

We're all concerned about our children's online safety and want to ensure they don't fall prey to scammers, bullies and predators. But do you ever wonder whether what they do on the internet could land them in trouble? IWONA TOKC-WILDE investigates

COULD YOUR CHILD COMMIT A CYBERCRIME?

When Angela Cooke's* 15-year-old son told her about the Facebook page he'd created, she wasn't too concerned.

"Charlie* told me in passing about a spoof Facebook page he'd set up with his friends, which was very politically incorrect. It was meant as a joke albeit in bad taste," says Angela, 45, from Manchester.

"Although not impressed I decided not to say any more on the matter as I didn't think anyone but his friends would see it. And to be fair to him, there are all sorts of crazy groups set up on there for a bit of a laugh, like 'National go to school drunk day' and

'Pretending to be shot when something makes a loud noise.'"

But over the next few weeks, unbeknown to Angela, the page went viral, attracting well over 2,000 followers. This in turn meant it was picked up by a regional TV channel in America, denouncing the group as inciting violence towards children.

The comments on the group's page grew more sinister – "We'll find out

who you are, we'll make sure your school kicks you out."

My son and his friends meanwhile thought this was hilarious and were congratulating each other on the success of the prank. But one night I came home from work to find the parents of one of the other boys involved, waiting to talk to me. The mum wasn't particularly pleasant,



was clearly angry and accused Charlie of dragging her child into the storm around the page," says Angela, who was stunned to find out about the furore in this way.

Explaining that she'd sort the issue, Angela logged on immediately to find out more and found some of the children posting comments were doing so under their real names – meaning they could easily be traced.

"That's when I realised things had gone too far and told Charlie to take the page down. I explained that it wasn't just about him, that he was unwittingly exposing other children to verbal attacks and who knew what else. He complied but even now he still shrugs the whole incident off, saying it was clearly a joke."

With hindsight, Angela wishes she had intervened earlier and is relieved the trouble ended with no involvement from other parents, the school or perhaps even the police.

As parents, we may not realise how fast things move online and that our children could inadvertently or accidentally do something which gets them into trouble, either by posting silly comments on a social networking site that others interpret as bullying, by downloading music or movies without paying, or by sharing provocative photos of themselves and their friends and causing offence. The sheer number of children online means that many are likely to walk the wrong path without realising it. According to a recent survey carried out for the European Commission, 77 per cent of 13-16 year olds have a social

networking profile. Research from EUKidsOnline reveals that in the 9-12 year olds group this figure is nearly 50 per cent, while one in five of these children have their own Facebook page, despite being below the minimum Facebook age of 13.

While the number of young people online is only set to grow, it pays to know what stance the law takes on matters such as potentially inflammatory Facebook groups or intimidating comments. Could the police have come knocking on Angela Cooke's door? "It's an area the police are watching more closely

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than they used to," explains Steve Kunczewicz, social media lawyer with Manchester-based law firm Gateley. "Dedicated teams actively monitor networking sites for antisocial behaviour. They have powers and means to track down whoever's behind the often anonymous accounts and, depending on the seriousness and urgency of the situation, they may caution or even arrest and charge those involved."

The courts take what they see as incitement to violence very seriously, especially since the infamous riots of August 2011. On 27 October 2011,

Philip Scott Burgess, 22, of Salford, was jailed for three years at Manchester Crown Court 'just' for posting Facebook messages that encouraged rioting and looting during the August riots. And in the case of the breakfast dare murder of 15-year-old Rebecca Aylward in Aberkenfig, Mid-Glamorgan, by 17-year-old Joshua Davies in October 2010, the judge also used as evidence the seemingly throwaway comments and messages the perpetrator's friends sent to him from their mobile phones, Facebook and MSN. As Candis went to press

Rebecca's mum, Sonia Oatley, was pursuing civil prosecution of two boys for the part she believes they played in her daughter's murder. A sobering thought for all parents whose children are always connected by phone with their friends.

While most conversation is pretty normal, there is another type of antisocial behaviour that teens can easily get embroiled in blog posts, on networking sites, forums or via email and texts – and that is cyberbullying.

"Cyberbullying is so widespread that it's estimated to affect around a quarter of secondary-age young people," says Sherry Adhami, Director of Communications at the charity and campaigning organisation Beatbullying.org. But teens often don't realise that what they're saying or doing online is bullying and that it can be illegal – what they view as silly remarks aimed at embarrassing a school friend could be construed as harassment, and they could be prosecuted under the Protection

from Harassment Act 1997, notably if the victim can show that someone has repeatedly caused them fear or distress, says Kunczewicz. "What most parents don't realise is that children as young as ten can be charged with a crime, although this limit may be raised to 12."

