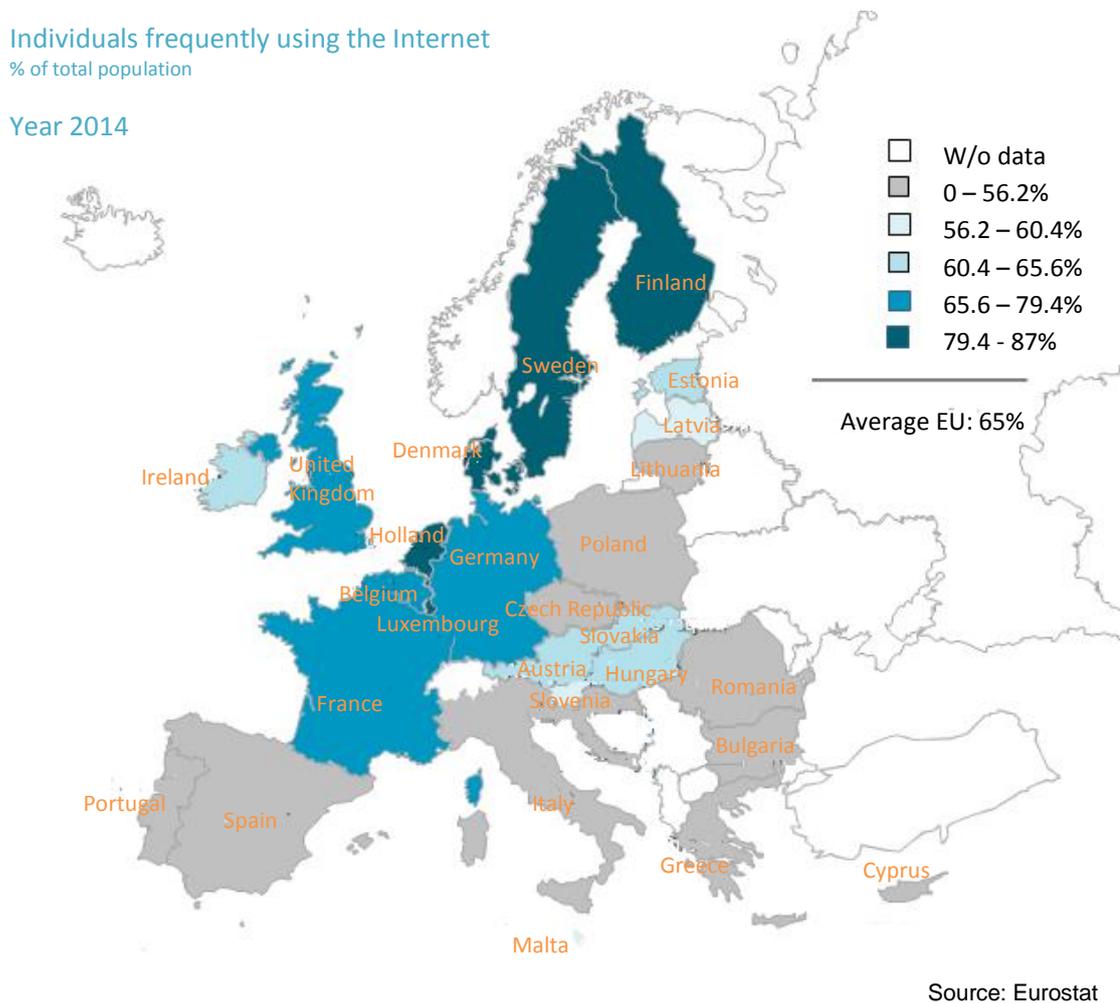
Graph 3: Use of the internet (II)

The attractiveness of the ICTs resides in the possibility of playing an active role in fostering the participation, involvement and a feeling of contribution in daily life and events, insofar as those online activities conduce to effects in the physical world. Therefore, this is an indicative element of its far reaching implications. Namely, contrary to other traditional mass media (i.e., TV, newspapers), been given a voice is

what the digital media allows. Should there be any doubt left in that regard, this is clear in the case of TV, since the audience only and exclusively plays a passive role which encourages the perception of themselves as mere witnesses with no possible influence or voice on what they are being told (Klimmt, 2011). Thus, the new technologies have revolutionized the media and the way people perceive the world, encouraging the adoption of new behavioral models.

From a sociological perspective, the ICTs play a role of secondary socialization. Prior to explaining this, however, it seems relevant to introduce the issue of socialization according to Berger and Luckmann's work. To begin with, family is the institution of primary socialization where children first internalize and undergo "the interpretation of an objective event as expressing meaning" (Berger & Luckmann, 1991, p. 149). There is a natural tendency in children regarding socialization. Only when they achieve a certain degree of internationalization do they become members of society.

Not only primary socialization is about cognitive learning but there is also emotional baggage involved. Children learn the basic norms of socialization, values and family living. Also, social and intellectual skills start to develop. It is the beginning of the construction of their identity, their self, which is a reflection of the "identification by others and self-identification" (Berger & Luckmann, 1991, p. 152).

"Secondary socialization is any subsequent process that inducts an already socialized individual into new sectors of the objective world of his society" (Berger & Luckmann, 1991, p. 150). It complements the process of primary socialization. It requires the assumptions of roles in the "sub-worlds" which are understood as partial realities. These have normative, affective and cognitive components. Some of the institutions involved are the school or the mass media, for instance. The individuals are able to adopt several roles depending on the situations and these roles are separated from each other by displaying different identities (Berger & Luckmann, 1991). As a hypothesis, the onward and upward trend of the internet can make us consider that it is substituting the family as a primary socialization agent. Children learn and see many things for the first time on the internet before being addressed and discussed within the family institution.

As far as the ICTs are concerned, they bestow the easy adoption of new roles. The internet, specifically, is where new digital realities can take place. These are associated to online identities and different roles and behaviors are revealed. Internet breaks with the unidirectional communication allowing interactive relationships. Regarding the topic under discussion, there is no doubt that the ICTs are considered as the new means for offences being committed (Aldaz Arregui, 2014-2015).

In respect of the advantages that they confer, the anonymity is one of its main strengths. Regarding the possibilities that exist nowadays, it is easily possible to remain anonymous through a number of ways, from the use of proxy servers to the mere opening of an email account which does not require any identity verification, inter alia. Thus, it is a hard task to trace the origin of the crime committed since the only traces are digital and their intrinsic characteristics make it difficult to locate the whereabouts of the perpetrator (Vanderschaaf, 2013). Moreover, cybercrime can be committed by individuals or groups and their targets vary depending on the type of crime and on their interests (Choo & Grabosky, 2013).

Regarding efficiency, the internet is the perfect tool since it enables the collection and storage of every type of data (personal and sensitive, and professional) in a number of formats, ranging from documents to audio files, records and other formats which can be saved in a small space and inexpensively. This can be especially directed towards those activities that aim for profit such as production and distribution of illegal material (i.e., child pornography). Therefore, the internet offers interesting potentialities to facilitate the success for online offenses being committed.

Consequently, the supply and willingness of motivated offenders, the availability of suitable opportunities, and the lack of control and prevention measures, are the three necessary factors for a crime being committed and the internet is the resource which provides all of them (Clough, 2010). These elements are encompassed within the rational-choice theories, more specifically; the life-style routine activities theories which are explained in pages 19-20.

The proliferation of the ICTs has brought more opportunities and risks. They enable speed, efficiency, cheapness, globalization, and anonymity in a way that the opportunities for cybercriminal activities have been enhanced.

2. The scale of the problem. Globalization

As aforementioned, cybercrime, and consequently cybervictimization, have been enhanced and fostered achieving an extended dimension all over the world within the frame of globalization and the development of the ICTs (Council of Europe, 2005).

Crossing boundaries among countries anonymously in terms of communication is easily enabled and in addition, cyberspace is simultaneously subject to continuous change. (Miró Llinares, 2013). Therefore, it would be treacherous and deceptive to consider this issue as a threat pertaining exclusively to Europe since it is a global threat which can only be managed globally. In that sense, cybercrime brings into question the fundamental values and principles that Europe represents: human rights, democracy and the rule of law (Council of Europe, 2005).

Cybercrime has even played a role in organized crime groups, whose members at the beginning were considered `families´, as it was the case of the typically Italian Mafia. However, this term is no longer used, leading to the use of the term `social networks´ and enhancing and facilitating the transnational nature of organized crime (Choo & Grabosky, 2013).

The absence of reliable cybercrime patterns, trends, statistics and data have been noted for some time and this still remains as an elusive target. Moreover, it is important to stress that sometimes, cybercrime remains undetected, and when it is, the organizational circumstances of the offenders are often uncertain. It must be also highlighted that much cybercrime is unreported. In addition to this, the official statistics that exist focus essentially on the offence rather than on the technologies with which it was committed.

Before finishing these introductory statements and having assessed the significance of understanding the repercussions of the internet in all its complexity, the issues to address in this paper are the characteristics, harm and contexts of recovery that the **victims of cyberbullying** face. In order to provide a proper understanding of this phenomenon, an accurate definition must be displayed.

Thus, for the purpose of this work, cyberbullying can be defined as "an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself". (Smith, et al., 2008, p. 376). It must be highlighted that the groups or individuals involved in this crime type are underage.

There are several reasons why this is an important issue to tackle. To begin with, it must be noted that the number of children accessing the internet and attending online spaces continues to increase, and it creates the impression that the risks and dangers have expanded as well (Vanderschaaf, 2013), even though the perception of risk is low by users (San Juan Guillén, Vozmediano Sanz, & Belén Vergara, 2009). From the 1990s onwards, it is evident that the use of the internet has been brought into general use among the youth, which means that the ICTs form part of our teenagers' generation (Vanderschaaf, 2013).

For instance in Spain in 2013, according to data collected by the National Statistics Institute, 53.8% of the population from 16 to 74 years old uses the internet daily. In these, 7 in 10 users have used a mobile device to log on to the internet. Regarding the minors, 95.2% of them from 10 to 15 years old have used a computer in the last 3 months and from these, 91.8% have used the internet (Instituto Nacional de Estadística (INE), 2014).

Population aged from 16 to 74

- 53.8% uses internet daily
- of whom 7/10 have used a mobile device

Minors aged from 10 to 15

- 95.2% have used a computer
- of whom 91'8% have used internet

Graph 4: Use of the internet (III)

The accessibility to mobile phones has been increased considerably in the age range mentioned. The table displayed hereunder shows that in 2013, 1 in 4 children of 10 years old had a mobile and this rate increased when they reached the age of 15. By then, 9 in 10 minors had a mobile phone (Instituto Nacional de Estadística (INE), 2014).

Children from 10 to 15 years old who have a mobile phone at their disposal. 2013

Age	%
10 years old	26.1
11 years old	41.6
12 years old	58.8
13 years old	75.8

14 years old	84.4
15 years old	90.2

Table 1: Minors owning a mobile phone

Use of the internet in Spain. 2013

The 95.2% of the minors from 10 to 15 years old had used a computer in the last 3 months and from these, the 91.8% had used the internet. Within that age range, 1 in 4 children of 10 years old had a mobile and when they reach the age of 15, 9 in 10 minors had a mobile phone.
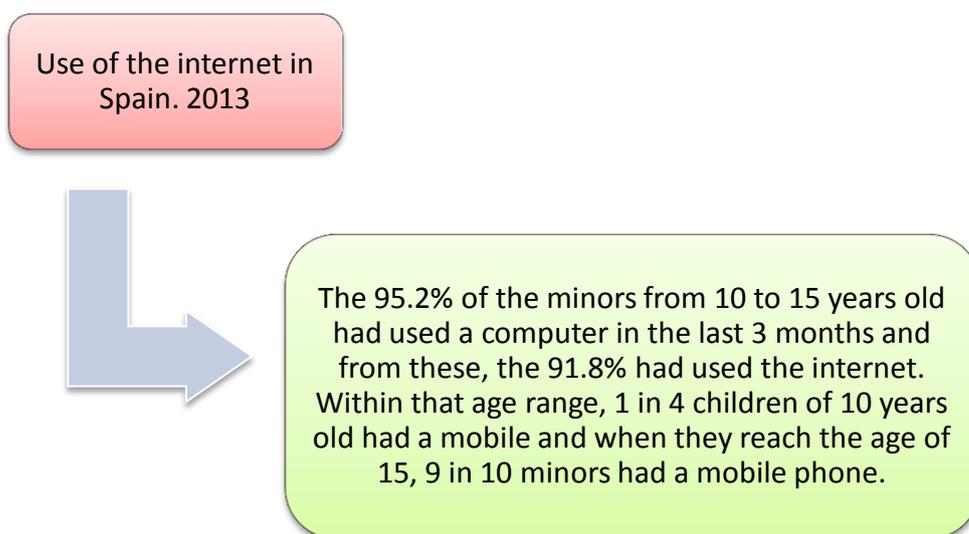
Graph 5: Minors using the internet

In general terms, there is a widespread perception that risks on the internet affect a meaningful part of youths. The media plays a large role in influencing the audience towards these impressions, despite minors being also exposed to other forms of abuse or `offline risks´. Nevertheless, it seems evident that there is not yet sufficient research done in this field (Mitchell, Finkelhor, Wolak, Ybarra, & Turner, 2011).

Thus, notwithstanding that minors may be prone to some detrimental situations on the internet (Mustafa, 2012); it is not accurate to conceive it as the principal source of maltreatment for them. In addition to this, given the importance of being aware and "recognizing the reciprocal nature of victimization" neither is it rigorous to assume and take for granted that the potential victims only and exclusively "play a passive and recipient role" concerning online criminal actions (Rickert & Ryan, 2007, p. 105).

It seems relevant to mention that the internet constitutes for youth a basic and primordial tool to set social relationships and to build their identities. Nevertheless, in most of the cases, parents do not supervise the use that children make of the ICTs. Thus, to use the internet with total autonomy and without any type of control or protective measures puts minors in a situation of total defenselessness to potential illegal invasion of their fundamental rights (Lorente López, 2015).

According to several scholars, as far as cyberbullying is concerned, there has been an increase of the incidence of this phenomenon among young people. Thus, it has become an important object of study (Olenik-Shemesh, Heiman, & Eden, 2012). However, before going into detail with this subject in order to obtain a more in-depth perspective, a conceptual approach to the notion of cybercrime, cybervictimization and cyberbullying will be provided in addition to a review of these three interrelated concepts.

> The focus of this work is set on cyberbullying. It is defined in p.12 as "an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself" **(Smith, et al., 2008, p. 376)**

3. Definition of cybercrime, cybervictimization and cyberbullying

The concept of **cybercrime** has also been referred to as `computer crime´, `crime by computer´, `internet crime´, and many other variations which have been used not only simultaneously, but also interchangeably. Each definition has its strengths and weaknesses, but taking a referential point, `cybercrime´ is the term used in the Council of Europe Convention on Cybercrime (Council of Europe, 2001).

Cybercrime understood as digital crime leads to an understanding of it as a crime committed in `cyberspace´ (De la Cuesta Arzamendi & San Juan Guillén, 2010). Thus, irrespective of the technical device used or the object over which it is perpetrated,

cybercrime implies another possible scenario for traditional and new crime types. Therefore the focus is set on this online space (Miró Llinares, 2013).

Nonetheless, the issue that arises is where cyberspace is and how it should be regulated. Traditionally, crimes have been always associated to a physical 'crime scene'. However, this is not the only possible criminal sphere of intervention anymore, conceiving the 'cyberspace' as a *no-place* and making allusion to a 'cybercrime scene' becoming a real threat for many people in our current societies (De la Cuesta Arzamendi & San Juan Guillén, 2010).

Reaching the main conclusion regarding the use of the concept of cybercrime as the most suitable one, it is important to highlight that its particularities allow giving the victims the relevance they deserve. Digital space differs from physical space in terms of criminal activities and opportunities, which enables the victim to play a key role for the explanation and prevention of crime. This is important because, on account of time-space dimensions, the likelihood of interaction between potential offenders and victims taking place is increased (Miró Llinares, 2013).

With regard to the notion of **cybervictimization**, it remains to some extent an elusive notion due to the fact that research on this field is still young. Therefore, in spite of the fact that there is no a standard definition, scholars agree on the element of malicious damage or deliberate harm which is inflicted repeatedly through diverse electronic devices (Brown, Demaray, & Secord, 2014).

Despite being previously defined the concept of **cyberbullying,** it seems essential to reiterate the definition again in this section. Thus, Smith et al. conceive it as "an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself" (Smith, et al., 2008, p. 376)

By electronic means, is mostly deduced as the use of computers and mobile phones, although other electronic devices should not be disregarded. Using those electronic means is what mainly makes the difference between traditional bullying and

cyberbullying, although the similarities and differences between these will be subsequently addressed.

With regard to the objectives of this paper, the term "online peer bullying" is going to be applied as a synonym of cyberbullying. Both terms are, therefore, going to be used interchangeably.

The definition of cyberbullying provided by Smith et al (2008) is not the only one accepted in the academy. For instance, Barlińska et al. accurately point out that the phenomenon of cyberbullying is relatively new and it encompasses the utilization of technology to attack repeatedly, and directly another minor unable to defend himself or herself. There is an intentional character in these aggressions (Barlińska, Szuster, & Winiewski, 2013). It is the new character of this phenomenon that causes disagreement among the scholars to adopt a unique and universal definition, despite all of them having the main elements in common.

Between the notions of cybervictimization and cyberbullying, another form to address this issue that considers the victims the prime focus, would be the appellative of **online peer victimization**. Some scholars believe that this type of victimization might be the product of a "negative peer evaluation or social exclusion" whereas others, on the contrary, perceive these factors as the precedent to peer victimization (van den Eijnden, Vermulst, van Rooij, Scholte, & van de Mheen, 2014). In this paper, this term is also going to be used interchangeably with the notions of cyberbullying and online peer harassment.

The next section briefly refers to the types of cybercrimes that exist by mentioning the main forms that entail more relevance in our society. This serves as a base to introduce the theoretical perspectives on cybercrime.
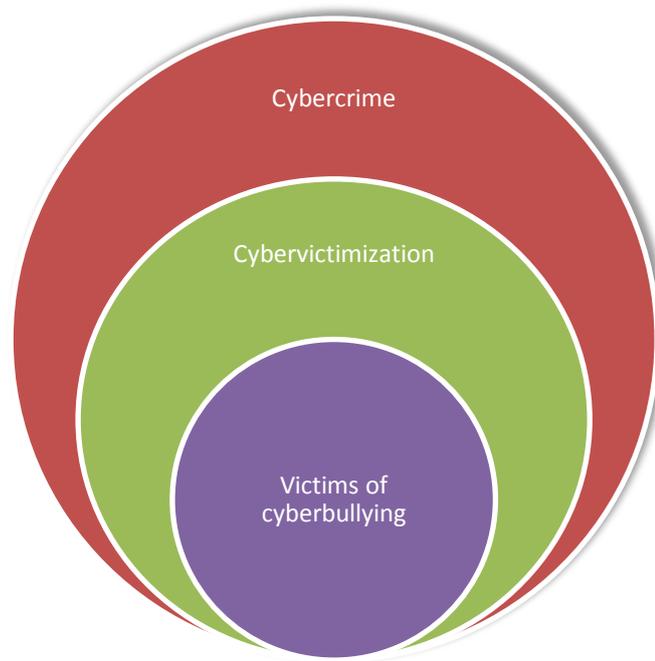
Graph 6: Deductive process, from the general to the particular

For the purpose of this work, these notions are used interchangeably, even though they might entail specific perspectives:

Cyberbullying = online peer harassment = online peer victimization

4. Types of cybercrimes

The internet era has enabled the emergence of new forms of crimes and it has also facilitated the commitment of traditional crime types through new means. To mention some of the main forms of cybercrime that entail much relevance nowadays are those included within the category of cybersex crimes (child pornography, internet child sexual exploitation and stalking). Also fraud, hacking, criminal copyright infringement, spam, cyberbullying, voyeurism, and electronic money laundering inter alia should not be disregarded. These crime types and all cyberattacks in general have different characteristics amongst each other, and it happens to the same extent with the victims' features.

Before getting into detail on what cyberbullying is concerned, which it is the matter of interest in this paper; it seems interesting to introduce a notion studied by Miró Llinares. The author makes allusion to the category of social cybercriminality that comprise all those online aggressions which affect the different personal spheres existing on the internet. It encompasses activities such as cyberbullying, which is the focal point in this study (Miró Llinares, 2013). On the basis of this concept provided by Miró, cyberbullying is related to social cybercriminality insofar as the online aggressions between peers hurt the confidence and the personal space built on the internet.

In this paper, since children are the main subjects of study, the focus is set on the harm and risks they face when experiencing the internet as an inappropriate tool to deliberately inflict harm on their peers, in addition to the factors explaining this situation. Thereupon, given the relevance and the incidence rates of cyberbullying, some statistics are provided. Furthermore, the ease in the access to the internet and the high level of involvement regarding the youth in digital environments and online communications make of the theories of cybercrime an important issue to be addressed.

Cyberbullying is comprised in the category of social cybercriminality insofar as the personal spheres existing online are affected. In other words, online aggressions between peers hurt the confidence and the personal space built on the internet.

5. Theoretical perspectives on cybercrime

The internet has become a vehicle of victimization since it increases criminal and victimization opportunities. Thus, the fact that the internet and its intrinsic characteristics create criminal opportunities, and as a result new crime types, implies the consideration of the adoption of a **situational theory** towards this phenomenon.

Situational crime prevention theory is delimited and linked to **rational choice theories**, from which cybercriminals compare and contrast the (material and social) incentives and the drawbacks or the risks of getting involved in crime. Furthermore, beyond the

offender's motivation, the `environment´ itself enables the rise of cybercrime. The open access and the anonymity above-mentioned enable the creation of new types of crime.

