

**LEGAL AND SOCIO-PSYCHOLOGICAL ISSUES OF
BULLYING AND CYBERBULLYING**

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Abstract

The purpose of the article is to determine the legal and socio-psychological characteristics of bullying and cyberbullying, knowledge of which will help protect children (pupils and students) in Ukraine. Research results. A research of the legislation of some European countries has revealed that bullying, as well as another type - cyberbullying, is an urgent problem in each country. In our opinion, their negative feature is that the regulations do not provide for separate sanctions for criminal offences against the life and health of a child. Each country has its own causes (socio-psychological, socio-economic and ideological) and conditions (legal, social, economic) of crime against children. Public policy in many countries is aimed at combating various forms of violence against children. That is why a system of legislative protection is being developed and implemented at different levels. The article offers measures aimed at counteracting and preventing bullying and cyberbullying (creating healthy psychological environment, training sessions and lectures on bullying, promoting of mutual respect, support, kindness and empathy; systematic activities with psychologist, etc.) according to the results of the survey among pupils and students.

Keywords: Adolescents; Aggressive Behavior; Bullying; Criminal Law; Cyberbullying; Violence.

INTRODUCTION

There are many problems in the world. People fall victims to terrorist attacks, various diseases, accidents, natural disasters, armed conflicts and many other different phenomena every day. Hundreds of millions of children and young people all over the world suffer from harassment and acts of aggression aimed at humiliating them as individuals. Cruelties at school, social media

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aggression, domestic violence are the topics that people are used to avoiding.

But if you ignore them, you can see the disappointing consequences.

All the actions described above are called bullying in the educational process.

This phenomenon became "popular" in XX century. It is becoming more and more widespread and attracts the attention of many European scientists nowadays. The most famous bullying researcher is a Norwegian scientist Dan Olweus. He was the one who made the first attempt at a cross-cultural study of the phenomenon. It has three main components:

aggressive behavior with negative actions and consequences:

aggressive behavior inherent in a particular culture with typical stereotypes of behavior that appears repeatedly;

power inequality (Olweus, 1993).

According to the assessments of various specialists (Georgy Gogitashvili, Christa Kolodej, Mykola Naritsyn), the most significant characteristic of these phenomena is that they are only defined when there are not one-off, but systematic, regularly repeated manifestation of behavior and attitudes that go beyond the scope of social standards (Katerynychuk & Matsiuk, 2020).

The purpose of the article is to define legal and socio-psychological aspects of bullying and cyberbullying; to analyze the results of the questionnaire of students and specialized literature on bullying in order to further prevent and improve methods of counteracting these phenomena.

RESEARCH METHODS AND TECHNIQUES

A set of general scientific and special methods was used to achieve the goals of research. The scientific methods as a part of knowledge - are the totality of the accumulated research methods as well as the stage of scientific activity (methods, methodology) used in the scientific activity of the certain cycle (Konversky, 2010: 6).

There are various methods, programs and ways for the prevention of bullying. These methods include talks, lectures, trainings, vocational guidance work; participation of parents, society, representatives of educational authorities, police, psychologists and social educators in work. But there are other, more innovative techniques that can solve such problems. A forum-theater can be considered to be one of them. Despite the fact that this method is not widely spread and studied in Ukraine, it has long been used effectively in many countries of the world (Andrusenko, 2019).

Content analysis was used during the analysis of the legal framework and the prevention programme. The modeling method was used in the preparation of the practical part of the study. It will lead to the development of a preventive programme against school violence (Skryl, 2019).

Methods such as theoretical (analysis, synthesis, generalization) which lay in the study of the scientific literature, scientific and professional publications and empirical (observation, experiment, questionnaire, survey) have also been used to investigate the problem of bullying. The questionnaire was used to collect information from responders (pupils and students of higher educational institutions). A list of questions was used to identify problems and improve the internal environment in educational institutions). Category of respondents: 103 students of higher educational institutions and 36 pupils of schools. Questionnaire form - written, by filling in. The content of the proposed questions is determined by the content of the scientific conclusions obtained in the article which can be refuted, confirmed or clarified during the questionnaire process. In the written questionnaire, offered to responders, the questions were formulated in such a way as to receive the most accurate, reasonable and logical responses possible. Statistical method – is a quantitative and qualitative data processing using mathematical statistical methods to get and compare research results. The obtained research results

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were taken into account using the method of description for the effectiveness of data processing of the questionnaire. Induction method- is a generalization and systematization of research results.

One of the conditions for guaranteeing human rights and freedoms is to prevent the commission of violent acts. Children is the most unprotected, vulnerable social group. Therefore, they often fall victims of offences against human life and health. The problem of violence against children is a pressing issue in many countries of the world.

