



SPACE - Skills for school professionals against cyberbullying events  
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# PORTUGAL REPORT

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# Is cyberbullying defined by law or in some official way in your country?

According to several studies led by Portuguese university researchers, in 2009 one in 10 Portuguese students had already been a victim of cyberbullying, and nowadays this phenomenon is increasing due to the gradual and easy access to social networks.

Although people are aware of this situation, there is no direct and specific reference to this phenomenon of 'cyberbullying'. In 2009, Portuguese Parliament passed a law on 'cybercrime', considering that creating and disseminating a computer virus or affecting and destroying computer programs was a crime punished up to 10 years' imprisonment.

But so far, cyberbullying is still not specifically referred in the law, although some cyberbullying situations are mentioned and the laws that apply to these cases if minors are involved are educational laws. In case the offenders are adults, the Penal Code applies.

# What is the incidence of the phenomenon and what forms does it take?

Although there have been surveys and studies carried out in several school years to analyse this phenomenon, the statistics reveal that 10 to 20% of these young people are victims of cyberbullying, but the real extent of this phenomenon is difficult to determine, as victims don't always expose their problems and sometimes these cases only come to the attention of third parties through victim's complaints of cyberbullying.

As to the forms this phenomenon takes, it is possible to identify the following behaviours:

- Flaming, a short but intense online argument that includes rude and offensive language, insults and threats.
- Bashing, direct verbal attacks or sending images at any time.

# Other forms cyberbullying assumes in Portugal

- Denigration, online defamation, by spreading out rumours about someone on the Internet intending to destroy his/her reputation or friendships in the social networks.
- Cyberstalking, intense and repetitive harassment and defaming, including threats.
- Outing, revealing sensitive or embarrassing private information, for example after ending a relationship as a way of vengeance.
- Impersonation, when the offender assumes other person's identity and send or post information that defames the person in question.
- Trickery , it is a very common phenomenon which implies convincing someone to reveal a secret and embarrassing information in order to share it online.
- Excluding, when the offender excludes someone from the social activities, like chats and online games. This particular situation happens in games'sites like W.O.W., for example where more experient gamers look for constantly killing the avatars of weaker gamers.
- Sexting, a growing phenomenon of sending erotic messages, pictures and videos of naked or semi-naked people or even in sexual acts to be posted and shared though the mobile phone or the internet, by third parties, without the due auhtorization and putting at stake the private life of others.

# Who is likely to be the victim of cyberbullying?

In a survey carried out in 2013 in a school in the centre of Portugal, where 110 pupils participated, it was possible to conclude that the victims from cyberbullying were between 14 and 16 years old, 7 girls and 2 boys. These young people were victims of cyberbullying through their mobile phone (8), and just one replied other means. Some of them (4) were able to find the offender, but the other 4 weren't.

When asked if they told anyone about it, 6 answered affirmatively (to parents and friends) and 2 said no.

Another study published in EU Kids Online, pointed out that from a group aged between 9 to 16, girls were more vulnerable in a percentage of 19%.

In most cases, the victims decide not to ask for help from their parents, nor their teachers. They keep the problem to themselves, because they anticipate the worst in case they reveal their offenders: not only because they fear that the harassment increases, but also because they feel ashamed to disclose the abuse made against them. In that way it is difficult to determine who is in fact victim of cyberbullying.

# What is the legislation about cyberbullying?

As referred before, in spite of these statistics, there isn't a law that refers specifically to cyberbullying, but to bullying. When this type of situation happens particularly at school and with minors, the Guardianship and Education Law from 2015 and the Student Statute and Ethics from 2012 apply in cyberbullying cases when there is a clear violation taking place in the virtual space. If students aged 16 or above commit crimes defined as bullying/cyberbullying, they may be convicted to prison up to 5 years.

In case these type of injuries lead to the victim's death, the sentence may vary between 3 to 10 years' imprisonment; when the victims suffer physical injuries, the sanction will be between 2 to 8 years.