If it's your child doing the bullying, they should be aware that all the victim or the victim's parents have to do is print off the comments, take them to the police and they can be used as evidence of a crime or bullying under the 1997 Act.

"Currently, it is up to the victim or their parents to report incidences of cyberbullying to the police," says Kunczewicz. "Other than blocking the offending user or taking down the offending page, sites such as Facebook normally take a neutral approach and don't get involved beyond that unless an ASBO or other form of injunction has been imposed on the user, forbidding them from contacting the victim or from using a networking site. These orders used to be difficult to enforce in practice, but these days many social networks co-operate with law enforcement bodies."

And for the bully who thinks they only have to delete any incriminating evidence, there's a shock in store. "We've reached 'the end of forgetting,'" explains Kunczewicz. "There's no guarantee that, even if you delete a message or an image, someone hasn't already printed it or forwarded it on."

Teenagers downloading music and movies without paying is another area for parental concern, even

though recent legal cases show, although it's possible to trace the offending computer via its internet provider (IP) address, it's impossible to prove that a specific person has downloaded a specific piece of music or film, says Kunczewicz. "However, the new Digital Economy Act (2010) might solve this problem once it becomes law. Although IP addresses may still not be deemed reliable as conclusive evidence of who copyright owners should sue, they're working on better ways of making

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that decision and are identifying 'soft targets' to sue as a deterrent. In the meantime, a lot of work needs to be done to educate the British public on what they can and can't download without paying." Recent research estimates that a record 1.2 billion tracks may have been illegally downloaded in the UK in 2010, equivalent to a stack of CDs 74 miles high, and that the youngest Brits – those aged 16 to 24 – comprised almost a quarter (24 per cent) of all illegal downloaders.

"Many adults are unaware of what is illegal and what is not," says Dr Tomas Chamorro-Premuzic, a psychologist from Goldsmiths,

University of London. "And if parents download music illegally, what can we expect from their children?"

As with cyberbullying and illegal downloads, the lack of awareness of what is and what isn't legal internet behaviour seems to be the main reason why teens inadvertently perpetrate cybercrimes when it comes to the sensitive subject of sex, too. "Parents mainly worry about exposure or access to inappropriate content but what they should also be concerned about is their own

children's behaviour, such as sexting and taking inappropriate pictures of themselves or their friends and posting them on the internet," says Dr Elena Martellozzo, criminologist and lecturer at London's Middlesex University. "It's illegal to distribute images of children under the age of 18, so if a teen takes a sexually

explicit photo of his girlfriend and posts it on a social networking site or sends it around by mobile, he could be prosecuted under the Sexual Offences Act 2003."

Other than the lack of awareness of what's wrong or harmful, why else do some teens behave abusively or recklessly online? And how likely is it that your child will download music illegally, or that they will try and emulate the behaviour of the 18-year-old from the Shetland Islands who hacked into and disabled the websites of Sony and the CIA last June? "It depends on whether they have antisocial tendencies and if they enjoy bending the rules," says Dr Chamorro-Premuzic. And according to a new study from

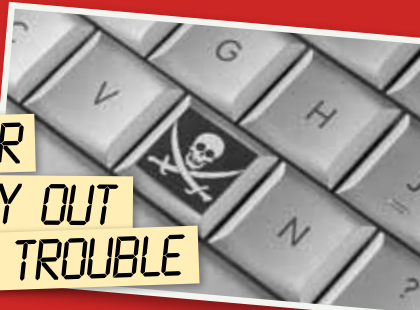
Michigan State University, it also depends on whether their friends have engaged in similar activities.

Most of us would hope that given the way we've brought our children up they wouldn't tread the wrong path, but research shows parents rarely know if their own child is up to no good.

"Teens do tend to hide things, but there are some warning signs," says Jonathan Armstrong, online security expert at the educational and advisory portal knowthenet.org.uk. "If your teen is being furtive, shutting the computer down as soon as you go into the room, changing the tabs on their internet browser or using delaying tactics so you can't see what they're doing, these are all tell-tale signs something's not quite right. You know your child, so you should know when to be concerned."

But some signs can be misleading. If you see your child name-calling someone, this doesn't necessarily mean they're a cyberbully. Research from Associated Press and MTV suggests most teenagers think vulgar slurs are perfectly permissible when talking to friends online. Besides, most teens are decent. "There's no evidence that they routinely engage in illegal or antisocial behaviour during or because of their online activities," says Dr Chamorro-Premuzic. "The true problem cases are just the five or ten per cent."