The development of the concept of human rights has led to the inclusion of the rights of the child in a special category. Children`s rights were generally addressed in the context of existing problems of child labor, trafficking of children and prostitution of minors. The need of the legislative support for the protection of life and health of children and the protection of their rights prompted the League of Nations to adopt the Geneva Declaration on the Rights of the Child in 1924. The next important step was the admission of the United Nations in 1959 the Declaration on the Rights of the Child, which set out social and legal principles related to the protection and well-being of children. It noted that "The child, due to its physical and mental immaturity, needs special protection and care, including appropriate legal protection, both before and after birth". The document consists of 10 provisions (principles, as stated in the Declaration), the recognition and observance of which should allow "to ensure children a happy childhood" (Child`s Rights). Convention on the Rights of the Child of 20 November 1989 (hereinafter referred to as the Convention) (Convention on the Rights of the Child: signature October 20, 1989). The purpose of the Convention is to protect persons under the age of 18, that is, children under 18. The State Parties to this Convention recognize that there are children in all countries of the world living in extremely difficult circumstances and that such children require

special attention. These countries give due consideration to the importance of the traditions and cultural values of each people for the protection and harmonious development of the child recognizing the importance of the international cooperation in improving the living conditions of children in each country. According to the Article 2 of the Convention, States Parties shall respect and ensure all the rights provided for present Convention to every child within their jurisdiction without discrimination of any kind, irrespective of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, the state of health and birth of the child, his or her parents or legal guardians, or any other circumstances. The States Parties shall take all necessary measures to ensure the protection of the child from all forms of discrimination or punishment on the basis of the status, activities, views or convictions of the child, the parents of the child, legal guardians or other family members (Convention on the Rights of the Child: signature October 20, 1989). In analysing the provisions of the Convention, it can be concluded that States parties have implemented the protection of children from any form of violence, punishment and oppression in modern society.

A review of some provisions of Canadian law suggests that violence (physical, psychological, emotional) against children has a retroactive effect on their mental state. In order to prevent and address child abuse, it is important to systematically collect data on child abuse and neglect reported in the child protection system (Provincial and Territorial Legislation and Policies for the Protecting of Children, 2018).

The Canadian Bullying Act of British Columbia was enacted in 2000. It regulates the quality and the services for the protection of children from any kind of violence (part 3, chapter 1, subparagraph (1) (c)) “A child needs to be protected if he has suffered or possibly has experienced physical harm, sexual

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abuse or sexual exploitation by another person, and if the child's parents are unwilling or unable to protect the child" (Child, Family and Public Services Act, 2000). This statute fails to protect the child from psychological violence, including in educational institutions, which may lead to irreparable errors. However, the Law on the Care and Protection of Children and Young People, proclaimed in 2011, protects the child from psychological violence, in other words, the emotional health of the child is protected. Not all countries have positive trends in child protection. In order to make provisions (measures) effective, it is necessary to investigate the problems that children face with. According to the authors, children must be protected at all levels, because children are the future of a nation and, indeed, of all humanity, who have the right to a happy and safe childhood.

The People's Republic of China has strict anti-bullying laws, and is especially aggressive in its attempts to tackle cyber bullying. The country recently passed a law requiring people to register their real names online. This allows the government to track individuals more easily, therefore forcing accountability on what people post online. Corporations are required to provide a healthy environment for employees and individuals are obliged to take steps when they witness or suffer any acts of bullying within a company. Employers are expected to take a zero-tolerance policy against bullying, and provide support networks for employees who may be bullied (A guide to worldwide bullying laws).

In Switzerland, as in the rest of the world, children suffer from bullying in school. However, cyberbullying is a new form of bullying that has become a major problem in the country. There is no specific provision under Swiss penal law for cyberbullying. However, it can fall under the scope of various provisions of the Swiss penal code including: Article 143 (undue access to a data processing system); Article 144 (damage to data);

Article 156 (extortion); Articles 173-174 (offence against personal honor and defamation); Article 179 (breach of secrecy or privacy through the use of an image-carrying device); Article 179 (obtaining personal data without authorization), and Articles 180-181 (threatening behavior and coercion (Swiss law: What you need to know about cyberbullying). Insults, slander and bodily harm are punishable only in the case of a criminal complaint, and offences such as threats, extortion and blackmail are to be prosecuted even in the absence of a complaint.