Moreover, it seems that the growing spread and magnitude of digital technologies may pave the way for the offenders to engage in cybercriminal acts, since, due to their intrinsic characteristics, there is a high probability of success with minor risks. The offenders are given easier opportunities to unleash their personal motivations, which can go from the aim for profit to personal rewards or sex drives, inter alia (Choo & Grabosky, 2013).

Within the rational choice theories, the **lifestyle-routine activities theory** gains special relevance. Among the different scholars that study this theory, the work carried out by Holt and Bossler in 2008 and the work developed by Miró in 2013 are particularly useful. These authors consider this theory interesting for the explanation of victimization by certain types of cybercrimes. According to them, for a cybercrime being committed the presence of three elements is required, which are the exposure to a motivated offender, an attractive target and the absence of a capable guardian in everyday life (Miró Llinares, 2013; Holt & Bossler, 2008).

It seems evident that the more time people spend using the computer and the more activities they do online, the more likelihood of becoming a victim of cyberspace (Miró Llinares, 2013). Therefore, the more time children use the internet, the more likelihood of them becoming easy targets for cyberattacks. As aforementioned, the anonymity conferred by the ICTs may encourage the offenders to unleash personal hidden motivations. Considering that most of the youth interact online with their peers, it seems easier for them to become a victim of cyberbullying.

Concerning the second factor, it is suggested that the more personal information given in online sites, the more attractive that individual will become for the offender (Miró Llinares, 2013). Minors often reveal much information about themselves on the internet and cyberbullies can take advantage of it.

Last but not least, as far as the capable guardian is concerned, supervision and control in the use of the internet are important and also some computer programs can be useful for

this purpose (i.e., antivirus or protective software, inter alia) (Miró Llinares, 2013). As for cyberbullying, parents should control the use of the ICTs and the attitudes assumed by their children in order to prevent the cybervictimization by cyberbullying. They should also have as an important aim to foster adequate behaviors online and to assure the healthy and safe content online. Nevertheless, it is undeniable that total supervision and control is impossible and contrary to privacy and other fundamental rights.

However, in the present work, although these theories can help to understand the concept and context of cybercrime, the focus must be set on the factors of victimization which will be explained thoroughly in the subsequent sections.
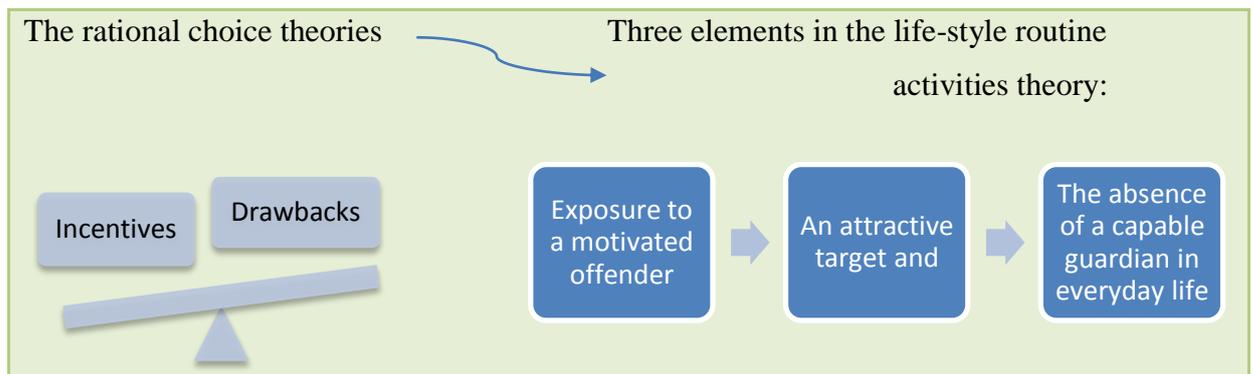
6. Responses to cybercriminal activities

Victimology studies the processes of victimization and its reactions. Following this idea, in this section the focus is set on the normative reaction within the Council of Europe (CoE) since this institution has developed a specific Convention on the issues of cybercrime. Subsequently, the internal regulations relative to Spain will be briefly mentioned with a remark of the Spanish Act on the statute of the victim[4].

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[4] The Spanish Act on the statute of the victim of 2015, in Spanish "Ley 4/2015, de 27 de abril, del Estatuto de la víctima del delito", on the basis of the recognition of victims' dignity, strives for the defense of their moral and material interests, and also those of the whole society (Ley 4/2015, de 27 de abril, del Estatuto de la víctima del delito, 2015).

6.1. At international level

6.1.1. The European Convention on Cybercrime

As stated previously, cybercrime is world-wide extended. Its impact is globalized, and therefore it must be addressed globally. The concerns at the European level ushered in a common action to deal with this matter. The result was the Europe Convention on Cybercrime. This treaty aims to strive for common criminal policies. It was open for signature in Budapest November 23 2001 by the 47 member states of the Council of Europe although there are two member states that have not signed it, namely, Russia and San Marino. It was also open for signature by the non-member states which had participated in its elaboration and for accession by other non-member states[5]. The Convention became effective July 1 2004 when it was ratified[6]. The conditions for its entry into force were that it had to be ratified by 5 countries including at least 3 member states of the Council of Europe[7] (Council of Europe, 2004).

Some of the main goals of this Treaty are the definition and prevention of crimes being committed through the use of the ICTs. Crimes included in the Convention go from terrorism, to child pornography or internet fraud, inter alia. However, it does not determine anything concerning cyberbullying[8]. It also fosters the cooperation between the member states for investigation and prosecution of possible cybercrimes. Within the 48 articles integrated in the Treaty there are also other issues addressed, such as the extradition or the mutual assistance regarding provisional measures or investigative powers, inter alia (Marion, 2010; Council of Europe, 2001).

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[5] The non-member states of the CoE which have signed and ratified it are Canada, Japan and United States of America. The non-member state which has signed it but not ratified is South Africa and the non-member states which have ratified it but not signed are Australia, Dominican Republic, Mauritius, Panama and Sri Lanka. For these, the Treaty is open for them for accession.

[6] The total number of signatures not followed by ratifications is of 8 (Andorra, Greece, Ireland, Liechtenstein, Monaco, Russia, San Marino and Switzerland) and the total number of ratifications/accessions is of 47. Spain ratified this Convention in June 3 2010.

[7] The five countries that ratified the Convention for its entry into force in July 1 2004 were Albania (June 20 2002), Croatia (October 17 2002), Estonia (May 12 2003), Hungary (December 4 2003), and Lithuania (March 18 2004).

[8] Despite the CoE Convention on Cybercrime not referring to the issue of cyberbullying, it seems relevant to mention it since it is the first step towards a global action to deal with crimes committed in cyberspace.

The illegal acts comprised in the Convention and transferred to the internal legislation in Spain are the offences against the confidentiality, integrity and availability of computer data and systems, the computer-related offences, the content-related offences and the offences related to infringements of copyright and related rights (Ministerio del Interior, 2014; Council of Europe, 2001).

As for the offences against the confidentiality, integrity and availability of computer data and systems, the acts included within this category go from illegal access, illegal interception, to data and system interference and misuse of devices. Concerning the computer-related offences, this category encompasses computer-related forgery and computer-related fraud. Regarding content-related offences, the ones related to child pornography are included (Ministerio del Interior, 2014; Council of Europe, 2001).

There are also other typologies not included in the Convention of Budapest which are interesting to take into consideration when the devices used to commit those offences are technological. Namely, these are offences against honor, threats and coercions, and offences against public health (Ministerio del Interior, 2014).

In symbolic terms, the Convention ensures the public that actions are being taken to fight against cybercrime. It also educates the public about this phenomenon and serves as an example for the states, in addition to the fact that it acts as a deterrent effect for cybercrimes being committed.

However, its effectiveness is brought into question due to several reasons. Firstly, concerning the actions taken to fight for the end of cybercrimes, the Convention does not guarantee that all the provisions included can be fully implemented. Another point is that the moral educative function must be complemented with national laws to obtain a more precise knowledge about which behaviors are appropriate or not on the internet and the subsequent punishments. Regarding the purpose of serving as a model for the states, this treaty provides suggestions and guidelines to effectively fight against cybercrime. It also forces some states to reexamine their laws and update them. Last but not least, its acts as a deterrent effect are brought into question due to its lack of effectiveness. Each state is competent to establish its own sanctions and punishments

which make this final element of a symbolic policy of the Treaty be perceived as a weakness (Marion, 2010).

Moreover, it must be pointed out that "in order for the treaty to be effective, more countries will need to sign it and ratify it and turn it into national law" (Marion, 2010, p. 709).

6.2.   National legislation

It is aforementioned that the illegal acts comprised in the Convention were transferred to the internal legislation in Spain. However, cybercrime is not specifically regulated in the Criminal Code dated from 1995 or in any other legal text. Due to the recent developments in the ICTs, a new section concerning these new means has been added to traditional crime types that have been committed through the technologies developed.

As far as cyberbullying is concerned, the only articles in the Criminal Code which make a specific approximation to this concept are the **art. 173** (first paragraph)[9] and the **art. 197**[10]. These articles should be applied to minors (**art. 19** Penal Code[11]) according to the **art. 1** of the Organic Law of Penal Responsibility of Minors[12].

The Spanish Act on the statute of the victim of 2015 is particularly noteworthy, which confers a special protection upon the minors victimized. Minors are always considered *per se* vulnerable victims. This is included in its **art. 19**[13]. The **art. 26**[14] also makes

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4. *"Los hechos descritos en los apartados 1 y 2 de este artículo serán castigados con una pena de prisión de tres a cinco años cuando:*
- ***a)*** *Se cometan por las personas encargadas o responsables de los ficheros, soportes informáticos, electrónicos o telemáticos, archivos o registros; o*
- ***b)*** *se lleven a cabo mediante la utilización no autorizada de datos personales de la víctima.*

Si los datos reservados se hubieran difundido, cedido o revelado a terceros, se impondrán las penas en su mitad superior".

5. *"Igualmente, cuando los hechos descritos en los apartados anteriores afecten a datos de carácter personal que revelen la ideología, religión, creencias, salud, origen racial o vida sexual, o **la víctima fuere un menor de edad** o una persona con discapacidad necesitada de especial protección, se impondrán las penas previstas en su mitad superior".*

6. *"Si los hechos se realizan con fines lucrativos, se impondrán las penas respectivamente previstas en los apartados 1 al 4 de este artículo en su mitad superior. Si además afectan a datos de los mencionados en el apartado anterior, la pena a imponer será la de prisión de cuatro a siete años".*

7. *"Será castigado con una pena de prisión de tres meses a un año o multa de seis a doce meses el que, sin autorización de la persona afectada, difunda, revele o ceda a terceros imágenes o grabaciones audiovisuales de aquélla que hubiera obtenido con su anuencia en un domicilio o en cualquier otro lugar fuera del alcance de la mirada de terceros, cuando la divulgación menoscabe gravemente la intimidad personal de esa persona".*

*"La pena se impondrá en su mitad superior cuando los hechos hubieran sido cometidos por el cónyuge o por persona que esté o haya estado unida a él por análoga relación de afectividad, aun sin convivencia, **la víctima fuera menor de edad** o una persona con discapacidad necesitada de especial protección, o los hechos se hubieran cometido con una finalidad lucrativa".*

[11] **Art. 19 CP**

"Los menores de dieciocho años no serán responsables criminalmente con arreglo a este Código".

"Cuando un menor de dicha edad cometa un hecho delictivo podrá ser responsable con arreglo a lo dispuesto en la ley que regule la responsabilidad penal del menor".

[12] **Art. 1 LORPM**

"Esta Ley se aplicará para exigir la responsabilidad de las personas mayores de catorce años y menores de dieciocho por la comisión de hechos tipificados como delitos o faltas en el Código Penal o las leyes penales especiales".

[13] **Artículo 19. Derecho de las víctimas a la protección. Ley 4/2015, de 27 de abril, del Estatuto de la víctima del delito.**

"Las autoridades y funcionarios encargados de la investigación, persecución y enjuiciamiento de los delitos adoptarán las medidas necesarias, de acuerdo con lo establecido en la Ley de Enjuiciamiento Criminal, para garantizar la vida de la víctima y de sus familiares, su integridad física y psíquica, libertad, seguridad, libertad e indemnidad sexuales, así como para proteger adecuadamente su intimidad y su dignidad, particularmente cuando se les reciba declaración o deban testificar en juicio, y para evitar el riesgo de su victimización secundaria o reiterada".

"En el caso de las víctimas menores de edad, la Fiscalía velará especialmente por el cumplimiento de este derecho de protección, adoptando las medidas adecuadas a su interés superior cuando resulte necesario para impedir o reducir los perjuicios que para ellos puedan derivar del desarrollo del proceso".

[14] **Artículo 26. Medidas de protección para menores y personas con discapacidad necesitadas de especial protección. Ley 4/2015, de 27 de abril, del Estatuto de la víctima del delito.**

1. *"En el caso de las víctimas menores de edad y en el de víctimas con discapacidad necesitadas de especial protección, además de las medidas previstas en el artículo anterior se adoptarán, de acuerdo con lo dispuesto en la Ley de Enjuiciamiento Criminal, las medidas que resulten necesarias para evitar o limitar, en la medida de lo posible, que el desarrollo de la investigación o la celebración del juicio se*

allusion to the special protection that minors deserve regarding protective measures (Ley 4/2015, de 27 de abril, del Estatuto de la víctima del delito, 2015). In addition, the special character of the protection of minors is present in the last modification of the Organic law of the legal protection of minors. Its article 9 *quater*[15] emphasizes the obligation to respect and avoid conflicting situations. It also recognizes the relevance of the knowledge of the rights and obligations derived from the use made of the ICTs.

In the next section, we will contrast legal provisions with the statistical data on this kind of victimization.

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conviertan en una nueva fuente de perjuicios para la víctima del delito. En particular, serán aplicables las siguientes:

- **a)** Las declaraciones recibidas durante la fase de investigación serán grabadas por medios audiovisuales y podrán ser reproducidas en el juicio en los casos y condiciones determinadas por la *Ley de Enjuiciamiento Criminal*.
- **b)** La declaración podrá recibirse por medio de expertos".

2. "El Fiscal recabará del Juez o Tribunal la designación de un defensor judicial de la víctima, para que la represente en la investigación y en el proceso penal, en los siguientes casos:

- **a)** Cuando valore que los representantes legales de la víctima de edad o con capacidad judicialmente modificada tienen con ella un conflicto de intereses, derivado o no del hecho investigado, que no permite confiar en una gestión menor adecuada de sus intereses en la investigación o en el proceso penal.
- **b)** Cuando el conflicto de intereses a que se refiere la letra a) de este apartado exista con uno de los progenitores y el otro no se encuentre en condiciones de ejercer adecuadamente sus funciones de representación y asistencia de la víctima menor o con capacidad judicialmente modificada.
- **c)** Cuando la víctima menor de edad o con capacidad judicialmente modificada no esté acompañada o se encuentre separada de quienes ejerzan la patria potestad o cargos tutelares".

3. "Cuando existan dudas sobre la edad de la víctima y no pueda ser determinada con certeza, se presumirá que se trata de una persona menor de edad, a los efectos de lo dispuesto en esta Ley".

[15] **Artículo 9 quáter. Deberes relativos al ámbito escolar. Ley Orgánica 1/1996, de 15 de enero, de Protección Jurídica del Menor, de modificación parcial del Código Civil y de la Ley de Enjuiciamiento Civil.**

2. Los menores tienen que respetar a los profesores y otros empleados de los centros escolares, así como al resto de sus compañeros, evitando situaciones de conflicto y acoso escolar en cualquiera de sus formas, incluyendo el ciberacoso.

3. A través del sistema educativo se implantará el conocimiento que los menores deben tener de sus derechos y deberes como ciudadanos, incluyendo entre los mismos aquellos que se generen como consecuencia de la utilización en el entorno docente de las Tecnologías de la Información y Comunicación.

Responses to cybercriminal activities are assessed within the framework of Europe by recognizing the relevance of the **Europe Convention on Cybercrime**. As for the national legislation, the **Statute of the victims of 2015** confers a special protection to minors. However neither on the Convention nor on the Statute we can find specific provisions on cyberbullying.

7. Incidence rates of bullying and cyberbullying in the Basque Country and in Spain

To begin with, and before starting to address the factors which converge to foster this phenomenon, the incidence rates of bullying and cyberbullying should be taken into account. In order to illustrate the incident rates of these phenomena clearly, the data regarding the issue of bullying in the Basque Autonomous Community will be firstly displayed. It serves as a prelude to the incidence rates of cyberbullying in the Basque Country and Spain, respectively.

In order to compile information about bullying in the Basque Country we have consulted the Basque Ombudsman, Ararteko. Then, the sources which provide the data relative to cyberbullying in the Basque Country are the Basque Institute for Research and Evaluation in Education[16], in Basque and Spanish the acronyms are ISEI.IVEI[17], and an article developed by Maite Garaigordobil. As regards Spain, the Pfizer foundation and the National Institute of Communication Technologies, its acronym in Spanish INTECO[18], are the institutions from which the information is drawn.

7.1. Bullying in the Basque Autonomous Community

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[16] "The aims of the Basque Institute of Evaluation and Research in Education are to perform an overall evaluation of the educational system, to promote the educational research and to maintain a documentation and resources service in the educational field" (ISEI-IVEI).

[17] Irakas Sistema Ebaluatu eta Ikertzeko Erakundea (ISEI) - Instituto Vasco de Evaluación e Investigación Educativa (IVEI).

[18] It must be noted that the INTECO was renamed to as INCIBE in 2014 becoming the Spanish National Cybersecurity Institute.

The Ararteko is an independent and neutral institution which strives for the defense of human rights. It is the Ombudsman of the Basque Country. The data explained hereunder are relative to bullying in this autonomous community during 2009-2010 by comparing it with previous years. To do the follow-up of the peer harassment situations, the principal source of information was the Department of Education, Universities and Investigation (Ararteko, 2010).

In 2009-2010 in the Basque Country, the number of cases in which bullying, or in other words, peer victimization, was considered to be proven rises to 33 of the 90 complaints filed, which implies a 27% of the total evidence. This percentage has been decreasing since the start of the series in 2006-2007 with a track record from 68% for this first course registered to the indicated 27% for the last course. This can be clearly seen in the following table.

Table 2. Evolution of peer victimization in the last courses (2006-2007 a 2009-2010) divided by provinces. Cases registered (Ararteko, 2010)

School years	2006-2007		2007-2008		2008-2009		2009-2010	
Territory	Registered	Evidence of peer victimization	Registered	Evidence of peer victimization	Registered	Evidence of peer victimization	Registered	Evidence of peer victimization
Álava	13	10	35	20	22	8	23	3
Bizkaia	45	29	56	29	35	19	53	22
Gipuzkoa	48	33	23	13	20	13	14	8
CAPV: total	106	74	114	62	77	40	90	33
% evidence	68%		54%		52%		27%	

Source: Translated from the Department of Education, Universities and Investigation.

Table 2

The survey data collected and itemized concerning 2009-2010 is resumed in the following tables according to different variables. Firstly, an analysis taking into consideration the provinces and the sex is provided; secondly, another table taking into

account the provinces and the level of school attendance is displayed. In these analyses, it is the Education Inspectorate[19] who registered the cases of peer victimization or bullying.

As detailed below, the Education Inspectorate distinguished the cases of bullying perpetrated by sex and divided by provinces.

Table 3. Cases of peer victimization registered by the Education Inspectorate divided by provinces and sex. School year: 2009-2010 (Ararteko, 2010)

Cases of peer victimization	Álava	Bizkaia	Gipuzkoa	CAPV
Male students	13	38	17	68
Female students	10	15	17	42
Total of complaints:	23	53	14	90
Yes victimization on the Inspector's opinion	13	22	18	53

Source: Translated from the Department of Education, Universities and Investigation.

Table 3

The results show that Biscay is the province in which the majority of the cases take place. As displayed in the table, regarding the differences between sexes, there were 38 cases of male students who bully and 15 cases of women. Still, the majority of the cases of online peer victimization reported were committed by male students with a 68% of the total.

In the following table, the Education Inspectorate intervened to distinguish the cases of bullying by considering the level of school attendance in each province as a determining variable.

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[19] The Education Inspectorate is competent to inspect and assess the education centers, the personnel and their results. To succeed in that work, the Education Inspectorate controls, gives assessment and informs about the compliance with the law. It strives for the guarantees of the rights and the compliance with the obligations of those who participate in the educational community. This organism also intervenes with the purpose of contributing to achieve an educational system of quality (Departamento de Educación, Universidades e Investigación. Viceconsejería de Educación, 2008-2009)

Table 4. Cases of peer victimization registered by the Education Inspectorate divided by provinces and level of school attendance. School year: 2009-2010 (Ararteko, 2010)

Level of school attendance:	Álava	Bizkaia	Gipuzkoa	CAPV
Pre-school 3 years old	0	0	0	0
Pre-school 4 years old	0	0	0	0
Pre-school 5 years old	1	2	0	3
Total Pre-school education:	1	2	0	3
1º stage Primary	3	4	0	7
2º stage Primary	7	6	0	13
3º stage Primary	4	17	1	22
Total Primary school:	14	27	1	42
1º Secondary school	2	9	3	14
2º Secondary school	2	9	5	16
3º Secondary school	3	2	3	8
4º Secondary school	0	1	2	3
Total Secondary school:	7	21	13	41
1º Senior high school	1	1	0	2
2º Senior high school	0	0	0	0
Total Senior high school:	1	1	0	2
Medium-grade vocational education	0	2	0	2
Vocational education degree	0	0	0	0
Total Stages	0	2	0	2

Source: Translated from the Department of Education, Universities and Investigation.

