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Tackling sexual harassment

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Awareness, cooperation and tackling sexual bullying

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1. Introduction

For over 10 years smartphones have entered our lives and have changed the way we relate and communicate to each other and between different generations. The children of smart technology live over-connected with a finger pointing on the touch screen able to move their world caught between the real and digital. A sort of control on everything and a feeling of omnipotence that so often turns into a complete impotence.

It's a generation in constant communication and now live with all thanks to the new features of social networks that permit sharing live videos, linked by the Internet, by the possibility to get online continuous fulfilment and social approval.

Sexual bullying is a widespread phenomenon that is increasingly being facilitated by the use of smartphones, social media and social networks.

Sexual bullying is an umbrella term, encompassing sexual harassment, bullying due to a person's sexual identity or expression, and transphobic bullying:

- **Sexual harassment** can be understood as unwanted sexual behaviour or conduct (for example, unwanted sexual attention or sexual coercion).
- **Bullying due to a person's sexual identity or expression** can be understood as bullying or harassment due to a person's actual or perceived sexual orientation, experiences or inexperience, or interests (for example, the type and/or number of sexual partners, or the type, range and/or frequency of their sexual activities). This includes homophobic bullying (bullying or harassment due to a person's actual or perceived sexual orientation as gay or lesbian) and other forms of bullying associated with sexual orientation (e.g. biphobic bullying, bullying relating to asexuality).
- **Transphobic bullying** can be understood as bullying or harassment due to a person's gender identity or expression, i.e., because a person's self-identified gender (e.g. identifying as a man, woman, or somewhere between or outside of these) differs from their assigned sex and/or because their appearance or behaviour does not conform to societal gender norms. As you can see, even **sexting** – which refers to the act of sending photos and messages with a strong and explicit sexual content – can be included in what we usually consider **sexual bullying**.

1.1 Country Context

In the previously described context we can only imagine how difficult is to let young people understand the difference between private and privacy, intimate and public, love and sexual desire. In their young minds it has become a habit to share every instant of their life, every feeling: what they see, hear or feel ends in a chat or in social networks.

1.2 Research Results

In Italy 2 teens out of 5 did sexting at least once and the first message with sexual content is sent by young people who are aged between 11 and 14 years.

The 10% of adolescents (1 out of 10) receive selfies with pants and underwear or even without clothes and 3% of them decide to make these intimate pictures public on social networks to show off.

According to this research conducted at a national level (16 Italian Councils) with 2.800 teens from 11 to 17 years, both females and males, on the topic of SEXTING, these are the emerging results:

- over 40% of the interviewed adolescents have sent messages/photos/videos with a sexual content;
- 60% of them have received messages/photos/videos with a sexual content.

The questionnaire distributed to the sample certifies that:

- 41% say they have felt uncomfortable **SOMETIMES** when someone looked at her/him;
- For 64% of them it happened at least once that someone made sexual allusions on their body, their attitudes or on their person;
- For 73% it happened at least once that they received, even unintentionally, photos or videos with sexually explicit and/or pornographic content.

from:

- friends 36%;
- school-mates 31%;
- unknown people 11,38%.

And

- 25.42% were curious;
- 24.70% indifferent;
- 21.34% felt uncomfortable;
- 46.63% deleted the content.

When asked "why did you decide to share messages/videos/photos with sexual content received by another person"?

- 29.5% responded to prove they were cool;
- 23.79% because it's funny;
- 16.30% to increase and feed their circle of relationships.

They generally use to share pics, video and messages through:

- 67% Whatsapp;
- 57% Instagram;
- 43% Snapchat.

1.3 Some examples of sexual bullying

Here are a few practical examples of **sexual bullying**:

- Calling someone mean names or spreading rumors about their body, the way they dress, the way they look or how attractive they are.
- Touching someone's breasts, chest, muscles, bottom or genitals when it's not wanted.
- Sending someone sexual jokes when they don't want them.
- Pressuring someone to send sexual photos/videos of themselves.
- Sending someone unwanted messages about having sex with them.
- Calling someone mean names or spreading rumors about them because of sexual things that they might have done.
- Sharing someone's sexual photos/videos without permission.
- Calling someone mean names or spreading rumors about them being lesbian, gay or bisexual.