Cyber-intimidation is a serious problem in India, as in many other countries all over the world. Not only children, but also adults fall victims of bullying. Unfortunately, there is no specific law in India which deals with cyberbullying. However, there are different provisions in existing laws. These provisions that may be linked to various forms of cyber-intimidation. Chapter 11 of the Information Technology Amendment Act consists of offences, where there is no clear definition of the offence of cyberbullying. Still, the act provides remedies against the same under Section 66 and Section 67. Some key provisions of the IT Act which deals with cyberbullying. Section 66 C that deals with identity theft. Section 66 D that deals with cheating by personation by using the computer resource. Sec.66E that deals with violation of privacy. Sec. 67 B that deals with punishment for publishing or transmitting of material depicting children in any sexually explicit act, etc. in electronic form. Remedies under Indian Penal Code provided remedies against a defamatory act or an act outraging the modesty of the women. The amendment of the Act in 2013 introduced other offences and also made cyberstalking as an offence. The following provision of IPC in some way or the other deals with cyberbullying. Section 292 A - Printing, selling, advertising grossly indecent or scurrilous matter or matter intended for blackmail. Section 354 A - Making sexually colored remarks, guilty of the

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offence of sexual harassment. Under Section 354 C, a cyberbully can be punished for taking pictures and can be held liable under this section along with other sections if he transmits or publishes the same. Section 499 - Sending defamatory messages by e-mail. Section 500 - e-mail Abuse. Section 503 - sending threatening messages through email. Section 507 - Criminal intimidation by an anonymous communication (Ramamoorthy, 2020).

The criminal legislation of the Republic of Poland provides for liability for the offences against the life and health of a child in the Section XXI "Crime Against Life and Health" (Art. art. 148-162). The articles of this section do not provide for the separate identification of a child as a victim of attacks on life and health, the legislator only in the constituent elements of offence of Art. 149 provides Liability for actions when "the mother commits the murder of her child during childbirth under the influence of the birth process". Section XXVI "Offences against Family and Guardianship" (Art. art. 206-211a) provides for the stricter punishment than violence against unauthorized individuals. Article 207 § 1 of the Polish Penal Code punishes physical or mental violence against a close person or of another person who is in a permanent or temporary relationship, depending on the fault, with imprisonment from 3 months to 5 years (Criminal Code of the Republic of Poland, 2020).

Drawing lessons from the experience of foreign countries in the area of child protection, it is possible to draw the conclusions that each State affords them different degrees of protection. There is therefore an urgent need to develop programmes aimed at preventing various forms of violence (bullying, cyberbullying, etc.). By analyzing the criminal legislation of some States in the areas of life and health protection it may be concluded that only in exceptional cases children are recognized as special victims of unlawful acts.

In general, offences against life and health are defined in accordance with the usual procedure. The international mechanism of children rights protection demonstrates the relevance of this problem throughout the world. Public policies in many countries are focused on different types of violence against children, and a system of legislative protection is being developed and implemented at different levels.

Ukrainian legislation is no exception. According to the article 173⁴ of the Code of Ukraine on Administrative Violations (hereinafter referred to as CUA V), bullying (harassment) is an act of participants in the educational process. It lies in psychological, physical, economic and sexual violence including the use of electronic means of communication and committed against an infant or minor or by such a person against other participants in the educational process. As a result, psychological or physical health of the victim may or has been impaired. Bullying is punishable from the age of 16. In case the offender does not reach the age indicated, the parents or persons replacing them are responsible for him. In addition, CUA V establishes liability of parents not only for their minor children between the ages of 14 and 16, but also for minor children up to the age of 14. The Code is supplemented by an amendment which provides administrative responsibility for concealing of cases of bullying by pedagogue, research assistant, head or founder of an educational institution. The imposition of fine is between 50 and 100 times the minimum non-taxable income or public works for a period of twenty of forty hours. If the offence is committed by a minor under the age pf 16, the parents pay a fine. Therefore, one of the main problems of bullying is silence and feeling of helplessness (Katerynychuk & Matsiuk, 2020).

Foreign scientists - D. Lane and E. Miller - have made significant contributions to the study and theory of bullying. They define bullying as a

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long process of conscious abuse, whether physical or mental, by an individual or a group of individuals against another individual who is unable to defend himself (Lane, 2001). K. Arora and D. Thompson (1990) claimed that differences in bullying prevalence in one school depend on the beliefs held by the Deputy Director for Educational and Psychological Assistance (Arora & Thompson, 1987). M. Watson and J. Bernstein strongly suggest that victims of prolonged neglect are more vulnerable to mental disorders and depression than their peers who were not bullied. Also, scientists note that those who have suffered from bullying at an early age are more likely to be victims of other type of violence later, regardless of the change in their entourage (Bernstein & Watson, 1997). N. Clauford argues that the effects of prolonged violence have an impact on the psychological health of individuals. He notes that the vast majority of students, who committed mass shootings in the US schools, have previously been victims of various forms of bullying (Bandura, et al., 2001). A. Bandura, a founder of a socio-cognitive personality theory, summarized and pointed out that bullying can be learned, that is, to learn to become an aggressor or victim (Bandura, 1977). The reason for this is that children look at the other people, pay attention to their patterns of behavior and imitate them later (some behaviors are violent - different reference groups, television, etc.). Thus, each scientist has his own vision and explanation of bullying. We agree with those who believe that bullying leads to neuropsychic disorders that affect human life in the future.