Table 4

The majority of the cases of peer victimization reported took place in the last stage of primary school with a total of 22 cases registered, and the first two courses of secondary school with 30 cases registered. In these four courses, therefore, the 52% of the cases reported took place.

Thus, there was no recording by the Ararteko of the particular incidence of cyberbullying (Ararteko, 2010)

Graph 7. Types of maltreatment reported in 2009-2010 (Ararteko, 2010).

Types of maltreatment reported

- Intimidation / Threats / Emotional blackmail
- Sexual abuse / Harassment
- Social exclusion
- Verbal abuse
- Physical indirect aggressions
- Physical direct aggressions

8%, 2%, 13%, 39%, 29%, 9%
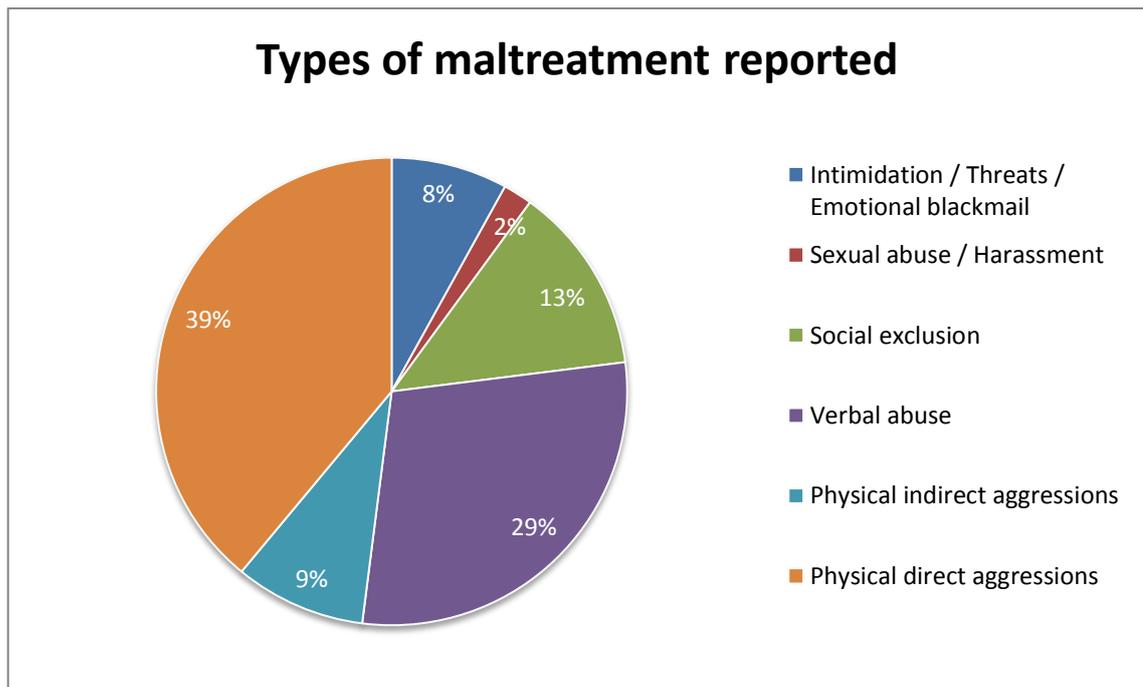
Source: Translated from the Department of Education, Universities and Investigation.

Graph 7: Types of maltreatment

As shown in the graph, the most common form of abuse was by direct physical attack with a 39% of cases, followed by a 29% of verbal abuse. Social exclusion was located in the third place with a 13% of cases. Therefore, direct physical aggressions, verbal abuse and social exclusion comprised 81% of the total types of maltreatment reported. In the lowest positions there were physical indirect aggressions with a 9% of cases, intimidation, threats and emotional blackmail with an 8%, and sexual abuse and harassment with a 2%.

7.2.   Cyberbullying in the Basque Country

An article developed by Maite Garaigordobil in 2011 reviews the prevalence of cyberbullying at a national and international level. Taking as a referential point the prevalence in the Basque Country, she refers to the results obtained by the Basque Institute of Evaluation and Educative Investigation (ISEI.IVEI) in 2009 which concludes that 3,104 students aged from 10 to 12, and 3,123 students aged from 12 to

16 suffered this phenomenon. The victims constituted a 0.6% of the population in 2008, and a 0.8% in 2009 (Garaigordobil, 2011).

It is in the edition of 2012 when the behaviors related to **cyberbullying** were first included and widen in the report conducted by the Basque Institute of Evaluation and Educative Investigation. The behaviors detected varied and went from sending text messages via SMS, WhatsApp, or other social net-working sites such as Tuenti, or Facebook to threaten their peers, insult or make fun of them; to exclude their peers from chats or social networks. Also to spread photographs, pictures or messages via the Internet or mobiles phones to deliberately use them against someone was encompassed. To record with mobiles and spread the content to use it against somebody or to threaten someone to do something unwanted were also some of the behaviors detected. It should neither be disregarded the behaviors of passing oneself off as somebody or using someone's personal account to send messages that can cause damage to their relationships (ISEI.IVEI, 2012).

7.3.   Cyberbullying in Spain

Maite Garaigordobil, in the aforementioned article, refers to a study conducted by the ombudsman[20] in 2007 in all the autonomous communities of Spain. The sample was comprised of 3,000 minors aged from twelve to eighteen and the study concluded that a 5.5% of the participants were victims of cyberbullying. A 5.1% of the total suffered it sporadically and the remaining 0.4% suffered it more than once a week. The aggressors composed a 5.4% of the sample of which 4.8% did it occasionally and the 0.6% remaining did it frequently. Also, 1 in 4 minors had been witness to cyberbullying, a 22% eventually and a 3% in long-lasting situations (Garaigordobil, 2011).

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[20] "The Defensor del Pueblo is the High Commissioner of the Parliament responsible for defending the fundamental rights and civil liberties of citizens by monitoring the activity of the Administration and public authorities" (Defensor del Pueblo).

Furthermore, there is an interesting study, "Juventud y Violencia", conducted in 2010 by the Pfizer foundation[21], which reveals the incidence of this phenomenon carried out through the mobile phone and online.

7.3.1. *Via the mobile phone*

According to the findings obtained, an 8.1% of Spanish adolescents from 12 to 18 years old had suffered at some point emotional or psychological maltreatment via the mobile phone. In a 62.8% of the cases it was carried out by unknown people and in a 17.6% the victimization was produced by friends. Also, a 10.9% of the misbehaviors were carried out by classmates. The way to develop such attitudes toward their peers was through phone calls in a 73.7% of the cases and via SMS in a 27.2% (Fundación Pfizer, 2010). The following graphs show these findings distinguishing among the frequency of the victimization, the person who causes it and the means by which the misbehaviors are executed.
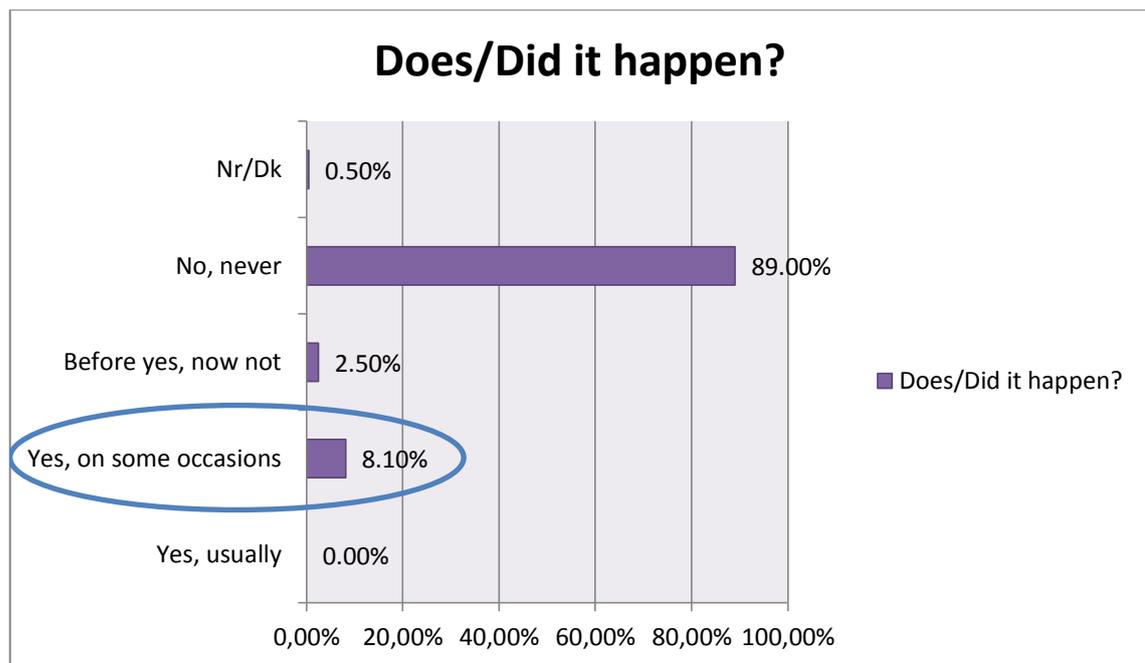
Source: Adapted from the Pfizer foundation

Notes: Nr, no response; Dk, does not know

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[21] The mission of the Pfizer Foundation is to educate the Spanish population about health by developing initiatives which recognize and support investigation, innovation, social commitment and the spreading of knowledge (Fundación Pfizer).

Graph 8: The frequency of the victimization

By whom?

Nr/Dk	3.30%
Unknown people	62.80%
Acquaintances	7.30%
Boyfriend/Girlfriend	1.80%
Friends	17.60%
Classmates	10.90%
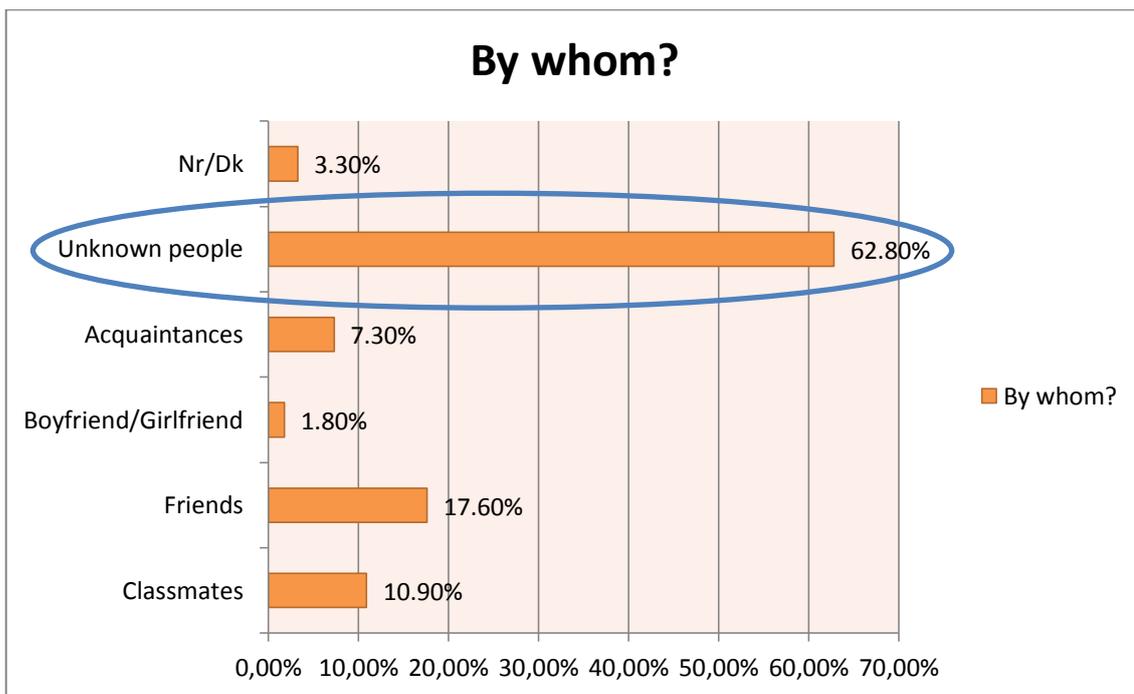
Source: Adapted from the Pfizer foundation

Graph 9: The author of the misbehaviors

How?

Nr/Dk	0.90%
Other possibilities	7.50%
SMS	27.20%
Phone calls	73.70%
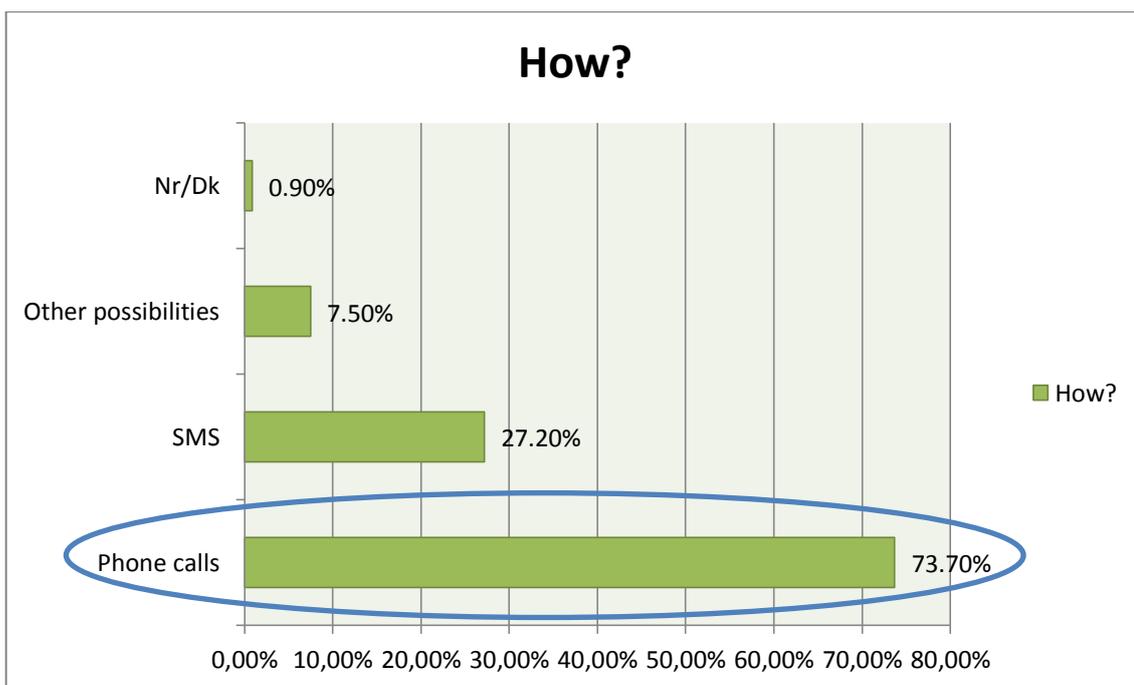
Source: Adapted from the Pfizer foundation

Graph 10: The means used

The same study "Juventud y Violencia", conducted in 2010 by the Pfizer foundation, provided some data about the frequency of victimization by cyberbullying, the person who develops the misbehaviors and the means by which these are executed. The slight difference is that the emotional or psychological maltreatment is exerted online.

The results show that an 11.4% of the teenagers from 12 to 18 years old had suffered at some point emotional or psychological maltreatment online. In a 54.8% of the cases it was carried out by unknown people and in an 18.7% the victimization was produced by acquaintances. Also, a 17.6% of the misbehaviors were carried out by classmates and a 14.8% by friends. The way to develop such attitudes toward their peers was through email in a 49.8% of the cases and via the social network Tuenti in a 12.10%. In a 10.8% of the cases the misbehaviors were carried out via Messenger and a 9.9% via chats (Fundación Pfizer, 2010). The graphs displayed below show these findings distinguishing among the incidence of this type of cybervictimization, the person who misbehaves and the means by which the actions are carried out.
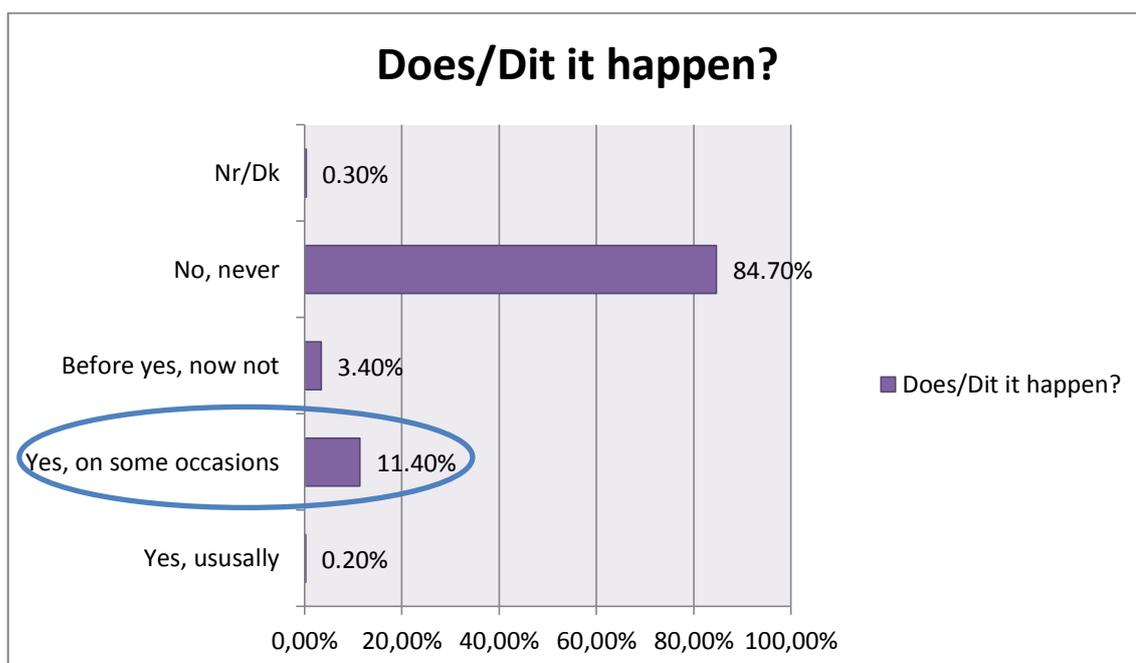
Source: Adapted from the Pfizer foundation

Graph 11: The frequency of the victimization

By whom?

Nr/Dk	1.20%
Unknown people	54.80%
Acquaintances	18.70%
Friends	14.80%
Classmates	17.60%

0,00%   10,00%   20,00%   30,00%   40,00%   50,00%   60,00%

■ By whom?
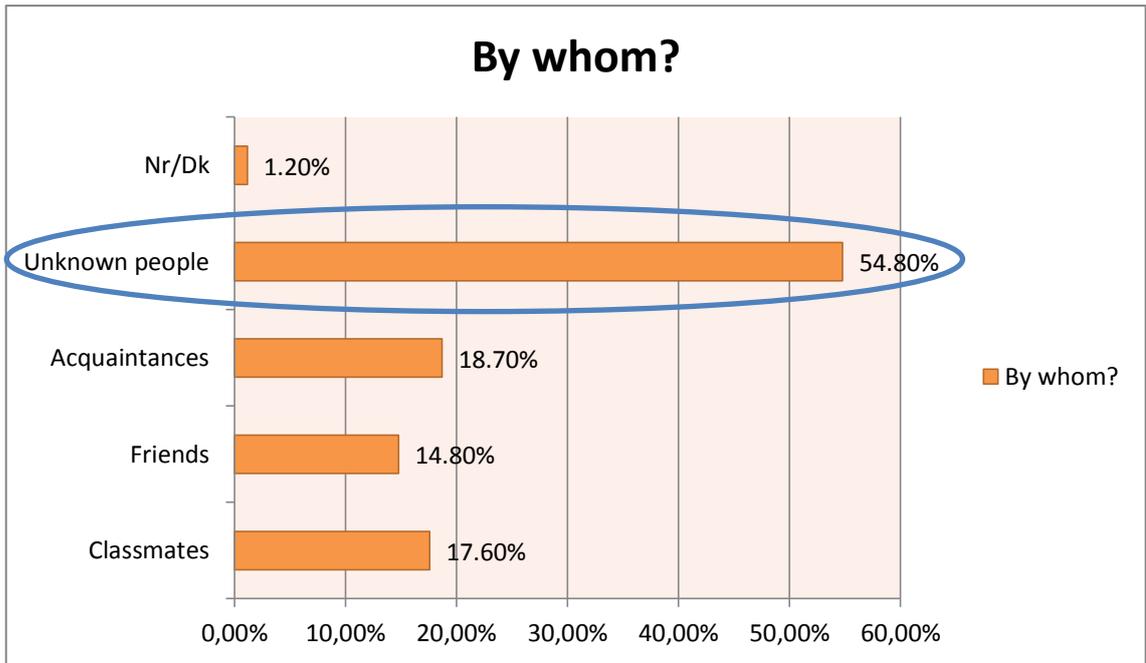
Source: Adapted from the Pfizer foundation

Graph 12: The author of the misbehaviors

How?