Sexual bullying can be carried out in front of someone, behind their back or by mobile phones and the internet.

1.4 Perception

During our courses and classes young people talk about how sexual bullying is so pervasive that they see it as a 'normal' or 'standard' part of everyday life. They also referred to how sexual bullying is frequently mediated by smartphones, social media or social networks.

Young women's experiences of sexual bullying are typically not the same as young men's. For example, young women experience more frequent appearance-based bullying, physical sexual bullying and sexual harassment than young men.

The discussions with young people highlight that there is a strong sexual double standard though, with young women who are (or are perceived to be) sexually active being called 'slags' and 'whores', while young men who engage in sexual activity are seen to rise in reputation and status.

1.5 Education and support

Sexual bullying is prevented and tackled most effectively by using a whole-school approach; that is, through action at a policy/institutional level (e.g. a school or organisational policy on sexual bullying and clear reporting procedures), work with staff (e.g. staff training on sexual bullying), and work with young people.

Those who experience sexual bullying report a range of social effects (e.g. social isolation), psychological effects (e.g. feeling anxious, humiliated, ashamed, embarrassed, depressed), physical effects (e.g. feeling sick, trouble sleeping), and educational effects (e.g. difficulty studying, school absenteeism, affected grades). This can, in turn, lead to an increased use of alcohol, cigarettes and illicit drugs by young people, as well as self-harm and suicide.

For these reasons it is important to spread a culture of respect through different levels of training and through different caring subjects: adults and peer.

The role of the **adult** facilitator is to:

- Be cognisant of the key issues relating to sexual bullying;
- Organise and provide the necessary resources and helping subjects to tackle the problem;
- Act as a role model for young people by showing respect through word and action for the feelings, wishes and rights of all people (including their sex, gender and sexual orientation).

In **Peer** education the educator is similar to the learners, and the relationship between them is more likely to be an equal one, learners may feel more able to trust the educator and to speak openly with them about their experiences.

Recent research suggests that young people feel more comfortable discussing sexual bullying with their peers than with parents, teachers or other adults (Phippen, 2012).

The educator, being a teen, may also be perceived to have more credibility than if he/she were an adult. This can facilitate dialogue and sharing of experiences.

1.6 Italian Law

“Sexual harassment” is not considered to be a crime in Italy, but it is recognized by the Italian courts under the article 660 of the Penal Code "harassment or annoyance to persons", which applies the penalty of arrest up to six months or a fine of up to €516 (the choice is given to the judge). Sexual harassment can be applied to both sexes and thus not only women.

Just for example, the Court has considered guilty of the crime of harassment a person who had shown to a minor pictures reproducing children undressed with the invitation to undress (Cass. Pen. N. 7365/2012). Or it is considered “harassment” insistent nagging phone calls or annoying proposals. While, acts of fondling, even over clothes, triggers (is considered) sexual violence (Cass. Pen. N. 27042/2010).

Anyway if only there's any kind of "touch", this conduct falls under the article of the Penal Code 609-bis "sexual violence" and can be punished with the arrest from 5 to 10 years.

And what about a minor who gets a selfie of her/his intimate parts, shares it with her/his supposed beloved who then posts it on social networks? The question is complicated, but recently the Court of Appeal with a judgement of March 21st 2016 n° 11675 has established that the conduct of those who preserve and disseminate the contents of minor can't be considered a crime of disclosure/detention of child pornography because there would be no exploitation of the child which produced independently and voluntarily the material without any constraints. Actually child pornographic material is always obscene, then it could have been integrated with the crime of indecent exposure, but it was decriminalized (law 67/2014). We need therefore a legislative action to improve protection of minors, often unaware of the real consequences of a "virtual" gesture.