When the offenders are under 16 years old, but more than 12, the penal law foresees educational measures defined by the Educational law mentioned above.

When the crimes of cyberbullying are carried out by people over 18 years old, the Penal law applies, specifically certain articles referring to threat using digital gadgets, Cyberstalking, Sexual harassment online defamation and illicit recordings and pictures, racial or sexual discrimination.

# Are there national (regional) policies adopted in school and in education? How do educational institutions address cyberbullying?

From many national and European projects, the project Segura Net is considered the most important, it was created in 2004 from the program Safer Internet, by -Direção Geral de Inovação e Desenvolvimento Curricular (General Department of Innovation and Curricular development), through a Team of computer, network and Internet technicians from the Ministry of Education and the Project CyberTraining.

A Research-based Training Manual On Cyberbullying, supported by the UE, was developed between 2008 and 2010 by 7 teams from 7 different European countries, whose aim was the creation of a textbook for coaches in this area.

It is also important to refer some support phone lines (violence/bullying/cyberbullying): Linha AJUDA (Internet Segura); APAV/Support to the victim; S.O.S Adolescente; Linha de Apoio Bullying/Cyberbullying; Linha SOS Bullying; Linha SOS Child.

The support sites to victims of bullying and cyberbullying: [portalbullying.com.pt](http://portalbullying.com.pt); [miudossegurosna.net](http://miudossegurosna.net); [iacrianca.pt](http://iacrianca.pt); [bullyingescola.com](http://bullyingescola.com); [bullyingdigital.wordpress.com](http://bullyingdigital.wordpress.com); [bullyingnaoebrincadeira.com.br](http://bullyingnaoebrincadeira.com.br).

# Are there any information or training actions for teachers on cyberbullying?

It was mentioned in the previous slide the Project SeguraNet where some important information is provided as educational resources for teachers to use in their classes: strips of cartoons, presentations, videos, etc.

[http://www.seguranet.pt/sites/default/files/styles/gallery\\_styl/public/2016-11/1-ciberbullying\\_v\\_0.jpg?itok=3G0ZDC90](http://www.seguranet.pt/sites/default/files/styles/gallery_styl/public/2016-11/1-ciberbullying_v_0.jpg?itok=3G0ZDC90)

<http://www.seguranet.pt/sites/default/files/enable.pdf>

[http://www.seguranet.pt/sites/default/files/pensa\\_em\\_como\\_te\\_podes\\_proteger\\_online.pdf](http://www.seguranet.pt/sites/default/files/pensa_em_como_te_podes_proteger_online.pdf)

[http://www.seguranet.pt/sites/default/files/styles/gallery\\_styl/public/2017-03/seguranet-5-dicas-cartaz-1%28versaolInternet%29.jpg?itok=qqIRLX0G](http://www.seguranet.pt/sites/default/files/styles/gallery_styl/public/2017-03/seguranet-5-dicas-cartaz-1%28versaolInternet%29.jpg?itok=qqIRLX0G)

<http://www.seguranet.pt/pt/animacoes-seguranet>



# Are there MOOCs on cyberbullying?

In that site Projeto SeguraNet, there is a reference for MOOCs on Cyberbullying:

<http://seguranet.mooc.dge.mec.pt/para-comecar/>

And there are other type of resources for teachers' training on this area:

[http://www.dge.mec.pt/sites/default/files/Esaude/referencial\\_educacao\\_saude\\_origin\\_al\\_4julho2017\\_horizontal.pdf](http://www.dge.mec.pt/sites/default/files/Esaude/referencial_educacao_saude_origin_al_4julho2017_horizontal.pdf)

[http://www.dge.mec.pt/sites/default/files/ECidadania/educacao\\_Direitos\\_Humanos/documentos/referencias\\_manual\\_para\\_o\\_combate\\_do\\_discurso\\_de\\_odio\\_online.pdf](http://www.dge.mec.pt/sites/default/files/ECidadania/educacao_Direitos_Humanos/documentos/referencias_manual_para_o_combate_do_discurso_de_odio_online.pdf)

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