Forums	4.80%
Chat	9.90%
Messenger	10.80%
Tuenti	12.10%
Email	49.80%

0,00%   10,00%   20,00%   30,00%   40,00%   50,00%   60,00%

■ How?
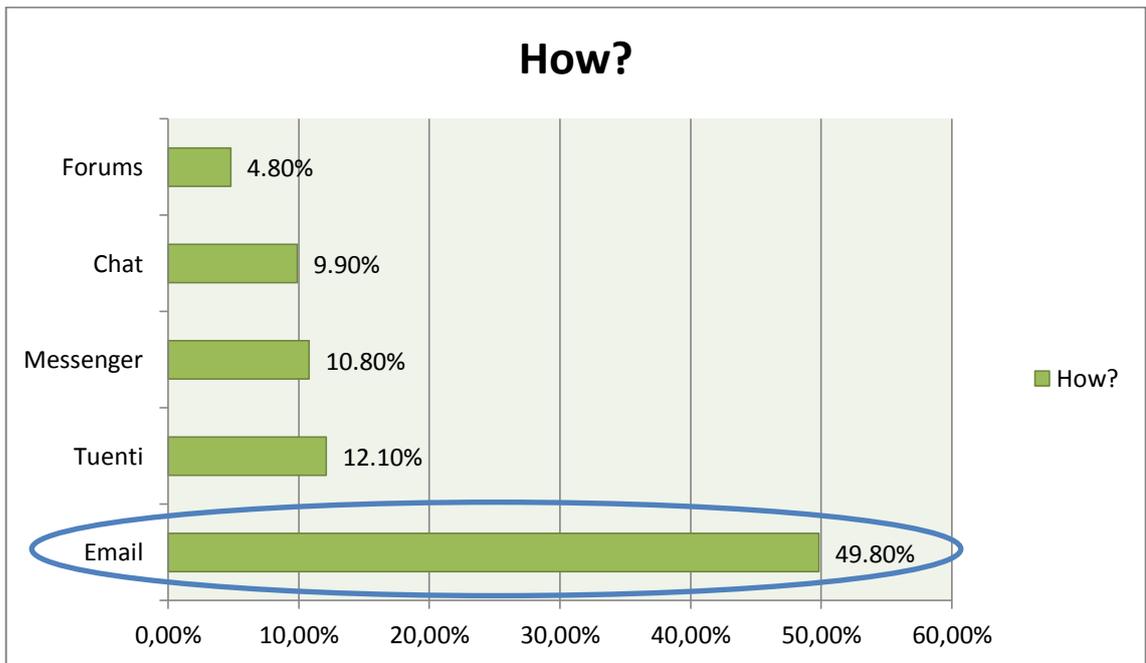
Source: Adapted from the Pfizer foundation

Graph 13: The means used

The following graph summarizes the findings of the study conducted by the Pfizer foundation.

Victims of psychological maltreatment by digital means in Spain. 2010.

Via mobile phone

- 8.1% of the adolescents aged from 12 to 18 had suffered emotional or psychological maltreatment. In a 62.8% of the cases they were victimized by unknown people and through phone calls in a 73.7% of the cases.

Online

- 11.4% of the teenagers had suffered emotional or psychological maltreatment online. In a 54.8% of the cases it was carried out by unknown people and through email in a 49.8% of the cases.

Noteworthy is the great number of minors being victimized by unknown people. Nevertheless, it must be highlighted that the internet encourages anonymity and makes it difficult to reveal the identity of the bully, despite existing the possibility of prior physical contact between the victim and the aggressor. Therefore, there is a high possibility that that the aggressor and the victim know each other, despite the aggressor remaining anonymous.

According to an action guide developed in 2012 by several experts, in Spain the incident rates of cyberbullying are classified depending on if this is active or passive. Instead of using the terms bullies and victims, it focuses on the active or passive nature of this phenomenon to describe it. Active cyberbullying refers to the act of insult and victimization of the other via electronic devices. It would be the counterpart of passive cyberbullying, which alludes to the fact of being insulted and victimized by digital means (INTECO, 2012).

This source also distinguishes whether the parents are informed or not about this phenomenon taking place. Therefore, it is particularly noteworthy that as far as passive cyberbullying is concerned, children are more aware than their parents of cases of cyberbullying happening. A 2.9% of the children in contrast to 1.4% of the parents are aware of a case of cyberbullying taking place in their environment (INTECO, 2012).

The table below illustrates that according to this action guide, a 5.1% of the minors in Spain were victims of cyberbullying in 2012 (INTECO, 2012).

Risky situations for minors perceived by their parents (INTECO, 2012).

	May-Aug 2011	Sep-Dec 2011	Jan-Apr 2012
Other children insult, threaten or extort their child (passive cyberbullying)	8.7%	6.5%	5.1%
Their child insults, threatens or extorts other children (active cyberbullying)	4.6%	4.2%	3.5%
Their child records and spreads images of other peers	2.7%	1.3%	3.7%

Source: Translated from INTECO Observatory

Table 5: Occurrence of active and passive cyberbullying

This section must be concluded remarking that cases of cyberbullying are less reported than cases of bullying. According to several scholars, online peer victims are more reluctant to notify their parents about the situation they are suffering. This is partially explained by the existing fear of an overreaction and overprotection of their parents. For instance, it is perceived that one of the consequences would be to have their technological devices made inoperative, which would cause them a complete decay in their relationships, fostering isolation and social exclusion. Thus, in these cases it seems that the likelihood of being banned from using digital means is perceived as a major fear rather than the abidance of the online peer harassment (Chadwick, 2014). Therefore, it should not be overlooked that many cases of cyberbullying are unreported, which complicates the input of an accurate incidence rate of this phenomenon.

In the Basque Country, a 0.6% of the population from 10 to 12 years old in 2008, and a 0.8% in 2009 were victims of cyberbullying.

In Spain, a 5.5% of the participants of a study were victims of cyberbullying in 2007. In 2010, an 8.1% of the adolescents aged from 12 to 18 had suffered at some point emotional or psychological maltreatment via the mobile phone and an 11.4% had suffered it online.

III.   Identification of specific patterns in cyberbullying

Despite bullying and cyberbullying sharing an important background, cyberbullying has particular features which differ from traditional bullying. Hereunder, the characteristics of cyberbullying will be explained followed by an assessment of the similarities and the differences between this type and traditional bullying.

1. Characteristics of cyberbullying

The characteristics of this phenomenon are addressed assessing them from the empirical knowledge. Another issue is to approach this matter considering the characteristics relative to it as a penal offence that must be proved in the criminal proceedings, which will not be dealt with in the present paper.

Peer harassment in the digital context takes place in private spaces. It must be repetitive and not a punctual event, otherwise it would not be a case of cyberbullying but just a reproachable behavior. It is a process and not an outcome. Therefore, the action must be long-lasting. An imbalance of power can exist, (even a greater technological competence which fosters this imbalance) or social status, although this is a controversial issue among scholars (Luengo Latorre, 2011).

The intention of causing damages to someone is not always present in the beginning of the aggressive action, for instance a practical joke can be the trigger of the subsequent

malicious acts. Later however, the purpose to hurt others becomes a necessary element. The diverse means used to perpetrate the malicious act are of technological nature. The prior contact between victim and aggressor in physical spaces is common and the episodes of cyberbullying are frequently linked to bullying episodes in the physical environment (Luengo Latorre, 2011). Nevertheless, concerning this last statement, it is mentioned below that there is a lack of agreement among scholars regarding the co-occurrence of these two phenomena.
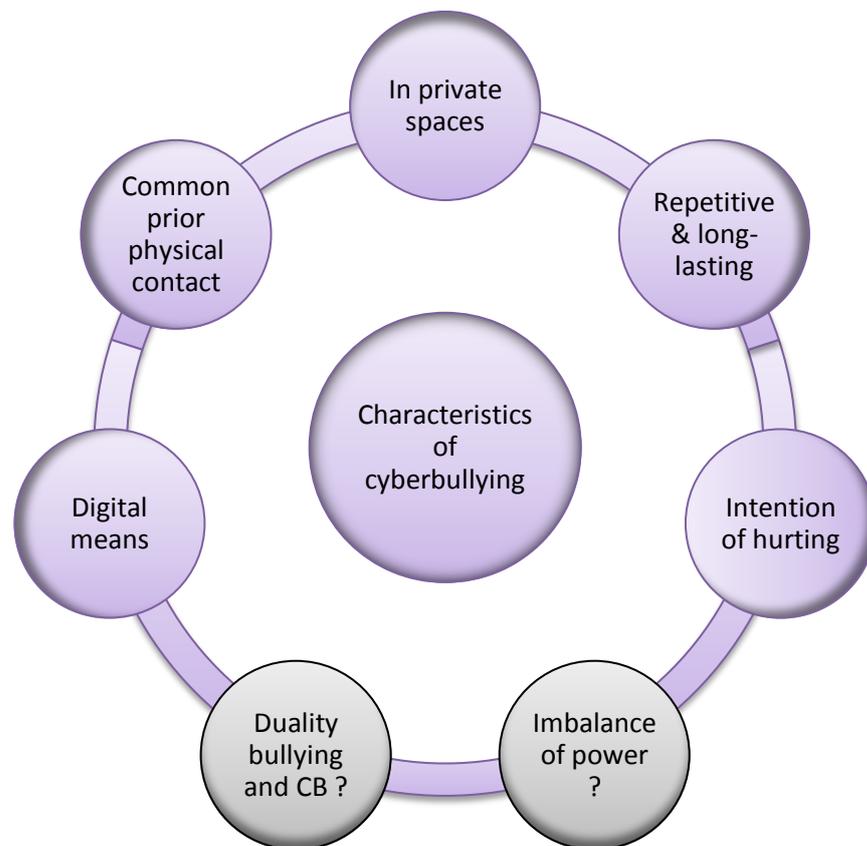
Graph 14: Characteristics of cyberbullying

It is relevant to remark that unlike bullying studies in which classification is anonymously set, cyberbullying studies reveal an inconsistence among the researchers, since unanimity has not yet taken place. It is still a matter of the subjectivity of the scholars. Thus, different classification criteria are used depending on which is the focal and decisive point to assess this phenomenon.

Thus, three types have been found: in terms of the technological means used to bully others, of the triggering event which leads to the aggression, and of the direct (private) or indirect (public) nature of the peer victimization which are subsequently explicated (Cuadrado-Gordillo & Fernández-Antelo, 2014).
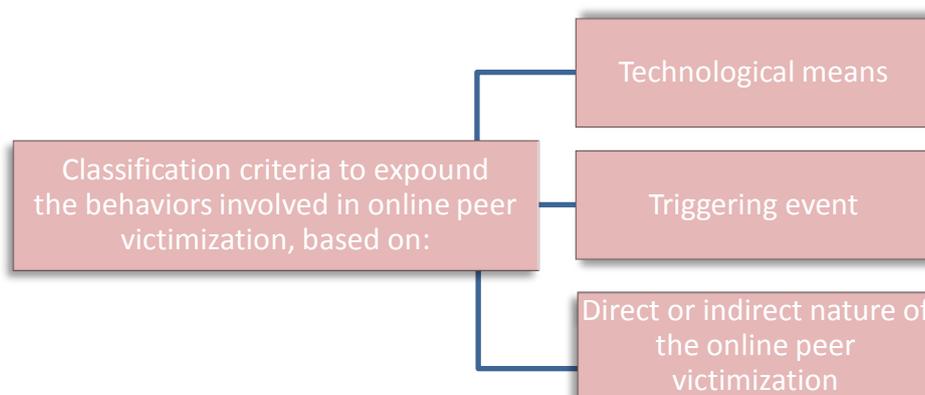
Graph 15: Classification criteria

Firstly, concerning the means used to repeatedly annoy others in cyberspace, the advances in the ICTs have contributed to a gradual variation in the ways to engage in cyberbullying. Continuous and constant updating is, as a result, required to develop those reproachable behaviors (Cuadrado-Gordillo & Fernández-Antelo, 2014). As aforementioned, a greater technological competence can be considered a key factor in the execution of misbehaviors in cyberspace.

The means by which these actions are developed are diverse and can go from instant texting, social networks profiles, mobile phones, games online, personal sites or online chats, inter alia. According to Luengo Latorre, cyberbullying episodes are frequently linked to bullying episodes in offline life. Nevertheless, there is a growing concern, since the cases in which cyberbullying is not related to traditional bullying are gaining special relevance, complicating the detection (Luengo Latorre, 2011). It is important to remark that despite these two phenomena being closely related, little is known about how many minors suffer peer harassment both online and at school. There is a disagreement among scholars about their coexistence. Some of them strongly believe that "the existence of one thoroughly predicts the emergence of the other" whereas

others question this statement and consider this duality as limited to special and concrete cases (Cuadrado-Gordillo & Fernández-Antelo, 2014, p. 225).

In an expository manner, it is important to briefly mention that sexual harassment is not included in the phenomenon of cyberbullying since it would be within the category of online grooming (Luengo Latorre, 2011). Nevertheless, behaviors related to the distribution or spread of content of sexual nature, are encompassed in this matter.

Regarding the second type which refers to the criterion of the triggering action, the behaviors in cyberbullying are encompassed within several categories to explain them (Cuadrado-Gordillo & Fernández-Antelo, 2014). In Spain, for instance, the classification provided by Nocentini et al. (2010) is fully recognized. It includes several behaviors which are included in a four-category classification. The four modes of cyber aggression developed are: "written-verbal behaviors (through phone calls, instant messaging, social networking sites, etc.), visual behaviors (posting, sending or sharing compromising pictures and videos), impersonation or supplanted identity (revealing personal information using another person's name and account) and deliberately excluding a person from an online group" (Nocentini et al., 2010, p. 130).

The four-category classification forementioned can be related to the compilation of Luengo Latorre of the most common behaviors in cyberbullying. Thus, these are: sending unpleasant or threatening text messages (written), humiliating the other person by posting undesired comments or pictures or posting unpleasing content in a profile, website or chats (visual). Also taking the place of that person to deliberately express negative comments is a frequent act (supplanted identity) (Luengo Latorre, 2011).

Last but not least, it must be taken into account into account the direct (private) or indirect (public) nature of the cyberbullying as another mode of categorization. On the one hand, direct cyberbullying alludes to cyberattacks towards the victim in which no one else is aware of these aggressions. The victim is the exclusive receiver of the messages, phone calls or any kind of audiovisual material that can hurt them.

On the other hand, indirect cyberbullying implies either the spread of personal material concerning the victim to publicly disclose them or the use of others to do the harassing

in cyberspace. On this assumption, there is a possibility that the accomplices may not be aware that they are being used to hurt others on behalf of the aggressor. However, there is also the possibility that the accomplices act deliberately and intentionally (Cuadrado-Gordillo & Fernández-Antelo, 2014).

Several judicial resolutions complement these analyses (SEE ANNEX 1). There is an interesting edict[22] of the Provincial Court of Santander of May 25 2012[23]. The Court recognizes the relevance of the actions comprised in bullying and cyberbullying as a violation of the fundamental right of moral integrity. It alludes to the fact that the diverse actions carried out had a common behavioral pattern organized and systematic whose purpose was to harass, insult and attack physically and psychologically the minor involved. As for the cyberbullying, some of the misbehaviors were executed through the social network Tuenti from which several extracts of conversations were obtained in which threats and insults were present (Auto, 2012).

The continuous aggressions, threats and harassment caused in the victim a high status of anxiety and stress. These consequences were the result of the long-lasting misbehaviors developed toward her and the seriousness of the same. As for the conclusions drawn from the psycho-social and forensic reports, these will be explained in the chapter relative to the harm and the impact of cyberbullying (Auto, 2012).

Furthermore, there is another interesting sentence of the Provincial Court of Las Palmas de Gran Canaria of November 15 2013[24]. In this case, there was also a co-occurrence of the bullying and cyberbullying conceived the last one as abidance of the misbehaviors. This assumption is based on the fact that some minors started harassing another classmate due to the sexual orientation of the victimized. Bullying behaviors consisted of verbal aggressions and cyberbullying behaviors were revealed when one of the minors posted a picture of the victim under an offensive heading in the social

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[22] The examination method used to select the case-law pertinent to the topic, is the descriptor searching in CENDOJ database. CENDOJ acronyms refer to "the Judiciary Documentation Centre which is the technical institution of the General Council of the Judiciary in charge of the official publication of jurisprudence" (Poder Judicial España). The searching was done in July 23 2015. The descriptor terms used were: "ciberacoso", "acoso escolar", and "internet".
[23] ROJ: AAP S 1068/2012 - ECLI:ES:APS:2012:1068A.
[24] ROJ: SAP GC 2422/2013 - ECLI:ES:APGC:2013:2422.

networking site Tuenti. The post was an invitation to other classmates to continue insulting the victim (Sentencia, 2013).

In this case, the victim suffered the consequences of the misbehaviors carried out against him causing in him serious psychological damages. These will be subsequently explained in the chapter focused on the harm and the impact of cybervictimization by cyberbullying.

Cyberbullying implies the use of digital means, repeatedly over time, to do online peer harassment. To do it **deliberately** is not always present at the beginning of the misconduct but later it is a necessary condition.

The moral integrity or dignity is the fundamental right violated.

2. Similarities and differences between bullying and cyberbullying

Peer victimization in both offline and online modalities share common characteristics although some differences have been found between the process and the consequences (Tejedor & Pulido, 2012).

2.1. Similarities or connections

As stated in the introduction, the development of the ICTs not only has enabled the proliferation of new types of crime, but it has also facilitated the execution of traditional crime types through new digital means. As far as cyberbullying is concerned, this is a traditional offence carried out via technology rather than a crime originated by the same. Some authors affirm that both modalities "are about relationships, power and control" despite being arguable the issue of power (Chadwick, 2014, p. 8). To some extent, this is discussed by several scholars due to the anonymity that the internet confers, since according to them, any social status existing in the offline world is deleted.

Furthermore, in those cases in which bullying takes places, there is a likelihood that despite the aggression being physical, this can be recorded and spread through the internet leading into an episode of cyberbullying. The behaviors which can be involved go from insulting or humiliating, to taking pictures and social exclusion (Chadwick, 2014). Worthy of particular mention is the modality known as "happy slapping" [25] which implies giving a beating to the victim while recording it to later post and spread it online. This can be found in a sentence of the juvenile court of Granada of 2007[26]. One minor was beaten by a peer whereas another minor was recording it with the mobile phone. They threatened the victim to continue beating and recording him unless he, literally, kissed their feet. Later, they posted it on YouTube (Sentencia, 2007).

2.2.   Differences

There are some important disparities between bullying and cyberbullying which have to be taken into account. In traditional peer victimization, the bully and the victim are known and easily identified whereas in cyberbullying this is not always the case. Moreover, even though the cyberbully and the victim had interacted previously at school for instance, the anonymity that the internet confers complicates the identification of the cyber aggressor. An evident distinctive feature is that bullying may cause physical damages, something which is completely impossible in the case of cyberbullying. Therefore, this phenomenon is easier to conceal from parents or teachers for instance, which leads to a much more complicated detection (Chadwick, 2014).

Several scholars state that in the situations of offline peer harassment or bullying the roles are more marked. One party bullies the other and the recipient suffers the consequences. As for the onlookers, some of them support the aggressor whereas others side with the victim. In situations of online peer victimization, however, these roles are neither clear nor determined. Regarding the victim, social networking sites enable the possibility of counterattacking against the abuser by posting similar content to that received on his or her profile. The cyber-aggression can be, therefore, bidirectional

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[25] *noun*
"Brit. informal the practice whereby a group of people assault a stranger at random while filming the incident on a mobile device, so as to circulate the images or post them online" (Oxford dictionaries).
[26] ROJ: SJME GR 1/2010 - ECLI:ES:JMEGR:2010:1.

creating a situation of interpersonal reciprocal violence (Tejedor & Pulido, 2012). It is also remarkable that given the reach of the internet, the content of the victimization is accessible to a wider audience (Chadwick, 2014).

Furthermore, cyberbullying arouses a feeling of insecurity in the victim due to the fact that there are no safe places, since victims of cyberbullying can be threatened everywhere by any digital means. Time-space dimensions are unspecified, which implies that its spreading takes place at great speed, causing a greater emotional impact on the victims. In addition, bullying takes place in the physical environment within the context of school. On the contrary, cyberbullying can take place outside the school complicating its detection (Estévez, Villardón, Calvete, Padilla, & Orue, 2010).

The characteristics involved in cyberbullying have been previously assessed in order to delve into this issue. It is important not to overlook them when assessing other factors and effects which converge and fuse, fostering the occurrence of this phenomenon.

Following this idea, the next step is to provide an approach to the online disinhibition effect and the Proteus effect[27] in relation to the ABC model[28] and the behavioral confirmation bias. These elements play an important role in explaining why people behave in a certain way, with the particularity that the focus is set on digital environments due to the nature of this work. Therefore, the subsequent sections will expound the connection between these concepts and cyberbullying.

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[27] The Proteus effect refers to the fact than "an individual's behavior conforms to their digital self-representation independent of how others perceive them" (Yee & Bailenson, 2007, p. 271).
[28] The ABC model is based on the consequences derived from the (in)appropriate assessment and thoughts which usher in (ir)rational beliefs of an activating event.

➤ Relationship between bullying and cyberbullying

Relationships | Power ¿?