1.7 In the meanwhile Italy approved the Law on cyberbullying

On May 29, 2017th, the Italian Parliament approved unanimously the Law n. 71 on protection of minors for the prevention and reduction of the phenomenon of cyberbullying.

This law provides a specific definition of cyberbullying and combines a preventive and reparative approach through the promotion of digital education and the provision of a specific procedure for removing online content that is detrimental to the dignity of the child.

The new procedure allows that a minor over 14 years victim of cyberbullying (or parent) asks the responsible of the website or data owner to obscure, remove or block the harmful content published on the network. In the event that the holder does not provide within 48 hours, the person concerned may apply to the Italian Data Protection Authority, who will have to intervene within the next 48 hours. The law excludes that this procedure applies to access providers, cache providers and search engines.

Under the education profile, each school will have to appoint a teacher, who will be in charge of promoting initiatives against bullying and cyberbullying. In the implementation of such educational initiatives the appointed teacher should collaborate with police authorities, and the associations present in the territory.

The educational profile is also ensured by the fact that this law remit to the Italian Education Ministry the issuance of prevention and conflict orientation lines, focusing on the training of school staff, the promotion of an active role of students and the prediction measures to support and re-educate the children involved, while the schools are tasked with educating on the legality and conscious use of the Internet.

Finally it was extended to cyberbullying the administrative sanction of admonishment issued by the Police Authority, which was introduced in Italy for the stalking crimes. This sanction consists in an oral warning to stop the harmful conduct that the police commissioner gives to the guilty minor and which involves serious consequences such as the increase of the criminal sanction in case of future conviction for related crimes.

This law aims at giving an educational disposition to help minors to get responsible for their actions, instead of pursuing a repressive path.

2. Policy debate

November 25th is usually recognized as the **International Day for the Elimination of Violence against Women** and during the weeks that precede and follow this date Public Administrations, No Profit Organisations and Associations of Women organise a series of open events to attract interest to the theme: sexual harassment and extortion. The victims are still reluctant to take legal actions for different reasons: fear, shame, embarrassment, fear of being treated badly, lack of trust in law enforcement, lack of evidence. This year also there will be new debates to call women to action and trust Law in their defence.

Another important date is the so called **Safer Internet Day** usually celebrated February 7th to make young adults and children reflect on the risks of the Internet. The claim of this year will be **"Be the change: unite for a better internet"** and it aims to help teens to have an active and responsible role surfing the Web.

With the application of the new Law on Cyberbullying, every representative among the teachers will attend courses to specialize on this subject and will certainly deepen also their knowledge of the issues related to sexual harassment as part of sexual bullying phenomenon.

3. Learning

We agree with the Danish report that the future improvements of the situation lie in the measures of education and good practices we succeed to transmit to young generation. In the same way we must promote a responsible use of technology rather than limiting it. Technology is part of our young generations' lives. Information campaigns, even created by the teens themselves, might convince their peers that the change is needed.

The French report paints a panorama in some aspects very similar to that of our country. There is still a lot of work to do from a legislative point of view – in the Penal Code as in the society – to protect victims of sexual harassment and contain the phenomenon, especially in public transport.

4. Conclusions

Every kind of intervention, in the family and at school, should aim to:

- Raise awareness of sexual bullying among young people;
- Disseminate good practice in preventing and combatting sexual bullying;
- Promote a peer culture of respect and equality in relation to gender and sexuality;
- Assist young people in developing the knowledge and skills to prevent and tackle sexual bullying.

Pepita shares a wide experience with young people, gathered in years of interactive labs organised at schools, sporting clubs and associations and oratories.

We always suggest adolescents we meet to:

- Speak about what they see and feel;
- Trust and adult and rely on him/her to talk about the problem;
- Respect their body and identity;
- Respect others;
- Think before posting or sharing intimate pics or messages.