There are many definitions of bullying in the scientific literature. P. Randall and H. Leymann describe bullying as "social interaction in which one person (sometimes several) are assaulted by another person (sometimes several, but usually not more than four) almost every day for a long period (several months). As a result, the victim is left helpless and excluded from the group" (Randall, 2001). The notion of bullying is sometimes used as an

interchangeable synonym for the term "mobbing". Peter-Paul Heinemann (1973) called mobbing a collective attack on one person in his works. D. Olweus (1978) interpreted the term "mobbing" as attacks by individuals and groups. The term "mobbing" is better to denote group actions, while "bullying" - is an attack of any nature (Tilkina, 2020: 5).

Typical features of bullying are:

- systematic (repetitive) nature of action;
- presence of parties: offender, victim, observers;
- consequences in the form of mental and/or psychological harm, humiliation, fear, anxiety, subordination to the interests of the offender, social isolation of the victim (Bullying: Features, Types, Responsibility. – Advises the Minister of Justice).

There are five types of bullying in theory:

- psychological (humiliating looks, gestures, abusive body movements, facial expressions, offensive rumors, ignoring, threats, jokes, manipulation, blackmail);
- economic (thefts, damage or destruction of clothing and other personal belongings, extortion of money);
- sexual (humiliating looks, gestures, abusive body movements, insults of sexual nature, footage in locker rooms, spreading offensive rumors, sexual threats, jokes);
- physical bullying (pushing, shoving, kicking, hitting, slapping, bodily injury);
- cyberbullying (humiliating through mobile phones, the Internet, other electronic devices (Bullying: Features, Types, Responsibility. – Advises the Minister of Justice).

Some scientists add two more types of bullying:

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- **social bullying (social intimidation or bullying with isolation tactic which assumes that someone is intentionally excluded from the work of the group);**
- **verbal bullying (verbal abuse or intimidation through cruel words, which includes persistent insults and threats).**

However, we consider that it is inappropriate to identify social and verbal bullying. Social bullying has features that have physical and/or psychological bullying because intimidation and forced isolation of a child is an act inherent in these types of bullying. Psychological type of bullying includes characteristics of verbal bullying. Therefore, in our opinion, there is neither practical, nor theoretical sense to increase the number of types of bullying without highlighting their special features.

Although CUAU interprets bullying as harassment in educational institutions, it may also occur outside educational institutions. Family intimidates their children sometimes. They do it unconsciously strongly believing that they are doing best for their child. However, family members do not take into account child`s needs and desires and may (systematically) inflict physical pain. The media are increasingly reporting incidents of violence by parents against their children. The share of these cases falls on criminal offences provided for in Section 2 of the Special Part of the Criminal Code of Ukraine (hereinafter referred to as CC of Ukraine) "Criminal Offences Against Human Life and Health". These are basically all types of bodily harm (Art. Art. 121, 122, 125 of the CC of Ukraine), beatings and cruel treatment (Art. 126 of the CC of Ukraine) and torture (Art. 127 of the CC of Ukraine) (Katerynychuk, 2019). We believe that we can distinguish one more type of bullying – relative bullying. It is harassment by a member of a family towards an infant or minor. It should also be noted in legal documents that

the victim of bullying may be not only a minor but also an adult, since bullying is also present in institutions of higher education. This should be noted because about 25 % of schoolchildren have experienced domestic violence, that is, one of four students is a victim, according to the U-Report survey (May, 2016) (Tilkina, 2020: 8).

Adolescents who witness domestic violence may be more likely to engage in bullying at school or on the Internet (Hemphill, et. al., 2012). Foreign scholars therefore believe that parents should participate in anti-bullying programs and learn to realize the impact of their own behavior and home environment (Le, et. al., 2017).

Bullying may start forming in primary school, but these manifestations are almost invisible. "Real" bullying, that is, the most common, becomes in middle and high school. The reason for this is that adolescence is a difficult period in human life. This stage is characterized by increased vulnerability. Moral ideas, concepts, beliefs are developing at that age; person is adsorbing moral code, values, social requirements for behavior and legal norms.

Adolescence is the most controversial topic in the scientific studies of psychologists, due to its crisis and transitional nature. It has always been considered as the period of "thunderstorm and onslaught", period of "tectonic" shifts and fractures of the emotional planes of the soul, notes G. Craig (Krige, 2000: 15). Adolescence is the period where an individual moves from the role of child to the new stage and becomes adult.