Control

Bullying and cyberbullying

Bullying (e.g.; beat somebody) may lead to

⬇

Cyberbullying (e.g.; record the beating and post it)
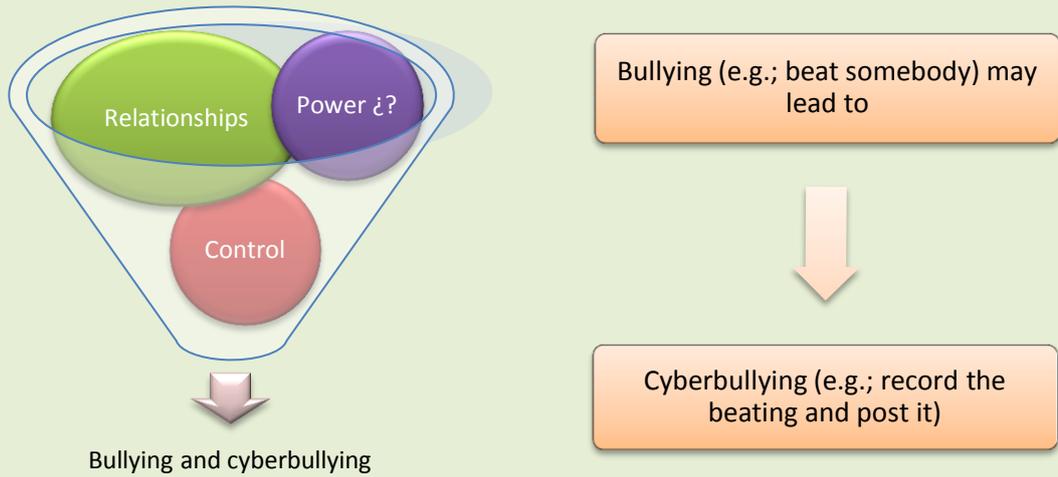
➤ Particularities of cyberbullying

Difficult to identify the aggressor

No physical damages

Easier to conceal

Roles less marked (may usher in bidirectional violence)

Content accessible to anyone

No safe places

Unespecified time-space dimensions
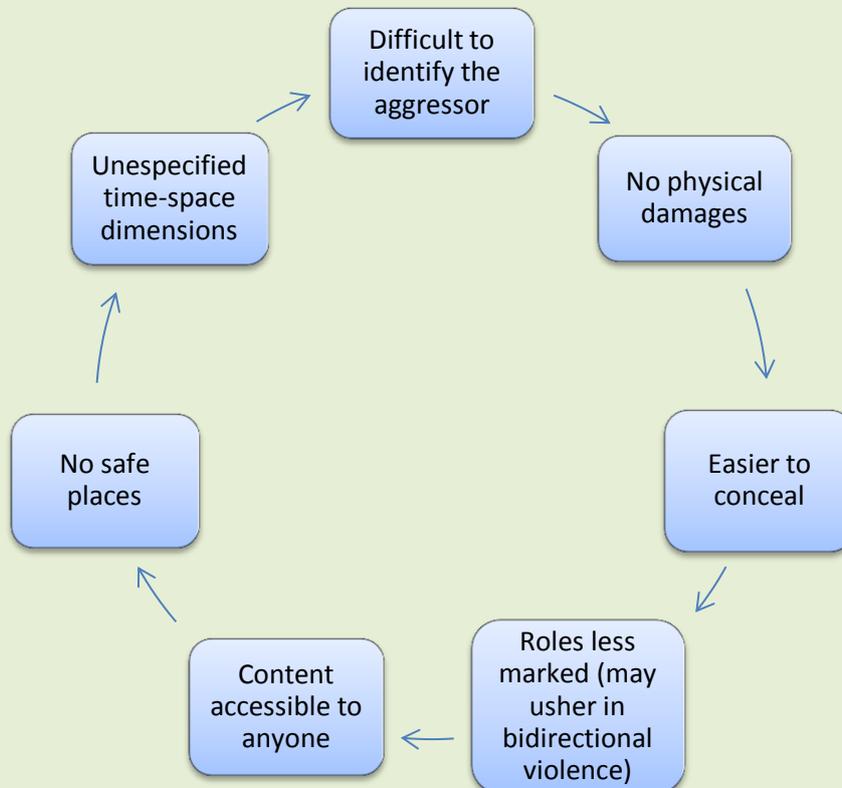
3. The online disinhibition effect

It is often suggested that people in the same situation behave differently depending on whether the communication is direct (*offline*) or is not (online). To the same extent, disinhibition takes place with ease in online environments (Whittle, Hamilton-Giachritsis, Beech & Collings, 2013). The online disinhibition effect can be extrapolated to the phenomenon of cyberbullying. According to Suler, there are at least six different elements that converge to create this `disinhibition effect´ (Suler, 2004).

The first one is **dissociative anonymity,** for which the fact to be behind a screen gives people the confidence needed to develop disapproving behaviors due to the feeling of being completely anonymous and unidentifiable that the internet confers on them. In other words, the actions committed by a determined person cannot be attributed to that person. The use of nicknames or email addresses does not reveal almost anything about the user and for some people there is a detachment between the online identity and the offline identity (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013; Suler, 2004).

A partially overlapping concept is **physical invisibility,** which also comes into play. This second element encourages the disinhibition effect since it helps people to act in different ways from their behavior in face-to-face situations (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013). However, it differs from the previous one in some aspects: the fact to be physically invisible to the others increases the disinhibition effect. Even though the identities are known, it is still not possible to see them or to hear them. Moreover, it is stated that "avoiding eye-contact and face-to-face visibility disinhibits people" (Suler, 2004, p. 322).

The new electronic means guarantee the difficulty of being identified since there is evidence that in many cases the teenagers use nicknames, which complicate it. Moreover, as explained in one of the questionnaires (as detailed below), there are new networks (e.g.; Ask.fm) that allow people to post any kind of message anonymously. It can be used from just asking questions, to insulting or to posting offensive messages. In that sense, dissociative anonymity becomes involved, since behind the screen, the confidence needed to develop disapproving behaviors towards their peers is built. It seems evident that this is linked to physical invisibility since in many cases teenagers

would not dare to misbehave with those they are seeing and listening to. They would feel too inhibited to develop such demeanors.

Moving forward to the third aspect, **asynchronicity**, its relevance resides in the real absence of direct answer at the moment. For instance, in those situations in which a text message is sent, the receiver may not see the message or may not show any reaction in a considerable length of time, fostering the disinhibiting effect, since the transmitter does not need to cope with the receiver's reaction. Therefore, the actions do not occur in real-time, or rather, there is a time-lag effect (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013).

Suler alludes to the process of conforming to values and social norms by the feedback received when instant responses are given in direct communication. In this way, some behaviors are reinforced whereas others are weakened. However, on account of that delay in the responses in online communication, this process is interrupted and leading to benign or toxic disinhibition, and avoiding social norms. Suler also emphasizes the idea that for some people to post or send a personal, touching or displeasing message may be a way of escape. It feels safer to do it behind a screen (Suler, 2004).

Asynchronicity is another important aspect concerning cyberbullying. In direct conversations, answers are given at the moment and the abuse is taking place in real time and world. This does not give the feeling of security desired that helps people to develop such behaviors. Thus, the Internet provides new means of communication by which the interaction is indirect and the disinhibiting effect is fostered, since the transmitter does not need to deal with the receiver's reaction. Also, social norms and values are disregarded due to the lack of control to reinforce appropriate behaviors and weaken the inappropriate ones in a way that encourages the feeling that "on the internet, everything's fair".

The fourth factor that must be taken into account is **solipsistic introjection** and it alludes to the "sense that one's mind has become merged with the mind of person they are communicating with online" (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013, p. 66). In his work, Suler maintains that this element involves conceiving another person's message as ours, or rather, that an assimilation process is conducted. This is

compared to talking to oneself, which is safer than talking to others. Additionally, the creation of fictional images about how the others sound or look is frequent not only by the association of personal traits or features specific to them, based on the impression given during the interaction, but also "by one's internal representational system based on personal expectations, wishes and needs" (Suler, 2004, p. 323).

Solipsistic introjection is the one that seems more difficult to correlate with cyberbullying, since it is assumed that this phenomenon generally takes place between people who already know each other. Nevertheless, as stated previously, despite existing prior contact between victim and offender, the identity of the latter may remain anonymous. Thus, this element should be assessed with caution and attending to the particular characteristics of the situation.

Dissociative imagination is the fifth characteristic, and it implies that the dividing line between what is real and what is not becomes thin and vague, assessing the events with dim sight. The people involved believe that they are able to keep that fictional world completely separate from the real world and furthermore, they firmly believe that the fictional character exists in the online world (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013). As stated by Suler, "online fiction" is separated or dissociated from "offline fact" (Suler, 2004).

Dissociative imagination can be related to the aspect that specific roles adopted in cyberspace may differ from the roles played offline. This can be associated with the fact that some teenagers, though apparently peaceful and mature, may adopt aggressive and cruel behaviors online, which can be directed towards their peers.

Finally, **minimization of status and authority** entails perceiving the other as equal, deleting the status and the imbalance of power existing in the physical real world and enhancing the possibility of interacting with everybody freely (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013). In light of specific personal traits in face-to-face context such as physical presence, gender, race or social status for instance; people may feel insecure and less disposed to express certain attitudes. In cyberspace, by contrast, the fear to be deplored either punished is decreased since everybody indiscriminately can make themselves heard, for `benign´ purposes, or for `toxic´ purposes (Suler, 2004).

In respect of cyberbullying, the minimization of status and authority does not entirely explain the phenomenon of cyberbullying. It is previously said that it entails perceiving the other as equal, deleting the status and the imbalance of power that can exist in direct relationships. In cyberbullying, it seems that the imbalance of power can be an abidance of a situation already existing or it can be a consequence of the anonymity provided by the internet. Nevertheless, this is a debatable concept since for some scholars the anonymity does not allow the maintenance of the imbalance of power present in direct interpersonal interactions due to the invisibility the internet confers.

This online disinhibition effect shifts back and forth between two rival directions. On the one hand, it can be `benign´ when it helps people to overcome shyness for instance. Thus, it serves for showing acts of kindness or helpfulness or disclosing personal thoughts, inter alia. On the other hand, the disinhibition and the consequent behavior can be `toxic´ if it is for expressing censure, anger or menace. These attitudes are identified in the interactions among youngsters when using the internet for inadequate social purposes, for instance, revealing sensitive and personal information to strangers or by engaging in online peer harassment, or in other harmful and risky activities (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013).

> ➢ The online disinhibition effect sets out a launch of an analysis about the behavior online on the grounds of the dissociative anonymity, physical invisibility, asynchronicity, solipsistic introjection, dissociative imagination, and minimization of status and authority.

The upcoming chapter tackles the online disinhibition effect by developing an exploratory study to test the elements comprised in it.

4. An empirical approach to the online disinhibition effect

4.1. Introductory section

The online disinhibition effect, widely studied by Suler and other scholars, entails a fundamental aspect to understanding the relationship between this effect and cyberbullying. The development of a modest exploratory study has been conducted in this paper in order to acquire some knowledge about the perception of several students about the incidence of the elements involved in the online disinhibition effect. The analytic tool to accomplish this goal was the use of a questionnaire to collect all the data. The sample was comprised of six participants aged from thirteen to seventeen who voluntarily filled in it. The questionnaire was sent by email to each of the teenagers who voluntarily decided to participate.

4.2. The sample

Even though its qualitative purpose, the sampling technique used is not random; it is sampling by the quota system. It is a combination between expert and circumstantial sampling. From the first one it takes the procedure based on the subjectivity of the researcher. This refers to the fact that for this study, the specific profiles and the number of the interviewees needed were pre-established. 50% men and 50% women aged from 13 to 17 years old resident in the Basque Country were required. From circumstantial sampling it takes the fact that the participants took part voluntarily (as long as they fulfilled the requirements). Moreover, they were contacted via friends, acquaintances and neighbors who provided their email addresses. The age range established met the needs for the questionnaire being understood by minors. A lower limit of age would have complicated the assessment of the responses.

It must be specified that the questionnaire was provided to the participants in Spanish due to practical reasons. However in the present work, to display the methodology used as rigorously as possible, the questions and the answers are translated into English.

The sample size was recommended to be increased to foresee the subsequent loss of participants at the moment of filling in the questionnaire. Therefore, since the answer

rate expected was of 75%, the sample size was increased from 6 to 8 participants based on this formula: $n2 = \frac{n1}{0,75} = \frac{6}{0,75!} = 8$

On this basis, the questionnaire was sent to eight teenagers, of whom six successfully filled in it. Thus, the sample was comprised of six participants (N=6) aged from thirteen to seventeen, three of them men and the other three women. To conclude this section, it is particularly notorious that no one of thirteen years old took part, which was the minimum age required to participate. This could be a direct consequence of the complexity of the questions asked or the universe approached.
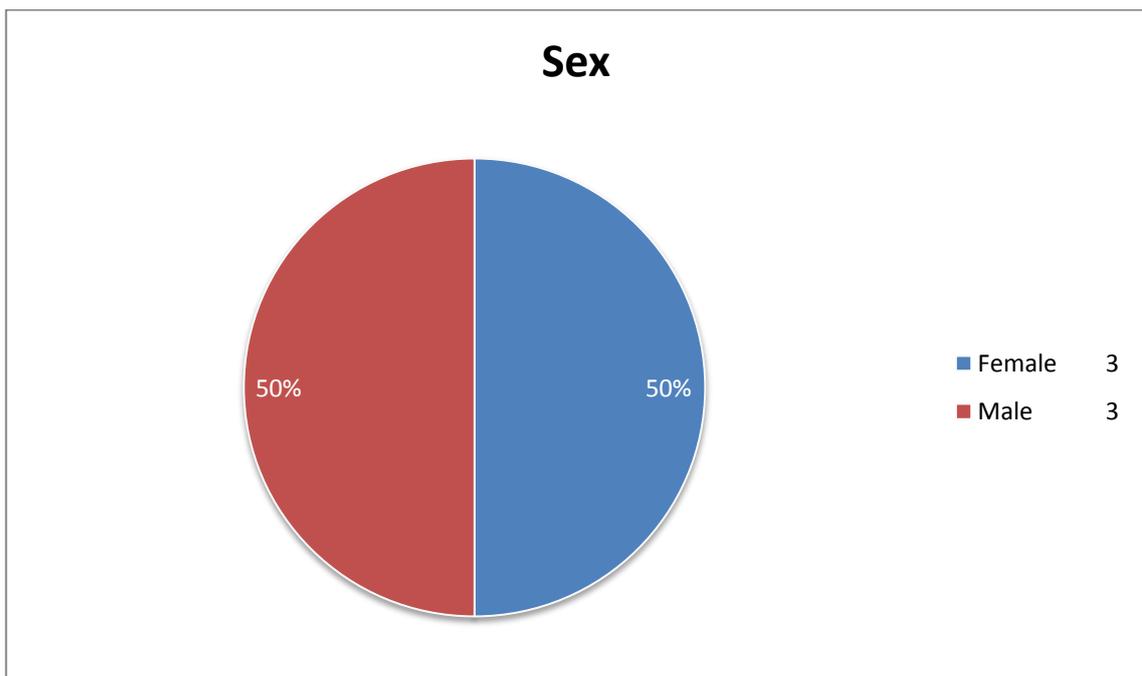
Graph 16: Sex of the participants

Age

■ 13	0
■ 14	1
■ 15	1
■ 16	3
■ 17	1
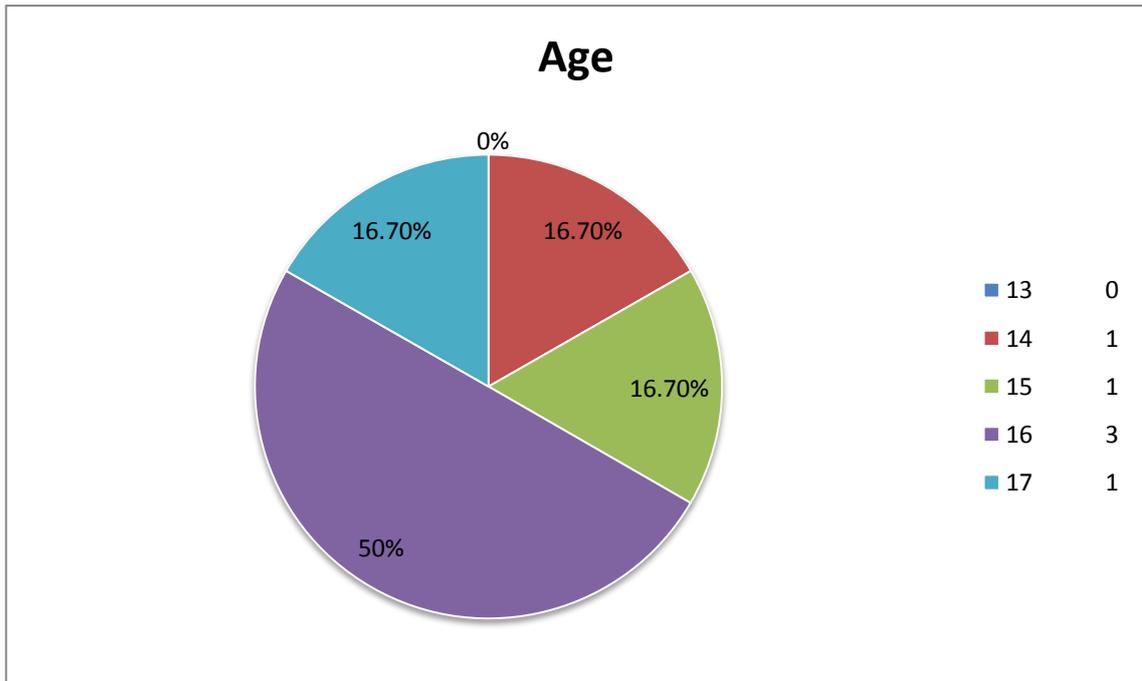
Graph 17: Age of the participants

4.3.   The method

First of all, the informed consent of all the volunteer participants was required and it was sent together with the questionnaire. (SEE ANNEXES 2 AND 3). The anonymity and confidentiality of sensitive data were guaranteed because information by which participants could be identified will not be used in publication nor released in any other way. Since the participants were not of legal age, the signature of any of their parents or a legal representative was also required. Secondly, using a cross-sectional survey design, the questionnaire was sent by email and the answers were saved in a spreadsheet of Google Drive. It took ten days to do the data gathering and the assessment of the answers provided. The only personal information asked was the sex and the age of the participants. This information was asked in a multiple choice format. Subjective data relative to the opinions and the perception of the interviewees were collected in open-ended format and they constituted the six questions remaining.

They made allusion to the six elements which converge to create the online disinhibition effect. The objective of these open-ended questions was to give the participants the opportunity to express themselves about what they think and interpret of some of the factors studied in this work. This is not a representative sample, since it cannot be

extrapolated to whole. The aim of this research is to provide a first approach to the perception of different teenagers concerning the online disinhibition effect.

The six questions formulated in relation to the six elements studied by Suler are provided in Table 6.

Table 6. Categorization of posted questions

Question category	Question formulated
1. **Dissociative anonymity**	*1. Does the use of online profiles or nicknames give you a feeling of more security and anonymity? Do you think that some attitudes are fostered by that anonymity? Justify it*
2. **Physical invisibility**	*2. Does the physical impossibility of seeing and hearing the other person make you be braver when saying or doing something during the interaction? Put an example*
3. **Asynchronicity**	*3. When you send a message online, how does it feel not to receive a direct and immediate answer? Does it change depending on if the message is positive or negative? Explain it*
4. **Solipsistic introjection**	*4. If you send any message to someone you do not know personally, do you usually try to imagine how the other person looks or sounds like? If so, why do you think it happens?*
5. **Dissociative imagination**	*5. Do you think that interactions in cyberspace meet the same social norms dictated for the offline world? Why?*
6. **Minimization of status and authority**	*6. Do hierarchical relationships exist in online communication or, on the contrary, do you perceive everybody as equal? Give reasons*

Replies to original posted questions were studied for content analysis. (SEE ANNEX 4) Examples of answers given regarding each question category are provided in Table 7.

The extracts displayed hereunder have an illustrative character and they help to assess the understanding and the perception of some of the participants.

Table 7. Replies and views for specific questions

Question category	Examples of answers
1. Dissociative anonymity	*"Yes, because you can express your opinion freely without being directly judged". Yes, because thanks to that anonymity every kind of actions can be carried out"* *"Yes". "Yes, I think people change their behavior because as nobody knows them, they don't care about what they say"* *"Not security but anonymity. That's not always good because by using another name people can hurt others without the other person is aware of that"*
2. Physical invisibility	*"Yes, for example in an argument because you don't feel inhibited by the other person"* *"Yes, especially when saying the truth"* *"There's a social network, Ask.fm, which it is used to ask people questions and they reply but as it is anonymous, many people take advantage of it to insult people they don't like"*
3. Asynchronicity	*"Not to receive an immediate answer if the receiver is a friend or you're worried about the answer can affect you negatively. If that person does not mean anything special for you, you don't pay attention to the celerity of the answer"* *"When I send an important message to someone I need to get an answer back as soon as possible, otherwise I get nervous. Sometimes it can happen that you send a negative message and the receiver takes a long time to reply if he or she finally does; so, yes, it changes"*

	"Normally it doesn't feel anything unless that I know that the other person has already read it and didn't answer, so in those cases I'd feel concerned. Of course this feeling is intensified if the message is negative in which case I think I'd be nervous from the beginning"
4. Solipsistic introjection	*"Yes, I try to imagine how the other person looks like and I think it happens because if people send a message to someone they don't know physically, they need to know something about the recipient of the message"* *"Yes, generally I try to help myself with any photograph. No, I don't know why it happens"* *"When I talk to someone I don't know physically, he or she shows me a picture of themselves or I see it in any social network so there's no need to imagine how they look like"*
5. Dissociative imagination	*"No, it should be that way but it isn't. Freedom and anonymity are more present in the online world, which foster the user's belief that everything's fair"* *"No, it's not the same because people easily loosen up in the digital world since as you don't see the other person, you feel less inhibited".* *No, people's personality and the kind of things that are sometimes spoken are not always the same in the real life. I think that the real world is very different from the world online"*
6. Minimization of status and authority	*"Given that the majority of people I relate to on the internet are more or less of my age, I treat everybody as equals"* *"No, it always depends on the person you're talking to. You don't give the same importance if the person is just a friend or if you feel something special for that person"*

	"If it's a formal online communication to professors, businesspeople and so on, I notice that hierarchical organization but if there is an informal communication as it happens in chats, forums and so forth I perceive everybody as equals"

4.4.   The results

By using a manual content analysis technique, the findings were reached by comparing and contrasting the congruence in the answers given and the agreement among the participants. Similarities were identified, but also disparities in their opinions.

The results show quite a lot unanimity and coherence in the answers given despite the age range being quite broad. Concerning the questions relative to the online disinhibition effect, the first one alluded to **dissociative anonymity**. Almost all the participants agreed that the internet confers a feeling of more security and anonymity on people which enables the execution of any kind of malicious acts. One of them stated that the bullies can hide themselves and online peer victimization is promoted by the lack of control over the users' identities. Only one of the survey respondents did not consider that the use of online profiles or nicknames gives a feeling of more security. Also, another one polled did not think that these provide much anonymity but recognizes that some people take advantage of the use of nicknames to act negatively.

