



A bully-free Nova Scotia

THE PROVINCE'S CYBER-SAFETY ACT LEADS THE WAY
ON PROTECTING KIDS

BY JANE DOUCET

As students head back into classrooms, Halifax schools will join others across the country taking part in various anti-bullying initiatives throughout the year, such as Pink Shirt Day. On the Halifax Regional School Board's website, the brochure *Bullying Hurts: You Can Help the Healing* contains information for parents whose child is either being bullied, doing the bullying or witnessing someone get bullied. The message that will be sent from the teachers and administrators to the students and parents, and from the students to each other, is that it isn't OK to engage in any kind of behaviour that will hurt someone else, whether it's conducted face-to-face or via an electronic device.

Since Nova Scotia introduced its groundbreaking Cyber-safety Act last year, not only is it no longer socially acceptable to engage in bullying and cyber bullying, it's also illegal. Under then premier Darrell Dexter's NDP government, the legislation's first reading took place on April 25, 2013, just 18 days after 17-year-old Rehtaeh Parsons of Cole Harbour died following a suicide attempt that was the culmination of ceaseless cyber bullying stemming from a sexual assault that had occurred when she was 15. (Two teenage boys were eventually charged, one with creating and distributing child pornography and the other with distributing child pornography.)

The fact that the Cyber-safety Act came so quickly on the heels of Parsons's death was no coincidence, according to Wayne MacKay, the Dalhousie University law professor who was chosen to chair the Nova Scotia Task Force on Bullying and Cyberbullying. "The introduction of the legislation was a strong reaction [to Parsons's suicide] without a lot of consultation," he says. "My concern is that parts of it may be struck down as unconstitutional if cases go to court."

The task force had been created in 2011 in response, in some measure, to teenage female suicides in Nova Scotia. On February 29, 2012, MacKay delivered his team's report, titled *Respectful and Responsible Relationships: There's No App for That*. In its preface, he wrote: "Chairing this task force and producing this report has been both the most engaging and exhausting project that I have ever undertaken. Since my appointment in late May 2011, I have lived and breathed the world of bullying and cyber bullying. Bullying is a major social issue throughout the world and one of the symptoms of a deeper problem in our society: the deterioration of respectful and responsible human relations."

As part of the Cyber-safety Act, Nova Scotia created Canada's first CyberSCAN Investigation Unit to work with victims, families, schools and others to look into complaints. This can be done without anyone having to go to court or, if necessary, through legal actions such as applying for a prevention order or referring cases to police.

Roger Merrick, the director of public safety at the Nova Scotia Department of Justice and the head of CyberSCAN, says the response to the job posting for the five investigators' positions was off the charts: 333 applications came in from across Canada. Two of the investigators have degrees in sociology and criminology, while the others are former RCMP, police and probation officers. As of late July, the Halifax-based unit had received 276 complaints since its launch on September 30, 2013, about half of which were filed by young people between the ages of 12 and 18 (the others came from adults, many of whom were in embattled domestic relationships).

When it comes to cyber bullying, Merrick insists that parents must play an integral role in teaching their children about the appropriate

use of electronic devices. "Technology makes it more accessible to anonymously abuse others," he says. "If you're going to give your kids a device, you have to educate them about responsible usage. And don't just have one talk about it, have several talks—it takes constant monitoring." Parents also need to know what sites their children are visiting and set their own ground rules about whether they plan to look at their kids' computers and phones on a regular basis.

At the school level, Kathleen Richard has been doing her part to promote more peaceful relationships among students for two years. On September 28, 2012, then education minister Ramona Jennex announced that Richard had been hired as the province's first anti-bullying coordinator. Part of her mandate was to create an online reporting form for parents and students who might feel uncomfortable going to the principal's office to report an incident in person; as of the end of June, 42 complaints had been filed since the form went live in November of 2013.

Richard believes that more and more students are getting the message that bullying and cyber bullying aren't acceptable. "They understand that this behaviour is hurtful, and they're eager to know what to do to try to prevent or stop it," she says. "There are no easy answers, but I'm very hopeful for the future. We must empower our young people to make good choices and understand the impact of their behaviour."

There's no question that positive steps have been taken in this province to address and outlaw bullying and cyber bullying—in fact, other countries are looking to institute legislation similar to Nova Scotia's. "We're leading the way globally, and we're on the front line of the legal response, but there is more work to be done," says MacKay. "The world is watching to see whether this legislation has been effective and should be modelled. It shouldn't have to take another high-profile case to take it to the next level." ■

Defining cyber bullying

According to the Cyber-safety Act, cyber bullying means any electronic communication through the use of technology, including but not limited to computers, other electronic devices, social networks, text messaging, instant messaging, websites and email. The communication is intended or could be reasonably expected to cause fear, intimidation, humiliation, distress or other damage or harm to another person's health, emotional well being, self-esteem or reputation. It includes assisting or encouraging such communication in any way.