RESEARCH RESULTS

In order to measure the percentage of students who became the victims of bullying, we have conducted our own research (questionnaire) using the empirical method. The questionnaire consists of 10 questions. Some of them have open questions where each respondent can offer his vision for improving the inner environment of the educational institution. Thus, we have an

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opportunity to get the respondents opinion on the persons who would be able to stop bullying.

The study involved 103 students and 36 students from Kiev and Kyiv region. According to the survey, 46.6 % of the students were victims of bullying.

Students most often encounter insults (63.1 %), derision (56.3%), physical intimidation and beatings (16.5 %), sexual allusions (20.4 %). One respondent experienced cyberbullying. Insults (63.9%), derision (58.3%), physical intimidation and beatings (13.9 %) sexual allusions (16.7 %) dominate in the school environment as well as in the university environment.

To the question "Were you a participant of bullying, harassment?" 6.8 % of the students replied that they were in the role of aggressors, 3.9% in the role of instigators, 27.2 % on the role of observers, 21.4 % in the role of victims, 40.8% were not involved in harassment (fig. 1).

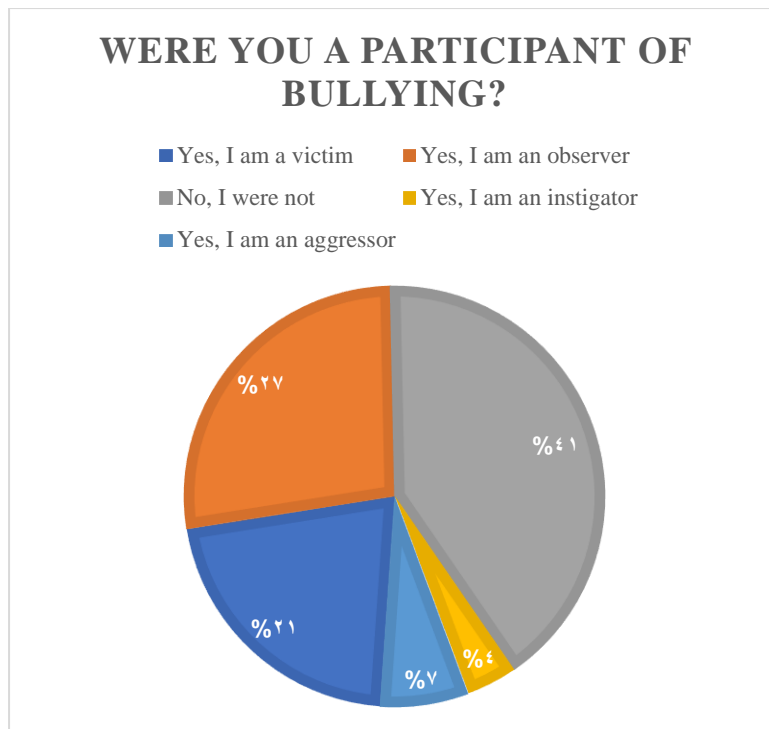


Fig. 1

On the same question in the school environment we obtained the following results: as an aggressor - 5.6 %, as instigators - 2.8 %, as observers - 16.7 %, as victims - 16.7 %, not involved - 58.3 % of respondents (Fig. 2).