In the question regarding **physical invisibility**, there is a complete unanimity in the answers given among all the participants. All of them agreed that not having the person you are talking to or you are talking about in front of you make people say things they would not normally dare to say in face-to-face conversations. Overcoming shyness, disinhibition and speaking openly, loud and clear, are some of the things mentioned by the participants.

The third question referred to the third factor, **asynchronicity**. Here, the opinions differ. Two of the volunteers focused on the nature of the message sent. If it was considered to be an important message the feeling of nervousness and impatience increased with the

delay in the answer. The four remaining set the focal point on the relationship with the receiver. If there is a personal interest in that person, the delay in the answer affects them negatively. It gives the impression on them that they are being ignored. Two of the respondents assessed this perception based on the fact that in the digital era, if they know that the other person has already read the message and has not given an answer, they feel annoyed.

Three of the volunteers assessed the question referring to **solipsistic introjection** with affirmative answers. For them, it feels necessary for people to try to imagine what the person they are talking to looks like. Sometimes, the prejudices are constructed while the interaction is taking part. The three respondents remaining did not consider that this factor intervenes in the communication. For one of them it seemed to be impossible to try to imagine the appearance of the others by just reading their messages, and other participant alluded to the fact that it is not necessary to do that. The justification is that during the interaction, either a photograph of the other person is already available in any social network or the receivers show a picture of themselves.

With regard to the question about **dissociative imagination**, almost all the survey respondents agreed that the digital world differs from the world offline in many aspects. Attitudes change, sense of shame and common courtesy are forgotten online. Disinhibition takes place, and freedom and anonymity make people believe that everything is fair in cyberspace. Only one of the polled disagreed with these statements, since this person considers the network as an extension of the non-digital world.

Last but not least, with reference to the element of **minimization of status and authority**, the beliefs vary among the participants. Two of them stated that hierarchical relationships are not developed in cyberspace. For one of them, it was just the fact that everybody seems to be at the same level, whereas for the other person all the communication takes place with people of the same age. Consequently, it is the factor of the age which contributes to perceive and treat everybody as equals according to the perception of this respondent. By contrast, the four remaining interviewees assessed the question formulated considering other variables. One of them supported the idea that hierarchical communication only happens if the online contact is directed towards professors or businesspeople in which cases it is also considered a formal

communication. However, if the interaction is developed in chats or forums, for instance, everybody is perceived as equal. Another respondent considered that it depends on the person you are talking to. This belief is set on the idea that if there is a special feeling towards that person, the importance given to the communication differs. For the third participant, everything depends on the popularity of the other on the network. The last one polled affirms that it is the same situation in which people are exposed to in real life. Sometimes, people feel scared of having to talk to someone in particular and they try to avoid it or to do it less than they do with other people with whom they do not have that feeling.

4.5. Conclusions and discussion

Berger and Luckmann state that "the most important experience of others takes place in the face-to-face situation, which is the prototypical case of social interaction. All other cases are derivatives of it" (Berger & Luckmann, 1991, p. 43). It seems evident that in every kind of human interaction there is an emotional baggage which influences how people perceive the message, themselves in front of the others and the others. Until very recently, face-to-face contact was the main way to communicate with each other, but with the proliferation of the ICTs, the new means of communication are playing a key role. The Internet, in particular, is becoming one of the main connections among people all over the world, since it provides everybody with unprecedented opportunities for communication. It should not be disregarded that the online disinhibition effect can be crucial to understand how people interact with each other in cyberspace.

In the present study, the six volunteer participants easily identified which factors and which kinds of behaviors are related to this effect. One of the strengths of the present study is that it provides a range of qualitative information on the perception of the online disinhibition effect. In broad terms, it was found that most of the elements involved in this effect are present during the interactions online. Therefore, the aim of this study is successfully achieved.

Nevertheless, the results of the present study should be interpreted in the light of a number of research limitations. These include its cross-sectional design, the limited age

range of the participants and the small size of the sample, which was not aimed to be representative and cannot be extrapolated to whole. Therefore, strong caution must be exercised when comparing and contrasting the findings obtained with those of others.

As the design of the survey is cross-sectional, since it is only once applied, it would be interesting to develop a longitudinal panel study to observe the perception of the interviewees at specified intervals over a long period. In future works we could verify whether their perception regarding the online disinhibition effect changes with the passage of time. A potential null hypothesis could be to test whether their perception becomes stronger while the new technologies are being developed progressively and more and more integrated into our society. Another interesting way to go in-depth on this issue could be by considering the changes in the perception as a situation originated from the sociocultural context. Further studies could also consider working with minors of 13. Despite the age range being established in our study from thirteen to seventeen, there were no participants of the minimum age required (13). This could be a direct consequence of the complexity of the questions asked, which it is something that must be taken into account for the design of future questionnaires.

Nevertheless, not only the online disinhibition effect influences and explains why and how much people misbehave and reveal hidden faces or latent defects on the Internet that differ from their behavior offline. Personal features like impulsivity, a deep shyness, repressed emotions, personal drives, and isolation may also be important predictors of the behavior in cyberspace, which need to be studied thoroughly (Suler, 2004). Along these lines, the Proteus effect, which is explained hereunder, plays a key role to understand that specific and personal factors related to the beliefs and emotions may usher in different behavior online (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013).

The next graph summarizes the key message of this section.

A modest exploratory study was conducted

to assess the perception of 6 students aged from 13 to 17

about the incidence of the 6 elements involved in the online disinhibition effect

via: a questionnaire.

The results show much coherence among the participants

and congruence about the presence of the 6 factors analyzed.

Strengths, limitations, and weaknesses are addressed

to serve as a prelude to future works and investigations.

5. The Proteus effect, the ABC model and the behavioral confirmation bias

According to Yee and Bailenson, the Proteus effect denotes that "as we choose our self-representations in virtual environments, our self-representations shape our behaviors in turn" (Yee & Bailenson, 2007, p. 287). In relation to this, Berson states that: "With few boundaries and little supervision, adolescents find that they can assume different identities on the internet" (Berson, 2000, p. 158) and this, in turn, "in accordance with Proteus effect, may influence their behavior" (Whittle, Hamilton-Giachritsis, Beech, & Collings, 2013, p. 67).

The concept of belief perseverance plays an important role in this issue. It supports the idea that once people form a belief, instead of seeking contradictory evidence, they selectively search and collect new information to confirm that belief. Thus, if contradictory evidence is found, this will be disregarded making those beliefs reluctant to change. Belief perseverance can, consequently, lead to premature close and behavioral confirmation bias (Vervaeke & Vaes, 2014-2015).

With the objective of clarifying the relationship between the Proteus effect and the belief perseverance, the ABC model developed by Albert Ellis in 1955 can serve as a nexus to explain these ideas. The ABC theory of human disturbance holds that "people experience undesirable activating events (A), that they have rational and irrational beliefs (B) about these stimuli, and that they create appropriate emotional and behavioral consequences (aC) with their rational beliefs (rB) or they create inappropriate and dysfunctional consequences (iC) with their irrational beliefs (rB)" (Ellis, 1993, p. 199).

Therefore, A involves the activating events, B alludes to the beliefs associated to those events and C implies the consequences linked to the beliefs. An example provided by Ellis displays the concept: A - "He hates me!" then B - "It's awful that he hates me!" and C - "I'm worthless because he hates me!" (Ellis, 1993, p. 199).

The way people interpret the events determines their beliefs and the emotions associated with them. If an event is negatively assessed, the tendency when a similar situation takes place will be negative. This is linked to the notion of behavioral confirmation bias. For example: A – "He did not say hello to me" then B – "I am disliked by him" and C – "I feel worthless". Although there can be many reasons why he did not say hello to me (e.g.; he did not see me, he was in a hurry, etc.) due to that irrational belief, next time I see him I am going to ignore him fostering the behavioral confirmation bias that "He did not say hello to me because he does not like me and I feel worthless for that".

Yee and Bailenson closely studied the behavioral confirmation bias and they explained it as "the process whereby the expectations of one person cause another person to behave in ways that confirm the perceiver's expectations" (Yee & Bailenson, 2007, p. 272). This becomes clear when assessing communication between people using attractive avatars since, in these cases, the perceivers tend to give a pleasant treatment to the others. As a result, it is noticeable that the perceiver is the one who determines the behavioral change in the target's behavior based on their own assumptions and beliefs towards them irrespective of the real facts (Yee & Bailenson, 2007).

These situations can be easily triggered in online environments due to the lack of direct contact and face-to-face conversations. Misunderstandings are easier to happen and also

assumptions and speculations take place easily. On the internet, different identities are adopted and different behaviors are developed. If someone is emotionally abused through websites, instant messaging, or personal profiles by receiving negative comments, displeasing photographs, or practical jokes inter alia, their self-perceptions can be influenced by the feedback received, hindering the recovery.

The above ideas are summarized in the following graph:

The Proteus effect

The ABC model

The behavioral confirmation bias

Other explanatory elements of the misbehaviors online

The self-perceptions of the victims of cyberbullying can be influenced by the feedback received online hindering the recovery. This encourages the victim to behave in a way that reinforces the abuser's expectations
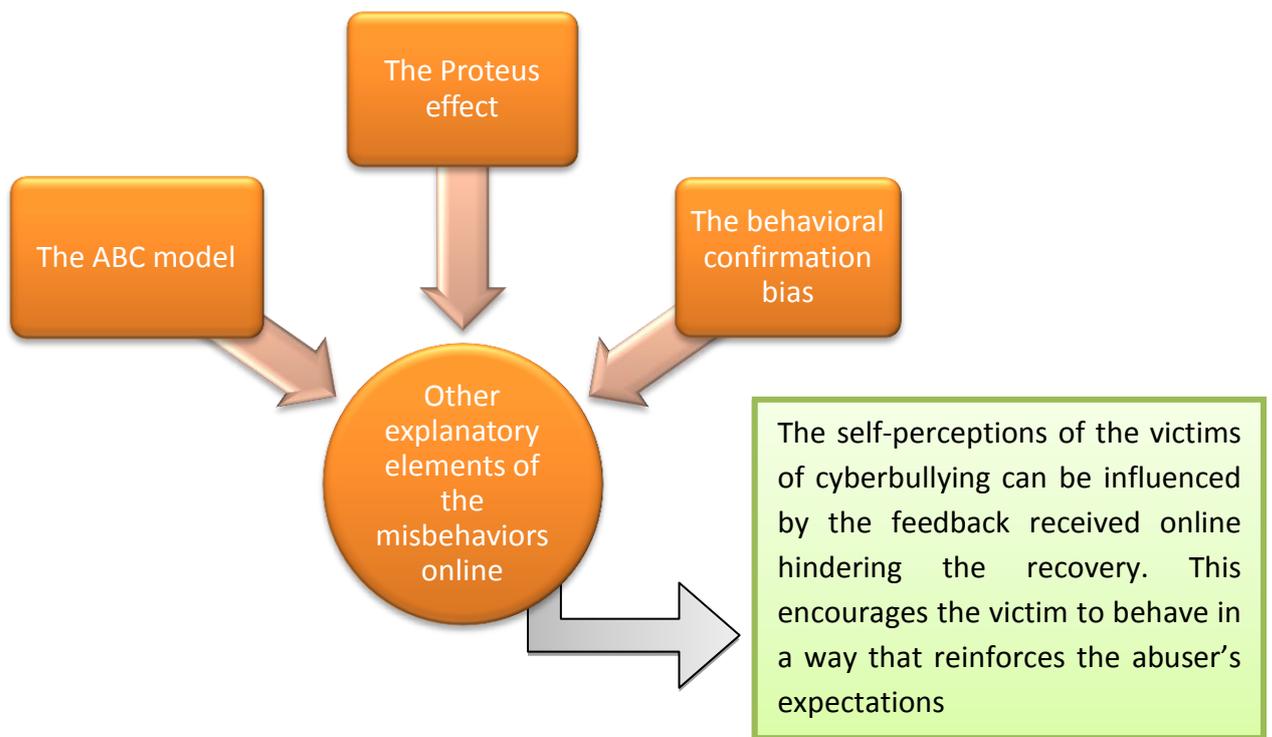
Graph 18: Other elements involved in online misconducts

This comes clear especially in the case of children because of their high vulnerability and the fact that they are easily influenced and sensitive to others' opinions. All the personal characteristics attached to minors that make them prone to be victims of cyberbullying are described in the next section.

The questionnaire conducted reinforced the perception about the elements studied by Suler despite being a modest exploratory approach to the online disinhibition effect. The Proteus effect in relation to the ABC model and the behavioral confirmation bias complement the assessment developed about the behavior online.

6. Factors of victimization: endogenous and exogenous

Diverse elements which can shed light on the process of cyberbullying have been explained in previous sections. The next step is to connect them with factors of victimization. These comprehend all those situations and conditions of an individual which make him or her prone or more vulnerable to become a victim. These factors contribute to victimization but do not necessarily produce it. The personality and the circumstances may compensate and neutralize unfavorable situations.

The factors of victimization can be endogenous and exogenous. The first ones are inherent to human beings, although culturally and socially constructed. The second ones are the result of a series of circumstances which promote the victimization.

6.1. Endogenous factors

Regarding the endogenous factors, they go from the age to the sex and psychological factors, inter alia. Both the elderly and the children are more vulnerable due to the impossibility to defend, express and communicate themselves, and to the dependency on others. Sex also plays a key role for instance in crimes against sexual freedom or in domestic violence cases, and also the sexual orientation. Psychological factors and cognitional processes are fundamental. People with hearing or visual impairment are more vulnerable, but victimization can be also related to the ability to pay attention, since for instance, distracted people can be easily victimized (Mayordomo Rodrigo, 2012-2013).

The lack of experience and the learning are also important because some people are proven to be able to learn not to become victims. Moreover, the memory, the absent-mindedness, the oversight of being cautious, and the lack of intelligence should not be disregarded. Neither can the emotional sphere, the anger, the love and fear be overlooked. They intensely overpower people fostering the loss of control and originating a situation in which people can be easily victimized. Fear is the most dramatic and uncontrollable emotion (Mayordomo Rodrigo, 2012-2013).

The willingness, the personality and the instincts must be also taken into account. A well-structured personality is less likely to suffer victimization than an unstructured personality. The instincts make allusion to dangerous and deviant sexual instincts such as masochism. Other psychological factors are determining, for instance, depression, anguish, aggressiveness, phobias, alcoholism or affective disorders, inter alia (Mayordomo Rodrigo, 2012-2013).

Concerning the matter at hand, the mere fact of being minors is a key factor for this type of victimization. Cyberbullying implies a similar age range between the victim and the bully, both under eighteen. The age is important because this issue is exclusively referred to minors, otherwise it would be another type of harassment. Children victims of cyberbullying have not reached a certain degree of maturity necessary to overcome the problems faced in a healthy and efficient way. Moreover, their psychological resources are not as developed as in adults. The age is linked, therefore, to the personal and socioemotional development. These growing children are more vulnerable, emotionally dependent and unstable, and prone to be externally influenced and victimized by others.

Apart from that, little is said about the endogenous factors in victimization by cyberbullying. This is mainly due to the fact that the victim does not necessarily need to be known by the aggressor. With the internet, videogames, or mobile phone among other devices, the victim can be any reachable person through these means (Flores Fernández & Casal Lodeiro, 2002). However, according to the data aforementioned it seems that in the majority of the cases, the aggressor and the victim know each other.

6.2. Exogenous factors

The exogenous factors are not inherent to the individual. They can be spatial, temporal, or social. There is no doubt that frequenting some places is more dangerous than frequenting others, in other words, there are places of victimization. However, from a human rights perspective, this might never hinder the freedom of movement or the so-called right to the city, particularly for girls and women and other minorities.

Coming back to the subject, it is essential to reiterate some of characteristics already addressed on the phenomenon of cyberbullying, which are linked to the exogenous factors of victimization.

Firstly, in the majority of the cases of cyberbullying the bully and the victim already know each other from the school. Schooling is, thus, a key factor for this type of victimization. Despite the lack of agreement among scholars about the duality of bullying and cyberbullying, it is more likely that cyberbullying is an extension of the bullying suffered at school, although this is not always the case. On the contrary, it is unlikely that it happens vice versa.

Secondly, there is not a defined place to develop the associated misbehaviors. It is said that for some crimes, there are places of victimization due to the nature of the place itself. This traditional understanding is not valid for cybervictimization by cyberbullying anymore. In cyberspace, there is no a physical 'crime scene'. Therefore, the key issue is that it involves the execution of the offence in a no-place. There are no safe places since the victims of cyberbullying can be threatened everywhere by any digital means. In other words, contrary to traditional bullying, cyberbullying can take place outside the school complicating its detection, becoming an invisible reality. Time-space dimensions are unspecified, which implies that its spread takes place at great speed. However, situational crime prevention might make sense with regard to the location of the computer used by the minor or the time allowed to the minor to use his mobile. In both examples more control by parents, family members and other adults or peers could be provided in a positive preventive way.

Endogenous factors in cyberbullying:	❖ The age ❖ The personal and socioemotional development ❖ The sexual orientation
Exogenous factors in cyberbullying:	❖ The schooling ❖ Cyberspace = no (physical) place = no safe place

IV. Harm and the impact of cyberbullying

In prior sections, not only the characteristics of cyberbullying have been addressed but also the factors favoring victimization. Having assessed the elements which converge to foster this online peer victimization, the next step is to provide an analysis about the harms that the victims suffer. Two different schools of thought are taken as a frame of reference. On the one hand, a harm assessment framework developed by Greenfield and Paoli is addressed to identify, evaluate and compare the harms suffered by the victims of cyberbullying. On the other hand, a victimological perspective deals with the types of victimization with its intertwined objective and subjective dimensions at the macro, meso and micro levels.

To identify and assess victims' harms are difficult tasks, since there is a subjective component on how people feel and perceive their damages. Therefore, to "quantify" and qualify the harm must be done with an extreme care and respect.

1. Harm assessment framework developed by Greenfield and Paoli

The harm assessment framework used in the present paper is the one developed by Greenfield and Paoli in 2013. It takes into consideration the "identification, evaluation and, within limits, qualitative comparison of the harms associated with wide-ranging criminal activities … It draws together a model of the criminal activity, a taxonomy of the types and bearers of harms, scales for evaluating the severity and incidence of

harms, and a matrix for prioritizing harms" (Greenfield & Paoli, 2013, p. 866). The reproduction of the following table illustrates this idea.
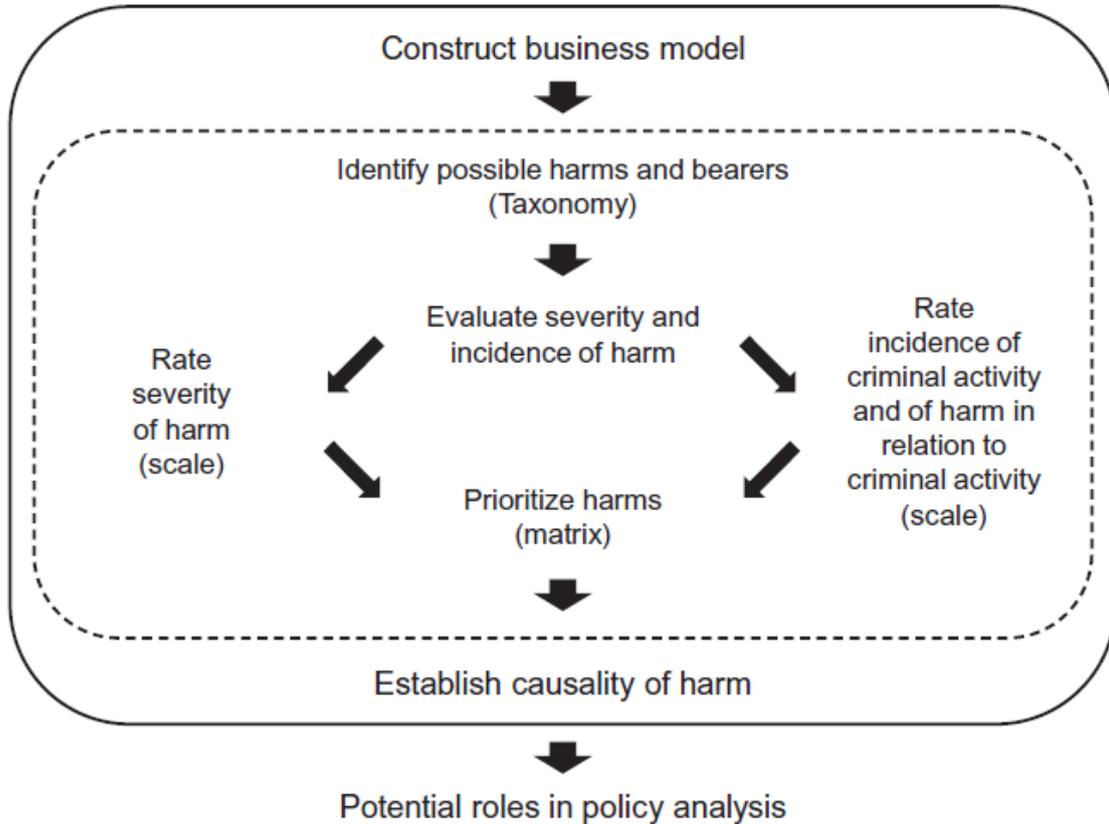
FIG. 1 Harm assessment process. First published in Paoli *et al.* (2013).

