

Examine the ways in which attempts are being made to address the problem of cyber...

[Law](#)



Cyber Bullying in the Criminal Justice System in England and Wales By Law of Introduction Combating cyber bullying is vital in the safety of children. In the recent past, statistics show that nearly 4, 500 children reported to have been bullied while online. Cyber bullying is a relevant subject because many people are not aware of how dangerous it is and the impact it has on the children and adults alike. With the spread and improvement of technology, the risk of cyber bullying is greater than it was before the digital age. Consequently, in England and Wales, The Education Act 2002 places a responsibility on school managements to encourage the protection and safety of children and young people in their care. I will begin by looking at the theories of criminology, the historical/social context of cyberbullying, and analysing the current situation and the possible reforms that will help curb cyberbullying, concluding that cyberbullying should be curbed using stringent measures by law. This essay seeks to examine the attempts that are being made to address the problem of cyber bullying in the criminal justice system of England and Wales.

Theoretical context

Understanding why an individual chooses to commit a crime can assist the authorities know how to assimilate the criminal. Other theories of criminology attribute crime to the criminal while others state that the community is to blame(WINFREE, &ABADINSKY, 2010).

The choice theory, otherwise known as the rational choice theory, is the conviction that people decide to commit crime, considering the possible opportunities ahead, assessing the benefits vis-a vis the penalty and making a choice whether to go on or not to (TIBBETTS, 2012).

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The positivist theory acts on the proposal that the person committing crime cannot ethically understand how wrong his actions are (TIBBETTS, 2012). This person's mind has been set in a way that the individual has no ability of making a sensible sane decision to conform to the law. This theory shows how the criminal's mind works and the impact the thoughts have on the victims.

Historical/Social context

With the massive growth of social media sites, children and the young people are more vulnerable to cyberbullying. With Facebook and Twitter as the most popular networking sites, about 35 million of Facebook and 15 million Twitter users are in the UK. This makes cyberbullying rampant in England and Wales. Cyberbullying in England and Wales is considered an offence under law.

Analysis

In relation to cyber bullying, the choice theory explains the way a criminal's mind leads to a crime. The bully decides out of his own will to bully an online user to the point that the user, mostly a child, believes what the bully is saying. Children have committed suicide due to the cyber bully's view of the child.

Unfortunately the UK as a whole does not have defined rules against cyber bullying. According to Wales ONLINE (2013), the children's commissioner for Wales was reported as saying that there was insufficient regulation of social media sites. In a study done in Wales, a fraction of children aged between 11 and 16 who were bullied, suffered cyberbullying. Although cyber bullying is considered a criminal offence under legislation, the UK has no specific law

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against cyberbullying.

According to the positivist theory, a cyberbully may make a teenager murder fellow teenagers because of the thoughts transferred from one individual to another (Lilly, Ball, & Cullen2011). The bully may think that what he does has no impact at all while the victim is suffering. Such instances are popular in England and Wales as well. Parents and school administrations should ensure that the children are safe while online (MCQUADE, COLT, & MEYER, 2009).

Conclusion

Cyber bullying may seem as a non-issue to many but in reality it puts the lives of many at risk. It is clear that England and Wales need more stringent laws on cyberbullying even though they consider it to be a criminal offence. The implications of this essay are to see that children and the young people are safe while online and that the criminals of cyberbullying are dealt with under proper legislation.

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