



# Cyber bullying

**This fact sheet has information about cyber bullying, the laws about online behaviour, and how Legal Aid WA can help.**

## What is cyber bullying?

Cyber bullying is when someone uses a phone or the internet to behave in a way that is cruel or hurtful.

Some examples of cyber bullying are:

- » sending a nasty text message or email,
- » posting nasty comments or photos of someone on social media,
- » using a phone or the internet to threaten to hurt someone, and
- » harassing or repeatedly contacting someone.

## What about if you steal someone's identity?

Cyber bullying can also involve identity theft.

For example, using someone's name or photo to create a fake online profile, and logging into someone else's email or online accounts and pretending to be them.

## Is cyber bullying against the law?

There are laws about how you can behave in the online world, just as there are laws about how you can behave in the offline world.

If you cyber bully someone, you may be breaking either Western Australian or Australia-wide laws.

**“There are laws about how you can behave in the online world, just as there are laws about how you can behave in the offline world ”**

## What does the law say about using a phone or the internet?

There are Australia-wide laws that say you cannot use a phone or the internet to menace, harass or offend someone.

This includes using text messages, email, chat rooms, blogs, discussion boards, online gaming and social networking sites (such as Instagram and Twitter).

In Western Australia, there are also laws that say you cannot:

- » threaten to hurt or kill someone,
- » repeatedly message or email someone so they feel afraid,
- » send or threaten to share intimate images of someone else without their permission, or
- » encourage someone to commit suicide.

This fact sheet contains information only. It is not legal advice. If you have a legal problem, you should speak to a lawyer. Legal Aid WA aims to provide accurate information but does not accept responsibility if it is not.

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### **What can you do if someone is cyber bullying you?**

If you are being cyber bullied, it is important that you talk to an adult that you trust.

You can record what is happening to you by taking a screenshot, printing or saving the content and then blocking the bully.

You can also report the cyber bullying to the Office of the eSafety Commissioner.

The eSafety Commissioner can investigate serious cyber-bullying and can help you get content removed from the internet.

You can find more information about reporting cyber bullying to the Office of the eSafety Commissioner at [www.esafety.gov.au](http://www.esafety.gov.au).

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### **What should you do if you are cyber bullying someone?**

If you are cyber bullying someone, you must stop.

It is never ok to bully someone and the consequences can be very serious.

You may be investigated and charged with a criminal offence by the police. If you are found guilty, you could end up with a criminal record or even go to jail.

You should remove any offensive comments, photos or videos that you have posted online and ask other involved to do the same.

If you police become involved, you should get legal advice.



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### **How can Legal Aid WA help?**

Legal Aid WA provides free community legal education on cyber bullying through our R U Legal? program.

You can find out more about the program and book a presenter on the Legal Aid WA website.

If you are being investigated by the police, or have been charged by the police for breaking the law, you can call Legal Aid WA's Infoline on 1300 650 579.