

LAW REFORM
COMMISSION/COIMISIÚN UM
ATHCHÓIRIÚ AN DLÍ

A LAW REFORM COMMISSION SEMINAR

WHEN: WEDNESDAY 22 APRIL, AT 2PM TO 6PM

WHERE: LAW SOCIETY, BLACKHALL PLACE, DUBLIN 7

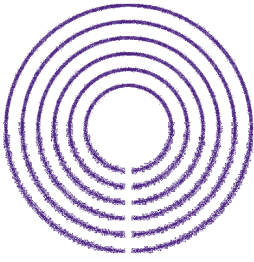
**TOPIC: CYBERCRIME AFFECTING PERSONAL SAFETY AND PRIVACY,
INCLUDING CYBERBULLYING**

This Law Reform Commission seminar addresses whether existing criminal law and civil law remedies deal adequately with online material that seriously invades a person's privacy or is seriously hurtful or hateful. This includes online bullying and harassment, an aspect of the digital age that has the capacity to affect nearly everyone.

The emergence of online technology has transformed how we communicate with others, especially through social media. This has had positive effects in allowing us to remain connected with each other by text and visually. However, there have also been negative consequences, primarily because it is possible to publish online not only instantly and to a huge audience, but also anonymously, increasing the potential for harmful effects caused by interferences with a person's safety or privacy.

The seminar will address the issues identified in the Commission's *Issues Paper on Cybercrime Affecting Personal Safety and Privacy, Including Cyberbullying* (LRC IP 6-2014), available at lawreform.ie, which sought views on a range of issues including:

- should the harassment offence (the "stalking" offence) in the *Non-Fatal Offences against the Person Act 1997* include a specific reference to cyber-harassment (especially as it may not currently cover indirect cyber-harassment, such as setting up fake profiles)?
- should a once-off serious interference with another person's privacy using online technology be an offence (the current offence of harassment requires persistent behaviour, so that posting content online by a single upload, even where it seriously interferes with a person's safety or privacy, will not amount to harassment)?
- does current law, in particular the *Prohibition of Incitement to Hatred Act 1989*, adequately address online hate crime (the EU Commission has stated that the 1989 Act needs to be updated to bring it into line with the 2008 EU Framework Decision on combating racism and xenophobia)?
- are existing civil law remedies adequate to protect against cyber-harassment and to safeguard the right to privacy (a key issue is how a victim can obtain readily accessible and effective civil remedies, such as an early "take down" order)?



The seminar is intended to seek an input from all of those involved in this area, whether on a professional or voluntary basis (such as IT professionals, lawyers, psychologists, teachers, parents) as well as ordinary users of all ages.

The Seminar will be chaired by Commissioner Finola Flanagan.

The Seminar speakers are: **Sir Michael Tugendhat**, retired senior media judge of the English High Court; **Mary Aiken**, Professor and Director at the Royal College of Surgeons Ireland Cyber Psychology Research Centre; **Dr. Brian O'Neill**, Chairperson of the Internet Content Governance Advisory Group; **Fergal Crehan**, Barrister-at-Law; **Michael McDowell**, Senior Counsel; **Jennifer Schweppe**, Lecturer in Law, University of Limerick; **Sinéad McSweeney**, Twitter's Senior Director of Public Policy for Europe, the Middle East and Africa; **Ian Power**, Executive Director at SpunOut.ie; and **Detective Sergeant Jennifer Molony**, Domestic Violence and Sexual Assault Investigation Unit, An Garda Síochána.

**For further information/interview with Commissioner Finola Flanagan contact:
Winifred McCourt, McCourt CFL T: 087-2446004**

Background Notes for Editors

The Law Reform Commission is an independent statutory body whose main role is to keep the law under review and to make proposals for reform. To date, the Commission has published over 190 documents (Consultation Papers, Issues Papers and Reports) containing reform proposals, available at www.lawreform.ie. The majority of these proposals have influenced the drafting and content of reforming legislation.

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