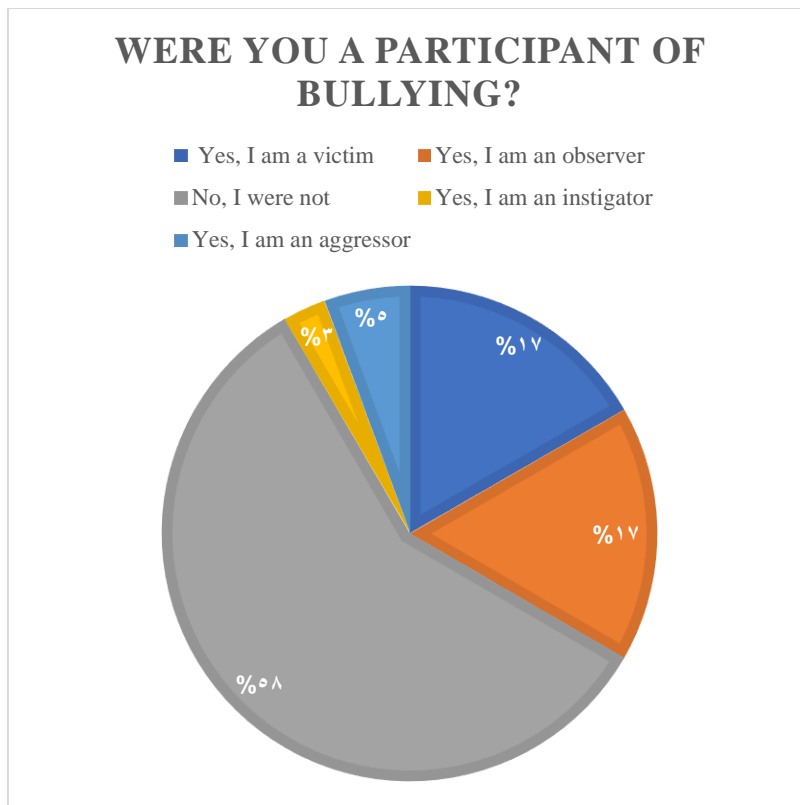


Fig. 2

To the question "How do you usually react to violence?" 54.4 % of respondents replied that they try to get away from the abuser, 52.4 % of students are aggressive in response, only 25.2 % turn for help, 14.6 % accept the situation, 1 % of respondents fulfill the requirements of the abuser. Besides, students have given their variants of answers: they do not succumb to provocation, ignore, condemn and rebuff the aggressor; try to defend themselves but without aggression. We have obtained the following results in the school environment: 44.4 % of pupils are aggressive in response, 44.4 % try to get away from the abuser, 47.2 % turn for help, 11.1 % try to accept

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the situation, and also no one fulfills the requirements of the abuser. Pupils have given their options besides: they try to protect the victim, resolve the situation peacefully if it is possible. Considering the fact that most respondents try to "escape" from the abuser or to show aggression in response, we can draw the following conclusions. Young people do not know how to behave in such situations, that is, young people are not informed enough about bullying and how to prevent it.

To another question "Who can you turn for help to in case of bullying?" 51.5 % of students answered that they would turn to friends, 51.5 % stay alone with the problem, 38.8 % turn to their brother/sister, 13.6 % to teachers, 10.7 % to a psychologist. The victims of bullying are left alone with their problem or turn for help to friends because they are mostly shy, not sociable individuals. This is explained by the fact that during the period of adolescence the person tries to solve his problems on his own. A student can stop bullying with the assistance of psychologists and social pedagogues. But if bullying occurs in educational institutions, the group curator must do everything possible to make students feel safe. Moreover, every educational institution should have a psychological service that can provide professional assistance, if necessary.

We have received the following answers from schoolchildren: 72.2 % of pupils turn to their parents, 50 % to friends, 41.7 % to a teacher, 27.8 % stay alone with the problem, 22.2 % turn to a brother/sister, 16.7 % to a psychologist. In both cases, respondents recommended reporting to the police. Pupils turn for help from their parents only if they have full confidence in them and may frankly discuss their problems.

To the question "Who do you think can stop bullying in an educational environment?" 46.6 % of the students replied that they would assume the leading role, 17.5 % preferred the psychologist, 11.7 % preferred the

administration, 4.9 % preferred the teacher, 5.8 % preferred the parents or the persons acting in their stead. In our opinion, we have obtained these results because students are more conscious of the bullying problem and are aware of the consequences. From our point of view, we have obtained such results because students are more conscious of the bullying problem and are aware of the consequences. In order to minimize harassment, they take on a role, that is, they try to attract attention, respect the views and opinions of others, etc.

We have obtained the following results from schoolchildren: 30.6 % of pupils consider administration to be responsible, 25 % - pupils, 16.7 % - parents or the persons acting in their stead, 11.1 % - educator/teacher, 11.1 % - psychologist. The situation is different in the school environment, because children feel safe with adults. School administration is an authority for pupils, so children feel they can help them. In our opinion, first of all, parents and teachers have to notice the bullying, because children find it embarrassing to say that they are insulted and start to blame themselves. In this situation, behavior changes and it is the parents and teachers who should be the first to notice a problem and try to help. It is also necessary to pay attention to the fact that the child is very vulnerable. Parents and teachers should think about their actions and offer them to the child to make him feel safe.

To the open question "Which, in your opinion, actions can improve the inner environment in the university?" we have received a great number of proposals. In summary, the main points are:

- creating a healthy psychological atmosphere;
- convergence and cooperation of teachers and students as well as holding trainings and lectures on bullying;

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- promoting mutual respect, kindness, empathy and assistance to others;
- encouraging students to resist violence, as well as publishing information according to which the bullying victim can receive assistance with a guarantee of anonymity;
- systematic activities with a psychologist.

Schoolchildren proposed the following variants:

- organizing much interesting events, sections (free of charge so that everyone can attend them), group work among children;
- organizing various trips/excursions aimed at enhancing a friendly atmosphere among children;
- effective organization of the educational process;
- understanding of the parents and teachers;
- working with a psychologist (every class);
- teaching children from a young age to a correct attitude towards those who are different;
- developing in children qualities such as kindness, mutual assistance, respect for one another;
- friendly attitude to pupils on the part of teachers and interacting with people on an equal footing.