But if you suspect your child is treading dangerously close to criminal behaviour in the cyberworld, it's natural to worry if it could be your fault and if you're doing enough to help them stay out of trouble. There is no evidence that parents in general have become more relaxed or frightened about disciplining their children," says Dr Chamorro-Premuzic. "Some police their kids' computer activities but ➤



HELP YOUR CHILD STAY OUT OF CYBER TROUBLE

Jonathan Armstrong, security expert at knowthenet.org.uk, and Dr Elena Martellozzo, criminologist and lecturer at Middlesex University, offer this advice:

1 "Look at your child's browser history for sites they've visited," says Armstrong.

"Younger children wouldn't know how to wipe it and if older teens do, that's a warning sign that should prompt conversation."

2 "Have age-appropriate parental controls installed on their computer," says Dr Martellozzo. "Go to your Internet Service Provider's website, childnet.com or kidsafe.com where you'll find a list of parental controls, many of which are free to install."

3 "If you're concerned about illegal downloads, go to pro-music.org for a list of legal sites to check against the sites your child's using," advises Armstrong. "Tell them that you, as the purchaser of the broadband, could face court action as a result."

4 "Talk to your teens about the possible consequences of their actions," recommends Armstrong. "If you see something relevant in a newspaper, cut the article out for them to read. In fact, give

them this article! Get engaged and get involved. It's like driving lessons in the 'real' world – you take them for supervised driving, you don't throw the keys at them and say 'go and practise!'"

5 Explain that all comments they make on text or online could be used as evidence in a court of law.

6 Encourage your teens to identify bullying behaviour and to make the choice not to join in. If they see someone being bullied online, suggest they report the comments to the site moderators and encourage the victim to contact CyberMentors.org.uk, a mentoring social networking site where they can speak to people their own age or to a qualified counsellor.

7 "Get more computer-savvy," says Armstrong. "Look for resources that are relevant to what your issue is – if it's Facebook, go to facebook.com/security, if it is music then the Pro-Music site is a start."

this doesn't change or stop their behaviour, instead it encourages children to continue in secret. Others don't seem to care or even encourage their kids to spend time online."

Unlike parents who allow their underage children to set up an account because their friends have one or because they're unaware of the minimum age restrictions, Sarah Peters*, 44, from St Albans, doesn't allow her 11-year-old son Zach* to have a Facebook profile. "He switches off his mobile at 7pm and doesn't have a computer or phone in his room. We're setting out what we expect now, to ensure it's the norm when he's older." She may be on to something. The EUKidsOnline survey found that where parents did impose limits on use of social networking websites, children did respect the

rules, highlighting the need for a greater parental role in internet use.

However, restricting access or monitoring internet and mobile phone use isn't going to work with older children. Internet access on mobiles means teens are connected to the web 24/7. So do you take their word that they're not doing anything wrong? "It's easy for children to spin their less cyber-aware parents a line," says Armstrong. "But even if you're out of your comfort zone, you shouldn't abandon common sense and parenting experience. Educate them about the digital footprint they leave online and the impact on their future lives. If they're applying for courses and professional positions, they need to know that universities and employers increasingly look for information on the candidates

online. Encourage them to look at their photos and posts and ask themselves, 'Can these things help or hinder my future career?'"

Finally, if you're thinking about befriending your child on Facebook, think again. "Most kids wouldn't be comfortable with this request," says Dr Chamorro-Premuzic. "With any kind of parental monitoring or 'shoulder surfing', you risk that they become even more private." Stick to teaching them the legal and ethical rules of the internet, and how to use it responsibly, so they understand that their online actions have consequences offline. Dr Martellozzo sums up, "Children don't dismiss advice and they need to receive it. If you are proactive, learn about the warning signs and understand the risks, then you can provide it. Plus you won't overreact when they do something that is simply daft."*

SO WHAT IS CONSIDERED ILLEGAL OR CRIMINAL ACTIVITY?

Here are examples of some activities considered illegal under the civil or criminal law and the type of action they could attract:

ILLEGAL DOWNLOADING – this is infringement of copyright and attracts financial penalties under the Copyright, Designs and Patents Act 1988
INCITING ANTISOCIAL OR VIOLENT BEHAVIOUR – in serious cases, this could lead to prison sentences under the Public Order Act 1986
TROLLING – a form of cyberbullying, insults

and abuse posted on tribute sites dedicated to deceased teenagers can lead to an ASBO banning the user from the site or a custodial sentence
DISTRIBUTING PRIVATE IMAGES OF GIRLFRIENDS/BOYFRIENDS UNDER 18 – this constitutes child pornography and may lead to a custodial sentence under the Sexual Offences Act 2003

HACKING INTO A SCHOOL/BUSINESS/LOCAL AUTHORITY WEBSITE FOR A DARE – fine of up to £5,000 and/or prison for up to 12 months, under the Computer Misuse Act 1990
CYBERBULLYING – posting derogatory or aggressive comments on a social networking site, or harassment via a

mobile could result in a caution or an ASBO under the provisions of the Protection from Harassment Act 1997