Table 8: Harm assessment process

The two-dimensional taxonomy developed by Greenfield and Paoli provides an assessment of the bearers of harm and the types of harm. Four different types are distinguished concerning the bearers: individuals; private-sector entities, encompassing businesses and non-governmental organizations (NGOs); government entities; and the environment. Regarding the harms, the classification comprehends the following dimensions: damages to functional integrity, material interests, reputation and privacy. It must be noted that "not all types of harm are relevant to all classes of bearers" and that the same criminal activity can and it normally affects more than one interest dimension (Greenfield & Paoli, 2013, p. 868). For instance, cyberbullying affects functional integrity, material interests, reputation and privacy at different scales. The types of harms come clear in the next table.

	Bearer of harm			
	Individuals	Private-sector entities	Government entities	Environment
Type of harm				
Functional integrity	X*	X**	X**	X***
Material interest	X	X	X	n/a
Reputation	X	X	X	n/a
Privacy	X	X	X	n/a

TABLE 1 — *Bearers and types of harms*

Notes: X, applicable; n/a, not applicable; * functional integrity consists of physical and psychological integrity; ** functional integrity consists of operational integrity; *** functional integrity consists of physical, operational and aesthetic integrity. First published in Paoli *et al.* (2013).

Table 9: Bearers and types of harms

Functional integrity refers to physical and psychological losses becoming death the most grievous harm a human being can experience. On the other extreme, it would be momentary pain, discomfort or anxiety. Physical and psychological damages may occur at the same time or separately. Violations of material interests vary and can go "from the most basic means of subsistence to the amenities of modest comfort and luxury. Damages to reputation arise from actions or events affecting others' view of the individual" (Greenfield & Paoli, 2013, p. 869). These can stem from situations of maltreatment, physical aggression or verbal abuse, inter alia. Finally, violations of privacy encompass the unauthorized entry to the domicile or the control of personal documents, among others (Greenfield & Paoli, 2013).

Cyberbullying is considered to affect severely the psychological sphere of the victims. Real cases in different countries show how some victims have even committed suicide. The psychological effects of online peer victimized children are complicated to deal with, since the effects are long-lasting and they are subject to the unique personality and the context of the child involved. The victims experience emotional isolation, anxiety, depression, and an undermining of their personal and social relationships, inter alia. Furthermore, the ongoing character of the psychological disturbances makes risk assessment more difficult. This is also due to the facts of the invisibility of the harms produced behind a screen and that the content spread online remains beyond any control. Therefore, as for the functional integrity, this is clearly affected.

Violations of material interest may be applicable to those situations in which children need to receive any psychological or even medical treatment due to the emotional instability and the difficulties in recovering without external help. Moreover, material interests may be affected if the whole family is in the need of relocating or changing school, home or neighborhood.

In addition, harms to reputation and privacy should not be disregarded. Victims of cyberbullying can feel their image damaged due to the constant attacks. Others' view of the victims can be distorted and manipulated. Aggressions to their image, personality or any other personal feature affect negatively their confidence and security. The unwanted spread of personal content of themselves, or the unauthorized use of their personal account or profiles, imply a considerable violation of their reputation and privacy at a crucial moment of the development of their personality.

We can also think of harms occasioned to the general environment or community. Fear of crime may be included within this category. However, according to several studies, in cybercrimes the fear of crime seems to exist in an inverse sense. People seem not to be aware of the likelihood of being victimized in cyberspace, therefore, there is an upward trend to minimize the risks (Varona, de la Cuesta, Mayordomo, & Pérez, 2015). On the other hand, it seems that there is a growing concern with minors due to the misuse of the ICTs. This viewpoint derives from the fact that cyberbullying causes an intense public nuisance and a widespread fear of crime particularly among parents toward their children[29].

The taxonomy of harms entails multiple interconnected processes. For instance, it can be used to identify the harms related to a primary criminal offence, such as cyberbullying; the damages associated with 'accompanying' activities, such as to impersonate somebody to use a personal profile or account that might pave the way or take place along with the primary activity; and the harms linked to downstream activities, such as the unlimited possible number of online observers, that are at least 'enabled' to a certain point by the primary activity. The damages of 'enabled' activities

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[29] These and other aspects have been recently illustrated in the motion picture *Men, Women and Children* (2014), directed by Jason Reitman.

are described as remote, since they are conditioned by the choices made by the victims and others along the process of the offence. In the case of cyberbullying, an example of this would be to continue spreading a specific content without being aware of the damage and the reach of such actions (Greenfield & Paoli, 2013).

Greenfield and Paoli have also developed two ordinal scales and a matrix which have been combined to assess the severity, and the incidence of the specific harms of the offences. Regarding the victims, a scale with five broad categories is developed to evaluate the severity consisting of catastrophic, grave, serious, moderate and marginal. The first four refer to violations at each of the four living-standard levels, which are: subsistence, minimal standard of living, adequate standard of living, and enhanced standard for living. The fifth category, marginal, is reserved when an offence does not fit in significantly at any level because of its minimums effects (Greenfield & Paoli, 2013).

The living standard is considered as a referential point mainly due to the assumption that some interest dimensions prevail over others, since they emerge as more 'basic'. Following that idea, the violation of an individual's functional integrity may give rise to a catastrophic harm, whereas the violation of his or her reputation cannot (Greenfield & Paoli, 2013). Nevertheless, this last statement seems to be conflicting. It can be said that harms to reputation can lead to suicide in extreme cases reaching, therefore, the grade of catastrophic. However, opposing views may allude to the relationship between the harms to reputation and the subsequent psychological damage produced as a consequence of such violation. Therefore, under this assumption, the psychological damages prevail irrespective of the breach of other interest dimensions. The table displayed below shows the benchmarks or the referential points for severity ratings.

TABLE 2   *Benchmarks for severity ratings*

	Individuals	Entities
Severity rating	Level of living standard at which damage occurs	Level of mission capability at which damage occurs
Catastrophic	1°. Subsistence	1°. Viability
Grave	2°. Minimal standard of living	2°. Minimal mission capabilities
Serious	3°. Adequate standard of living	3°. Adequate mission capabilities
Moderate	4°. Enhanced standard of living	4°. Enhanced mission capabilities
Marginal	Marginal or no effect at any level	Marginal or no effect at any level

Notes: Viability consists of survival, but with maintenance of no more than elementary institutional capacities to function. First published in Paoli *et al.* (2013).

Table 10: Referential points for severity ratings

As for the incidence, a scale with five broad categories is used: always, persistently, occasionally, seldom and rarely. If a type of harm is not relevant to a particular activity in a certain context, Greenfield and Paoli conceive it as 'not applicable'. Their prioritization matrix rates the severity together with the incidence of harms. They state that it is this combination which lays the foundation for prioritizing harms. To shed some light on this issue, an example is provided: "Despite a grave harm seeming to be worthy of more attention than a moderate harm, this could not be the case if the grave harm is rare and the moderate harm is persistent" (Greenfield & Paoli, 2013, pp. 873-874). The next table shows the fusion of these two elements.

TABLE 3   *Matrix for prioritizing harms*

Severity	Incidence				
	Always	Persistently	Occasionally	Seldom	Rarely
Catastrophic	H	H	H	H/M	M/H
Grave	H	H	H/M	M/H	M
Serious	H	H/M	M/H	M	L
Moderate	H/M	M/H	M	L	L
Marginal	M/H	M	L	L	L

Notes: H, highest priority; M, medium priority; L, lowest priority. Source: based on Greenfield and Camm 2005: 48. First published in Paoli *et al.* (2013).
Copyright © 2005 by the RAND Corporation, Santa Monica, CA. Greenfield and Camm (2005). Adapted with permission.

Table 11: Prioritization matrix

To sum up, within the diversity of conducts and contexts, the severity of cyberbullying can be addressed attending to the different kinds of consequences suffered, the emotions experienced and the way to express and externalize those feelings. Related to the functional integrity, the severity of the psychological harms ranges from catastrophic if suicide is attempted, or even worse, committed, by the victim, to serious at least. This is supported by several studies which hold that child victims of cyberbullying suffer psychological difficulties, with stronger negative feelings which can lead to suicide ideations, fear, and feelings of helplessness and depression (Machmutowa, Perrena, Sticcaa, & Alsakerb, 2012). Despite the absence of sufficient data on this matter, it must be taken into account that misbehaviors online are gathering relevance and strength by leaps and bounds. Therefore, this may lead us to think that it is becoming a phenomenon of medium-high priority, according to the matrix for prioritizing harms developed by Greenfield and Paoli.

> ➢ Because of the harms produced, cyberbullying can be assessed as an issue of medium-high priority. The severity of the consequences varies from serious to catastrophic. The incidence of this phenomenon is increasing, becoming a matter of concern among the different strata of society. Attention should be paid to invisible and cumulative harms.

2. Types of victimization: primary/secondary and direct/indirect

Complementary to the previous theoretical model on harms produced, another form of approaching victim impact of cyberbullying is by providing an explanation of the types of victimization caused. Thus, the notions of primary and secondary victimization are addressed hereunder.

Primary victimization relates to the physical, material and/or psychological damage suffered as consequence of the traumatic event. If primary victimization is produced several times, either by the same person or another, we can talk of re-victimization, multiple and/or chronic victimization. Secondary victimization refers to the unintentional harms produced by negligence or malpractice by those persons and

institutions in contact with victims after the crime has been produced. Primary and secondary victimization can be suffered by direct victims (those most affected, that is, minors) but also by indirect victims (their family members, friends, school mates, neighbors, etc.).

There is no doubt that the direct victim is the one who experiences the traumatic event in first person. The psychological damage is produced by the threat to their own lives, their psychological integrity and the perception of the harm caused as deliberate (del Corral Gargallo). As for the victims of cyberbullying, their confidence and security in the world is weakened since there are no borders to prevent the attacks towards themselves. The internet and the aggressions online go beyond the boundaries and the cyberattacks can take place everywhere. This entails a harmful emotional baggage for the victims who may damage their well-being affecting, consequently, their interpersonal relationships. Family, relatives, and friends are indirect victims and suffer the impact of cyberbullying. The traumatic event suffered by the child has a contagious effect, or in other words, a shock wave which affects people emotionally involved with that child. The following graph illustrates the indirect victims who should not be disregarded.
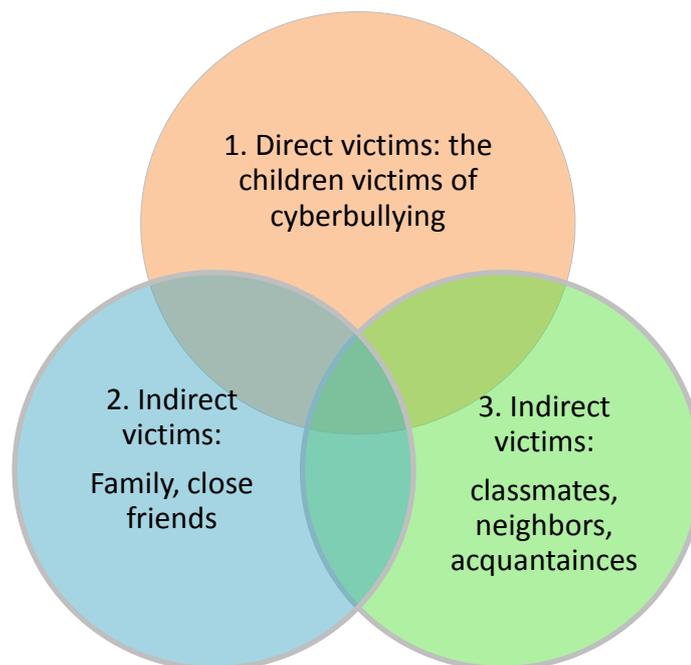
Graph 19: Types of victims

75

2.1.   Primary victimization

Concerning consequences of online peer victimization, children may experience feelings of loneliness, fear, anxiety, depression and a deep feeling of worthlessness. The episode of violence suffered may cause them a diverse range of negative and harmful emotions.

Here, we can recall the judicial resolution previously mentioned of the Provincial Court of Santander, of May 25 2012. The conclusions drawn from the psychosocial and forensic reports, regarding the consequences and feelings experienced by the victim, revealed that the victim was in a considerable status of anxiety, particularly in situations perceived as stressful or threatening. Avoidance behaviors were detected, together with psychological discomfort, low self-esteem, difficulties in getting to sleep, changes in the habitual behavior, problems of concentration, and hypervigilance (Auto, 2012).

Moreover, the victim showed anxious and depressive symptomatology, eating and behavioral disorders and low performance at school. The psychologists attributed these disorders to the acts investigated as criminal in the edict. On the other hand, the forensic report detected significant general discomfort and a social decay of other vital activities, compatible with peer harassment, not finding other stressing factors which could justify such symptomatology (Auto, 2012).

Regarding the sentence also previously referred to of the Provincial Court of Las Palmas de Gran Canaria, of November 15 2013, the victim suffered psychological disturbances as a consequence of the victimization. An adaptive mixed disorder was diagnosed in addition to a chronic anxious and depressive symptomatology, low self-esteem, and feelings of defenselessness. Moreover, intense feelings of fear, social isolation and an extreme dependency on his family were also experienced.

In relation to this, several studies found a positive or significant correlation between victimization by digital means and the damages to a person's wellbeing due to serious mental health issues. The consequences prior explained of those particular cases are comprised into the dimension of internalization of problems. Anxiety, depression, isolation and somatic complaints inter alia, are examples of internalizing behavior

problems. Despite not being present in the referred case, there is also another dimension which is the externalization of problems. Some examples of externalizing behavior problems would be to display an aggressive tendency to misbehave or juvenile delinquency, among other deviant behaviors such as drug abuse. Also, truancy and poor grades at school could be present. The effects of the cybervictimization may spread over all the spheres of the child: personal, family, social and academic (Tsitsika, et al., 2015).

A study conducted in 2013 to analyze the connection between being at some point a victim of cyberbullying and suffering depressive symptoms, among the Spanish adolescents, found that cybervictimization was a predictor of some behavioral and psychological health problems focusing on depression. These also raised the likelihood of being a cyber-victim. Therefore, there was a bidirectional effect between the predictions of cybervictimization and the depressive symptoms (Gámez-Guadix, Orue, Smith, & Calvete, 2013).

Cybervictimization   Deppresive symptoms
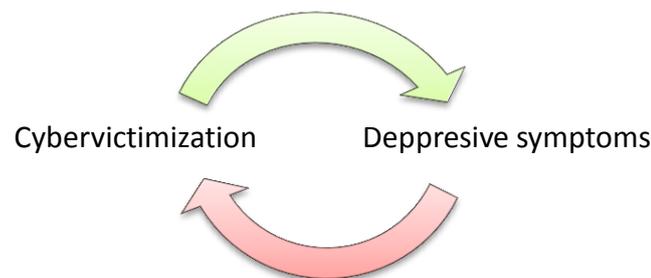
Graph 20: Bidirectional predictive elements

2.2. Secondary victimization

As said before, secondary victimization derives from the subsequent reaction to primary victimization by all persons and agencies in contact with (direct and indirect) victims. Indifference, invisibility and malpractices worsen harms or cause long-term consequences. Institutional, interprofessional and interpersonal relations play a major role (Varona, de la Cuesta, Mayordomo, & Pérez, 2015).

As far as cyberbullying is concerned, the mass media can be disrespectful towards the victims insofar as they continue displaying the personal pictures, videos or information spread online in which these are involved. That public disclosure perpetuates their status as victims. Moreover, one of the major concerns resides in the long-lasting character of the content spread via internet. Once something comes into contact with the network, it is impossible to eliminate it from all the recipients and the mass media worsen this effect by fostering the impact among the society. Its dissemination has, therefore, far-reaching implications, increasing the number of onlookers greatly. This, related to the vulnerability of the minors, can lead to psychologically devastating consequences for them.

Furthermore, ignoring them and their harm is another type of secondary victimization. There are some behaviors which can hinder their recovery. For instance, to undervalue their feelings by considering that their harm is not as important or grievous as they feel, or to disregard their complaints or suffering, and also to show them the personal thought that they should recover faster than they are doing (del Corral Gargallo). These attitudes can make the victims feel under pressure and that they are not doing enough, and it should not be disregarded that children are especially vulnerable. Thus, parents and relatives of victims of cyberbullying must show empathy, respect, support and patience toward their youngster and their feelings.

Moreover, people sometimes position themselves in favor of the aggressor and leave the victim aside. Sometimes, it is heard in the media cases of children victimized by their peers that have been forced to relocate to another place due to the constant social rebuff suffered. They may experience social shame or feel despised, which seriously affects their self-confidence and self-esteem, hampering their recovery. The fact that the content spread online is still accessible time after the cyberattack perpetuating the victimization should not be ignored either.

Finally, the analysis of the characteristics of the offence, the harms and consequences in the short-medium and long-term, and the factors and types of victimization, can help us to design better prevention, intervention and reparation schemes to foster resilience, a concept developed in next section.

Primary victimization:	❖ Produced by the traumatic event. It can affect the children (direct primary victimization), their families, classmates, neighbors, etc. (indirect primary victimization).
Secondary victimization:	❖ Produced by the mass media, the community, the police and judicial institutions by devaluating the rights and feelings of the (direct and indirect) victims.

V.   Elements of resilience in cybervictimization by cyberbullying

People are supposed to accept their part of responsibility in the events they live, despite not being able to control all the situations which affect them. This could be understood as accepting that despite some events being unfavorable due to unforeseen circumstances or any external factors, each person can do something to change or improve a specific situation. This should mean neither to blame the victim nor to stress individual factors forgetting public ones. Sometimes, it has to do with changing an attitude, a habit, a thought, the workplace, the partner or even the company. The idea of resilience, therefore, alludes to "positive human adaptation in the context of adversity" (Peters, 2006, p. 157). The resolution to react or change must come with one's self-confidence in one's own resources to confront the unfavorable situation. Sometimes, it is necessary to count on the help of others, either the close family, healthcare professionals, or other public services. This is crucial because minors are more vulnerable and have not reached the sufficient level of maturity to exploit their problem

solving skills. Thus, special protective measures must be adopted in order to safeguard the best interests of minors.

Children are in constant development, growing, and susceptible to changes. Therefore, if they are being cybervictimized by their peers, they are more likely to need help to promote a resilient attitude. However, a reaction of overprotection by their parents, for instance, will not do much in their favor. Everyday coping strategies must be developed. Subsequently, this section will deal with this issue and provide some of the conditions a child should acquire to overcome cyberbullying.

To approach the matter of resilience in the context of victims of cyberbullying, the Transactional Model of Stress and Coping (TMSC) is analyzed in order to explain how people manage themselves in stressful situations (Lazarus & Folkman, 1984). Coping makes allusion to life management skills and stress management to minimization of the emotions, the internal status, the cognitions, the demeanors and fear. It must be noted that as far as cyberbullying is concerned, there is neither sufficient research done yet nor a consistent theoretical framework on this issue. Therefore, it is difficult to identify how people select coping strategies and whether these show efficient results or not (Raskauskas & Huynh, 2015).

Prior to adopting a specific coping strategy, an assessment of the dangerousness of the situation must be done. This assessment takes place at two levels: firstly, evaluating how dangerous the situation is (primary appraisal) and, secondly, estimating what it can be done to change it (secondary appraisal). These appraisals are the result of one's evaluations of the resources at their disposal to change the situation and the perception of the threats. Basically, the coping style will vary depending on the perception of the situation and the threats as controllable or uncontrollable. Following this idea, different coping styles can be identified according to the setting of the focal point. These comprehend the problem-focused (active style and perception of the situation as controllable), the emotion-focused (passive style), or the avoidant-focused coping styles. The two latter are used when conceiving the situation as uncontrollable (Raskauskas & Huynh, 2015).

The problem-focused style refers to those cases in which a person "addresses the problem and prevents it from occurring in the future" (Raskauskas & Huynh, 2015, p. 2). Regarding victims of cyberbullying, an example would be to reveal the suffering and ask for help from another peer or from an adult, that is, to seek social and external support. The emotion-focused style alludes to the fact of "managing the emotional consequences of the cybervictimization". Lastly, the avoidant-focused style makes reference to the strategies directed toward the "victim's attempts to mentally or physically disengage from the stressful situation" (Raskauskas & Huynh, 2015, p. 2). It seems that the best strategies to adapt and confront stressful and unfavorable situations are those which consider the problem the prime focus. In an informal language, it would imply to "take the bull by the horns". Nevertheless, it seems that the majority of the minors use the passive or avoidant style strategies (Raskauskas & Huynh, 2015).

It is found that victims of cyberbullying can use online and offline strategies. The first one implies creating a new profile or blocking the aggressor from the social networking sites, inter alia. The second one varies and goes from seeking family or social support, disregarding the victimization, or counterattacking by doing similar actions (Raskauskas & Huynh, 2015).

It seems that not only the selection of the coping strategy is important but also the belief that it is going to be effective. This is essential for the confidence of the child victim of cyberbullying. Moreover, their self-attributions about the reasons that may have originated the cybervictimization are important. This could be related to the ABC model explained in prior sections. There is an undesirable event which is perceived and assessed in a way that encourages the outbreak of certain feelings. The perceptions and feelings originated make children behave accordingly. Such processes can lead into the adoption of inadequate coping strategies to face the undesirable situation.

Nevertheless, when a child is being cyberbullied it seems very complicated to find the proper way to confront the problem, attend the vulnerability of the child and try to reduce the impact on him. There is a strong need that children raise their voice and tell what they are suffering in order to receive help. The main goal of prevention policies should be to help them find resources and exploit their potentialities to overcome an

undesirable situation. Cyberbullying is a phenomenon that must become visible by empowering the minors.

Moreover, parents' and teachers' role should not be overlooked. According to the above mentioned lifestyle routine-activities theory, they are the main capable guardians of the minors' well-being. Thus, it seems important to provide them with the necessary knowledge to detect such a hidden and invisible reality, but also to be aware of how they must intervene when such a situation takes place.