To summarize, we must say that bullying spreads and negatively affects the future of an individual. It has a particular influence on psychological and physical health.

XX and XI centuries are characterized by technological progress. The invention of computers and telephones has both positive and negative consequences. Adolescents are currently active users of the Internet. Consequently, online harassment is spreading more and more. UNICEF

defines cyberbullying as digital bullying. The scientist A. Foundova asserts that the studies of the traditional "street" or "school" bullying confirm precisely its socio-psychological, rather than individual psychological nature. Aggressive attacks of the potential bullies affect most of the members of the group, but not all may fall victim to the constant bullying. There is a close relationship between the victim's behavioral and personal characteristics and the violent acts carried out on her. If we draw a parallel between the patterns of behavior of the victim of bullying and cyberbullying, we will see that there is a clear portrait of the "victim" in both cases. It should be noted that any child may become an object of violence (Miheeva & Kornienko, 2018: 248).

Cyberbullying (virtual harassment) is a new form of aggression involving violent in order to annoy, harm and humiliate a person using information and communication tools: mobile phone, e-mail, social networks, etc. (Naydionova, 2014: 9). Similar to the traditional bullying, cyberbullying implies inequality in strength or power between the aggressor and the victim. However, power in cyberspace also has its features: a stalker is anonymous, he can hide behind false identities and address to a large audience. Additionally, aggressor has a constant access to the victim through electronic devices (Miheeva, Kornienko, 2018: 248).

To date, very little attention has been paid to cyberbullying as a new form of aggressive attack on a child. Considering the dangers of the broad practice of interaction of modern children (especially teenagers), defining the norms of their time in a virtual environment, taking into account the risks of computer dependency, etc., we do not care about threats of cyberbullying because we know much less about these phenomena. However, the issue of cyberbullying is becoming more and more urgent worldwide, giving the need for the information security of the child. And if we hear more and more about the consequences of real bullying from the media, it is gradually drawing

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attention to a complex problem. It includes reports of injuries caused by counterparts, suicide attempts, tragic deaths (Naydionova, 2014: 10).

Cyberbullying can occur on social networks, messaging platforms (messengers), and game platforms, in particular through:

- disseminating lies or posting of photographs compromising someone on social media;
- messages or threats that may offend or harm someone.

Modern American scientists Robin Kowalski, Susan Limber and Patricia Agatston have identified eight types of behavior that characterize cyberbullying:

- flaming - exchange of short angry and comments between two or more participants using communication technologies. Most often it takes place in «public» places of the Internet, in chat rooms, forums and discussion groups.
- harassment - repetitive abusing messages directed at the victim (hundreds of text messages to a mobile phone, regular calls) with overloading of personal communication channels.
- denigration - dissemination of humiliating false information using computer technology. It includes text messages, photos, songs that portray the victim in a harmful, sometimes sexual manner. Not only individuals but groups may fall victims.
- impersonations – the abuser projects himself as the victim using his password to access his social media account, blog, mail, instant messaging system and then performs negative communication. The organization of a wave of feedback occurs when shameful provocative letters are sent from the victim's address to her friends and relatives without her knowledge and then the confused victim unexpectedly receives angry responses.

- **outing&trickery** - obtaining personal information in interindividual communication and transmitting it (texts, photos, videos) to the public Internet areas or by mail to those who it was not intended for.

- **ostracism** - online exclusion from groups (classmates' chat rooms, social media groups), lack of quick response to instant messages or e-mails. Exclusion in the virtual environment exposes the individual to serious emotional problems or even completes emotional destruction of the child.

- **cyber-stalking** is a covert espial of a victim and those who move around. It is typically performed surreptitiously and anonymous to organize criminal acts such as attempted rape, physical assault, and beatings. The offender receives all the information about the time, place and all the necessary conditions for the implementation of a future attack by tracking unwary users via the Internet.

- **happyslapping** – a relatively new type of cyberbullying. It has originated in the English subway where teenagers walking along the platform suddenly clapped each other while another participant filmed this action on a mobile camera. Henceforth, any videos recording actual attacks became known as happyslapping. These videos are posted on the Internet, where thousands of people can watch them, without the consent of the victim.

- **cyber grooming** – another type of cyberbullying that requires special attention. It is a new kind of sexual abuse against children on the Internet. Cyber grooming is the establishment of thieves, who know the psychology of children, relationship of trust with a child through social networks and fake accounts. Their purpose is to receive from the child intimate photos or videos, followed by blackmail of the child in order to receive more revealing materials, money or offline meetings (Types of Bullying and Cyberbullying.). Observing children, it can be noticed that these types are present in their environment. Happyslapping and flaming are particularly visible.

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Lotta Silvander, the Ukrainian UNISEF representative, notes that about 50 % of Ukrainian adolescents were the victims of cyberbullying.

"Every third child skipped school through cyberbullying. 75 % of teenagers confirmed in an anonymous poll that Instagram, Tiktok and Snapchat are the main social platforms for harassment", she added. According to the results of the research of the All-Ukrainian Campaign against Cyberbullying Docudays UA, the partner of which was the educational ombudsman Sergii Gorbachov, the courts had issued 482 bullying rulings against children artificially of April 2020. 13 % of them were the cases concerned bullying, in particular threats, humiliating comments and distribution of photos and videos without consent (Official site of the Ministry of Education and Science of Ukraine 50 % of children in Ukraine were the victims of cyberbullying - presented by a chat bot "Cyberpes" for additional help in the fight with cyberbullying). According to Article 308 of the Civil Code of Ukraine: photography and other artistic works depicting a natural person may be publicly shown, reproduced or distributed only with the consent of that person. Under this article, a person may apply to a court with a request to remove the photo and compensation for moral injury. Additionally, the gathering, storing, using, destruction and dissemination of confidential information about a person are illegal actions. These acts are punishable under article 182 of the Criminal Code of Ukraine.

Most countries have just recently adopted relevant legislation, but the problem of cyberbullying is still taboo for several countries. Marc Dullaert, the Dutch Commissioner for Children's Rights and President of the European Network of Ombudsmen for Children, speaks about this: "Multiplicity of incidents remain unsolved and unregistered. As an Ombudsman for Children, I felt the need to convey this information to legislators. Legislative acts introduced in the Netherlands now give clear

guidance to schools of how to prevent and respond to cases of cyberbullying. It is the Ombudsmen who can bridge national and international policy gaps, close the gap between adopted laws and their actual implementation”. Unfortunately, in Ukraine the institution of the Ombudsman is not so actively interested in the problems of overcoming cyberbullying. Will this question be raised precisely through the Ombudsman, will we come to the appropriate legal innovations through other political forces – it does not matter. It is important for the legislator to be able to respond to the realities of fast-flowing life and adopt the legislation necessary to protect the right to a secure Internet environment for every individual (Kravchuk, 2016). Therefore, the issue of cyberbullying and improvements in bullying legislation should also be raised in Ukraine.

What is worse: virtual or real bullying? Both phenomena have negative consequences. However, if it is possible to hide from the real world, try to resist or escape, the situation is worse with cyberbullying, because the child does not know who is blackmailing or threatening him. This may lead to the disturbance of sleep and emotional exhaustion. Children are afraid to confess to adults because they find it humiliating. The victim of such harassment is easily recognized. Parents should pay attention to children`s mood and behavior and check their social networks (posts, page deletion etc.).

In order to help a child, parents have to let him know that he can trust them. They must be on the side of the children and protect them.

In our point of view, parents should pay special attention to the child who has fallen victim of cyberbullying and do everything possible to restore his trust.

CONCLUSIONS

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Thus, violence against children has increased in the modern world. Bullying in educational institutions, violence from relatives, cyberbullying and other forms of bullying are those phenomena provoke acts of aggression and cruelty in the future by the child. Consequently, he will compensate for what he felt. It is therefore necessary to raise awareness about these phenomena in the mass media and to improve methods of counteracting this phenomenon. Bulling is a problem that dates back to ancient times. Such aggressive behavior degrades the dignity and honor of another person and inflicts pain and suffering. For its part, cyberbullying is a new form of bullying that most often harms the person`s psychological health.

Any individual may be an aggressor, in this case. The actions that are inherent in cyberbullying may develop into “open” bullying, that is, when bullying in the school continues through the dissemination of the photo and private information of the victim (both truthful and not truthful) in social networks.

Analyzing the survey (pupils and students), we found that respondents most often faced with insults and ridicule. One in five or six has experienced such humiliation as sexual allusions. Most of the victims of bullying, that have a sexual nature, begin to lead an antisocial lifestyle, develop an addiction to alcoholic beverages and narcotic drugs, and become prone to delinquent behaviour. A person`s mental and physical health is impaired by a loss of focus and a lack of vision of his future. Often in the future, the victim becomes the aggressor, the rapist. The victim may become an aggressor or rapist in the future due to such shocks.

In our opinion, all moral principles should be inculcated in childhood from the first years of life and the understanding and assistance of teachers and parents should be an integral part of their social life. Parents and teachers/ pedagogues should be an example of tolerant behavior, organize various

events to bring them closer to students, be sure to work with a psychologist, involve children in various clubs/sections, creative work where respect and friendliness will be promoted. Creating a healthy friendly environment in educational institution is an important condition. Undoubtedly, much depends on the acts of parents, teachers/pedagogues and psychologists of educational institutions. They are the first who should notice bullying and cyberbullying and also direct their efforts towards overcoming these phenomena.

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