Thus, preventive and intervention programs must be developed, implemented and evaluated with the help of criminologists and other professionals. Special mention deserves the program assessed by Maite Garaigordobil and Vanesa Martínez "Effects of Cyberprogram 2.0". To carry out the assessment, the program was implemented with a specific sample. The objectives were four: firstly, to identify the bullying and cyberbullying misconducts; secondly, to assess the consequences for the victims, the bullies and the bystanders; thirdly, to develop coping strategies; and lastly, to foster the emergence of other skills like empathy, stress and anger management, and positive conflict resolution, inter alia (Garaigordobil & Martínez-Valderrey, 2014).

Activities developed went from "role-playing, brainstorming, cases study, and guided discussion by means of formulating questions" (Garaigordobil & Martínez-Valderrey, 2014, p. 292). Overall, group dynamics were conducted to foster the participation and the involvement of the students. The results obtained were satisfactory. They concluded that the program applied was effective and that more prevention and intervention programs are needed.

> Resilience is understood as "positive human adaptation in the context of adversity" (**Peters, 2006, p. 157**). Coping strategies focused on the problem may lead to a proactive problem-solving. Life-management skills need to be developed to take the control of the situation and prevent it from occurring again in the future.
> Prevention and intervention programs seem to be suitable measures to promote such skills.

VI. CONCLUSIONS

This last passage consists of a compilation of the main ideas expounded throughout the text in order to open new baselines for future works. Pointing at new lines of research from a critical perspective is an indirect objective derived from the following ten provisional conclusions.

1. There is a positive correlation between the development of the ICTs, the increase of traditional crimes and the emergence of new types. Regarding cyberbullying, rather than a new crime type, it usually means traditional bullying carried out by digital means. It is defined as "an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself" (Smith, et al., 2008, p. 376). In the present paper, online peer harassment is another form to address this issue, and it is used interchangeably together with the notion of online peer victimization. The latter considers the victim the prime focus who is equally the main subject of study in this paper, particularly if this victim is a minor.

2. Minors spend a considerable period of time –day and night- using the computer and the mobile phone. The age range in which these practices start to develop is decreasing. Theoretical perspectives on this matter may provide an understanding of the increase in the risks faced online and may be the first step in the confrontation of this matter.

According to the situational prevention theory, the internet creates criminal opportunities as a result of its inherent characteristics: speed, efficiency, anonymity and easy accessibility. This is linked to the rational-choice theories, since the offenders compare and contrast the incentives and drawbacks of getting involved in cyberbullying. Within the rational-choice theory, the lifestyle-routine activities theory explains how different elements encourage misbehaviors online.

The anonymity provided by the ICTs and the increasing peer-to-peer online communication (exposure to a motivated offender) may be two indicative elements of why cyberbullying seems to expand. Children are easy targets for their peers due to

their activities online, which mainly consist of relating to others via social networking sites or instant messaging applications (becoming attractive targets). Neither do parents normally control the use made of the ICTs by their children, nor are they aware of the activities carried out online (thus an absence of a capable guardian in everyday life is produced). In that sense, informal social control may be a crucial element for situational prevention measures and recovery when the victimization has taken place.

3. It must be noted that the globalized extension and impact of cybercrime requires globalized measures. In this area the first step towards common criminal policies within Europe was the European Convention on Cybercrime. However it does not specify anything about cyberbullying.

At the internal level, national legislation criminalizes the illegal acts included in the Convention, but a lack of specific regulations concerning victims of cyberbullying persists. Nevertheless, in general terms, children are *per se* vulnerable victims and worthy of special protection as stated in the Spanish Act on the statute of the victim of 2015.

4. The lack of specific regulation contrasts with the increasing incidence of cyberbullying in the Basque Country. According to the quoted studies, a 0.6% of the population in 2008 and a 0.8% in 2009 were found to be victims of cyberbullying. As for the national level, a 5.5% of the participants of a study conducted were victims of this phenomenon. In 2011, an 8.1% of the adolescents aged from 12 to 18 had suffered emotional or psychological maltreatment via the mobile phone, and an 11.4% of them had suffered it online. This, together with the onward and upward trend of the development of the ICTs, let us assume that this phenomenon is gathering strength over time.

5. Cyberbullying is characterized by repetitive and long-lasting misbehaviors, developed in private spaces, and carried out by digital means. Scholars have drawn a parallel between bullying and cyberbullying. On the one hand, several cases of cyberbullying are found to be an extension of the misconducts carried out in victimization by bullying. Contrariwise, another school of thought limits this duality to concrete cases.

Prior physical contact between the victim and the aggressor seems to be very common. The intention to deliberately hurt is not always present at the beginning of the misbehaviors even though this is a necessary element for their abidance. The imbalance of power is an issue discussed among scholars. According to some experts, its presence is evident during the interactions online, whereas others consider that internet deletes any hierarchical organization existing offline.

Nevertheless, disparities are always found. Roles are less marked in cyberbullying, identities are more likely to remain anonymous, and there is a strong likelihood of reacting to the victimization. However, the absence of physical marks makes it easier to conceal from third parties. Time-space dimensions are unspecified, since it can take place everywhere and anytime; and the spreading of the actions is unstoppable.

6. Several elements must converge in a cyberbullying context. The factors of the online disinhibition effect play a key role. In this work we have approached them via an exploratory qualitative study conducted to assess their perception. Six high-school students aged from 13 to 17 years old took part in it through the completion of a questionnaire. High level of concordance was observed in the opinions given.

As for the dissociative anonymity, the general assumption is that the internet provides enough anonymity to develop misbehaviors related to cyberbullying. All interviewees agree on the physical invisibility which makes people pluck up the courage to say things they would not normally dare to say in face-to-face contact.

Asynchronicity is assessed depending on the nature of the message and on the relationship with the receiver. If the message is relevant or is negative, or if the receiver is a significant one, a quick response is wanted; otherwise feelings of annoyance arise.

As for solipsistic introjection, some survey respondents try to imagine how the other looks on the basis of the prejudices built during the interaction. By contrast, others do not need to imagine the other's appearance, since a picture of themselves is often displayed online or in social networking sites.

There is a high correspondence among the volunteers regarding dissociative imagination. Almost all of them agree on the fact that social norms in the physical world do not work in cyberspace. The sense of shame and politeness existing offline are not experienced online. Only one of the polled minors considered the network as an extension of the social and physical life. The perception about minimization of status and authority shifts back and forth between two rival directions. Namely, some participants perceive everybody as equals in online communication. The reasoning is that they interact with their peers with whom they feel in a situation of equity. For others, it depends on the "category" of the person you are talking to, distinguishing between peers and teachers, businesspeople or the positive or negative feelings aroused by somebody.

The results obtained and the shortcomings found in this exploratory study could be useful to open new lines of criminological and victimological research in this field.

7. The Proteus effect in relation to the ABC model and the behavioral confirmation bias, complement the explanatory elements about the behavior online. Personal features linked to the individual should not be disregarded. The self-perceptions of the victims of cyberbullying can be influenced by the feedback received online that might hinder their recovery. This encourages the child victim of cyberbullying to behave in a way that reinforces the abuser's expectations. Furthermore, the factors of victimization must be considered as underlying elements of the process of victimization. These can be endogenous (e.g., being a child, immaturity or emotional dependence) or exogenous (e.g., the schooling or the lack of specified time-space dimensions).

8. All the aforementioned suggests that we are facing a victimization of great impact. Cyberbullying is found to affect diverse spheres of the life of the victims. Among the harms produced we can mention the violation of the rights to privacy and private data, as well as psychological damages to dignity and self-esteem at a crucial moment in child development. Despite the absence of sufficient data on this matter, indirect victimization is also caused with regard to family members, friends, etc.

9. However, children are not only vulnerable, they also find ways of resilience, defined as the "positive human adaptation in the context of adversity". The Transactional Model

of Stress and Coping (TMSC) recognizes the efficiency of the problem-focused style to recover from stressful events. Perceiving the event as controllable and working on life-management skills are vital for recovery purposes. Because an unequal distribution of this capacity in society, it should be promoted on children but also on their capable guardians playing a crucial role (e.g., mainly their parents and teachers). By reference to the assessment of a concrete prevention program, this work underlines the need of measures to raise awareness about cyberbullying and to focus on resilience. Namely, group dynamics with role-playing, cases study, brainstorming and discussions seem to have satisfactory results.

10. Critical Victimology helps us to understand the complexity of victimization processes which are socially defined and never fixed categories. It has longer pointed out at the overlapping of the conditions of victim and offender. It seems interesting to conclude highlighting that those children considered as risk to the others (e.g., the bullies) are also children at risk. The factors which fuse to promote the emergence of misconducts and the impact that such attitudes cause on children and young people are fascinating issues to be addressed on future works. There is a tremendous need to examine the phenomenon of cyberbullying from an integral criminological perspective.

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1. Roj: AAP S 1068/2012 - ECLI:ES:APS:2012:1068A

    Id Cendoj: 39075370032012200454

    Órgano: Audiencia Provincial

    Sede: Santander

    Sección: 3

    Nº de Recurso: 220/2012

    Nº de Resolución: 291/2012

    Procedimiento: Recurso de Apelación

    Ponente: AGUSTIN ALONSO ROCA

    Tipo de Resolución: Auto

2. Roj: SAP GC 2422/2013 - ECLI:ES:APGC:2013:2422

    Id Cendoj: 35016370012013100475

    Órgano: Audiencia Provincial

    Sede: Palmas de Gran Canaria (Las)

    Sección: 1

    Nº de Recurso: 318/2013

    Nº de Resolución: 209/2013

    Procedimiento: Apelación sentencia menores

    Ponente: INOCENCIA EUGENIA CABELLO DIAZ

    Tipo de Resolución: Sentencia

3. Roj: SJME GR 1/2010 - ECLI:ES:JMEGR:2010:1

    Id Cendoj: 18087530012010100001

    Órgano: Juzgado de Menores

    Sede: Granada

    Sección: 1

    Nº de Recurso: 280/2007

    Nº de Resolución: 257/2010

    Procedimiento: PENAL - PROCEDIMIENTO ABREVIADO/SUMARIO

    Ponente: EMILIO CALATAYUD PEREZ

    Tipo de Resolución: Sentencia

FORMULARIO DE CONSENTIMIENTO INFORMADO PARA EL CUESTIONARIO SOBRE LA PERCEPCIÓN DEL ONLINE DISINHIBITION EFFECT

Investigadora: Igone León Vicente

DNI: 78914024N

Email: igone.leon93@gmail.com / ileon009@ikasle.ehu.eus

Teléfono: +34 662405068

Este cuestionario se dirige a estudiantes de entre 13 y 17 años de edad, residentes en la Comunidad Autónoma del País Vasco (CAPV) con el objeto de conocer su percepción acerca del "online disinhibition effect" o efecto desinhibidor online.

Se precisa el consentimiento por parte del propio voluntario que va a tomar parte en la realización del cuestionario, así como de sus padres o representantes legales al tratarse de menores de edad. La participación será totalmente voluntaria. Se remitirá a los participantes vía email, de manera que las respuestas serán completamente anónimas y no se precisará un segundo contacto con los participantes. El análisis de las mismas se llevará a cabo valorando la similitud y disparidad de la totalidad de opiniones recibidas atendiendo a su diversidad y subjetividad como los factores clave.

Hago constar que he recibido información y he entendido los siguientes aspectos:

1. He sido informado/a de que la participación en el presente cuestionario es estrictamente voluntaria, pudiendo decidir no tomar parte en el mismo.

2. He sido informado/a de que la realización del cuestionario se enmarca dentro de la elaboración de un Trabajo de Fin de Grado de Criminología cuyo tema es la cibervictimización.

3. He sido informado/a de los fines académicos de las preguntas y las respuestas otorgadas respondiendo, por tanto, a los fines previstos y pudiendo ser publicadas o divulgadas a terceros en aras de futuras investigaciones o estudios.

4. He sido informado/a de la absoluta confidencialidad y anonimato de todos los datos personales que pudieran facilitar un posterior contacto o identificación y se me ha garantizado que los correos electrónicos provistos no van a ser utilizados con otros fines. Asimismo, he sido informado/a de que no va a ser necesario un posterior contacto con los participantes.

5. He leído y entendido el formulario del consentimiento informado, y por medio de mi firma declaro estar en total acuerdo con los aspectos contenidos en el mismo.

Firma del padre, madre o tutor   Firma del estudiante

Cuestionario sobre la percepción del "Online Disinhibition Effect"

El presente cuestionario tiene como objeto conocer la percepción de estudiantes de entre 13 y 17 años del "online disinhibition effect" o efecto desinhibidor online, el cual sostiene que la gente se comporta de forma diferente en función de si la comunicación es directa y real o se desarrolla vía online.

Las preguntas parten de la base de que en Internet existe un efecto desinhibidor que nos permite expresarnos de manera más abierta. Esto puede tener carácter benigno o tóxico dependiendo de las actitudes que se muestren, si por ejemplo son para expresar actos de bondad o amabilidad o por el contrario, expresar ira, críticas o amenazas.

Este cuestionario se enmarca dentro de la elaboración de un Trabajo de Fin de Grado de Criminología cuyo tema es la cibervictimización.

•   Se garantiza el anonimato y la absoluta confidencialidad de las respuestas y los resultados obtenidos.

*Obligatorio

1. **Sexo** *
   Marca solo un óvalo.

   ◯ Mujer

   ◯ Hombre

2. **Edad** *
   Marca solo un óvalo.

   ◯ 13

   ◯ 14

   ◯ 15

   ◯ 16

   ◯ 17

3. **¿La utilización de perfiles virtuales, o "nicknames" te proporciona una mayor sensación de anonimato y seguridad? ¿Crees que hay conductas que se ven favorecidas por ese anonimato? Justifícalo.** *

   ....

   ....

   ....

   ....

   ....

4. **¿El hecho de no ver ni escuchar a la otra persona durante la interacción online hace que seas más atrevido o valiente a la hora de decir algo o de actuar de una determinada manera? Pon algún ejemplo. ***

5. **Cuando envías un mensaje online ¿qué sensación te produce el no recibir respuesta directa e inmediata? ¿Ésta varía en función de si el mensaje es positivo o negativo? Explícalo. ***

6. **Si envías un mensaje a personas que no conoces físicamente ¿sueles imaginarte cómo será su apariencia? En caso afirmativo, ¿por qué crees que sucede? ***

7. **¿Crees que las interacciones en el mundo virtual responden a las mismas normas sociales dictaminadas para el mundo real? ¿Por qué? ***

8. **¿Existen relaciones jerárquicas en la comunicación online o, por el contrario, percibes a todas las personas como iguales? Razona tu respuesta. ***

6 respuestas

Resumen

1. Sexo
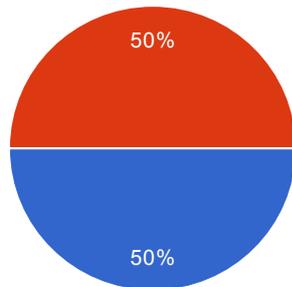
Mujer	**3**	50%
Hombre	**3**	50%

50%

50%

2. Edad
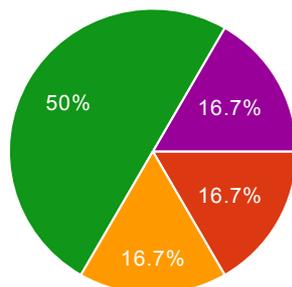
13	**0**	0%
14	**1**	16.7%
15	**1**	16.7%
16	**3**	50%
17	**1**	16.7%

50%   16.7%

16.7%

16.7%

3. ¿La utilización de perfiles virtuales, o "nicknames" te proporciona una mayor sensación de anonimato y seguridad? ¿Crees que hay conductas que se ven favorecidas por ese anonimato? Justifícalo.

No considero que proporcione mucho anonimato Aunque si hay gente que se aprovecha de los nicks para actuar de forma negativa

Si,debido a que puedes expresar tu opinión libremente sin ser juzgado directamente. Si, porque gracias a ese anonimato se pueden llevar a cabo todo tipo de acciones.

Si, mucha gente utiliza ese anonimato para insultar o increpar a otros usuarios ya que no se ven directamente responsables de sus actos.

Si Si, creo que la gente cambia de forma de actuar porque como nadie sabe quien es, le da igual que decir

Si, los "matones" y acosadores se sienten mas protegidos porque se sienten ocultos entre todos los que usamos redes sociales. El cyberacoso se ve favorecido por el poco control que hay sobre la identidad de los usuarios.

Seguridad no. Pero anonimato si. eso no siempre es bueno porque hay personas que bajo otro nombre pueden hacer cosas que hagan daño a otros, sin que esa persona se de cuenta.

4. ¿El hecho de no ver ni escuchar a la otra persona durante la interacción online hace que seas más atrevido o valiente a la hora de decir algo o de actuar de una determinada manera? Pon algún ejemplo.

Si, por ejemplo, hay cosas que no te atreverías a decir a la cara en cambio a través del móvil las dices, porque no tienes la misma sensación, y no te da tanta vergüenza. Al hablar con alguien que te gusta por ejemplo.

Si, ya que ni tu ves su reaccion ni el oteo la tuya.

Sí, por ejemplo cuando se está dentro de una discusión, ya que no te cohíbe tanto la otra persona.

Si, sobretodo a la hora de decir la verdad

Hay una red social, ASK, la cual sirve para hacer preguntas a la gente y que contesten, pero como es anonima, muchas personas aprovechan para insultar a gente o personas que les caen mal.

Si porque no tienes frenos que te paren a la hora de hablar sobre algo o alguien, lo haces sin tapujos y diciendo tanto las cosas buenas como malas cosa que no haces si tienes a la persona de la que hablas delante.

5. Cuando envías un mensaje online ¿qué sensación te produce el no recibir respuesta directa e inmediata? ¿Ésta varía en función de si el mensaje es positivo o negativo? Explícalo.

Cuando yo envio un mensaje importante a alguien, necesito que me conteste cuanto antes posible, porque sino me pongo nerviosa. Aveces puede pasar que envies un mensaje negativo a alguien y que tarde mucho en contestarte o que no te conteste, si varía.

Pues dependiendo de la persona me interesad mas o menos la rapidez de la respuesta Si que varia, si el mensaje que envio es negativo prefiero que la respuesta sea rapida que al contrario Dependiendo del mensaje aveces puede causar impaciencia.

Normalmente no me produce ninguna sensación, a no ser que sepa que la otra persona lo ha leído hace tiempo y no me ha contestado, por lo que en esos casos me produciría inquietud. Por supuesto la sensación de inquietud aumenta si el mensaje es negativo, que en ese caso creo que produce nerviosismo desde el principio.

No recibir una respuesta inmediata te afecta negativamente si la persona a la que se lo mandas es amigo tuyo o te importa la respuesta. Si esa persona no te interesa lo que dice o no tienes ganas de hablar con ella en ese momento, no te fijas en si tarda en contestar o no.

Cuando veo que el destinatario ha leido un mensaje que he enviado y no me ha contestado me siento "molesta" porque es como que pasan de ti. En la era digital el no contestar un WhatsApp o un mail es como que "pasan de ti".

6. Si envías un mensaje a personas que no conoces físicamente ¿sueles imaginarte cómo será su apariencia? En caso afirmativo, ¿por qué crees que sucede?

Si, intento hacerme a la idea de como puede ser esa persona a la que le estoy enviando el mensaje. Yo creo que esto sucede porque la gente que envia un mensaje a alguien que no conoce fisicamente, necesita saber algo sobre la persona a la que se lo esta enviando.

Yo creo que no es posible figurarte el aspecto físico de alguien solo leyendo los mensajes que manda.

No

Si, bueno por lo general suelobayudarme de alguna foto No, se porque sucede

Cuando hablo con una persona que no conozco fisicamente, me enseña alguna foto suya o la veo en alguna red social, asique no me suelo imaginar como son.

Si, ya que tus prejuicios al hablar con el se imaginan la persona.

7. ¿Crees que las interacciones en el mundo virtual responden a las mismas normas sociales dictaminadas para el mundo real? ¿Por qué?

No Porque la actitud de mucha gente en el mundo virtual no es la misma que en el mundo real

No porque en el mundo real existe la vergüenza y la cortesia que son las que te impiden que a la persona que te cae mal le digas que es una imbécil o a tu abuela que el pantalon que te ha regalado es espantoso y todo esto en el mundo digital se olvida.

Si, ya que la red solo es una extension de la vida social real.

No, la forma de ser de unop, las cosas que se hablan a veces, no siempre son las mismas a la realidad. Yo creo que el mundo real es muy diferente al virtual.

No, no es lo mismo, porque la gente se suelta mas hablando virtualmente, porque como no le ves a la persona no te coíbes ranto

No, debería ser de esa manera pero realmente no lo es. Hay una mayor libertad y anonimato en el mundo online que hace pensar al usuario que todo es valido.

8. ¿Existen relaciones jerárquicas en la comunicación online o, por el contrario, percibes a todas las personas como iguales? Razona tu respuesta.

Yo creo que no hay relaciones jerarquicas porque la gente en una comunicacion online parece todo el mundo igual.

Pues dado que la mayoria de la gente con la que me relaciono por internet es mas o menos de mi edad, pues los trato como a iguales

Depensienso de la popularudad de el otro en la red puedes ser igual o inferior.

En mi opinion es la misma situacion a la que no exponemos en la vida real. Hay veces que hablar con alguien te da "respeto" y no lo haces o lo haces menos de lo que lo haces con otra personas.

No, siempre depende de la persona con la que estas hablando. No le das tanta importancia a un amigo corriente como el que le das a una chica que te gusta a una amiga especial.

Si es una comunicación online formal, hacía profesores, empresarios....si percibo esa jerarquización; pero si es una comunicación informal como puede ser en chats, foros y demás los percibo a todos como iguales.

Número de respuestas diarias