

LESSON PLAN

Level: Grades 7-8

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Duration: 2 hours

Cyberbullying and the Law

Overview

In this lesson, students learn about and discuss the legal aspects of cyberbullying. They review a variety of hypothetical scenarios and a case study, and they consider the seriousness of the situations, who is legally responsible, what action (if any) should be taken and by whom. To determine this, students will seek answers to the following questions: How does cyberbullying differ from offline bullying? What aspects of a cyberbullying case make it a cause for legal action? What determines whether it is a civil or a criminal matter? How should rights to freedom of expression, guaranteed under the Canadian Charter of Rights and Freedoms, be balanced against rights to security of person? When and how are schools responsible for cyberbullying cases?

Students will also be introduced to two main sources of information on criminal law: the online Criminal Code and the *Canada Gazette*. The latter publishes laws as well as regulations and proposed regulations that are to be introduced or amended, allowing citizens to participate in the legislative system by commenting on the proposed changes.

Learning Outcomes

Students will be able to:

- analyze scenarios and case studies, and make judgments on them
- consider and discuss factors that affect whether online actions are, in fact, cyberbullying
- demonstrate knowledge of legal terms and definitions related to cyberbullying
- demonstrate knowledge of responsible citizenship and ethical behaviour online
- argue and support an opinion

Preparation and Materials

- Read the following backgrounders for teachers:
 - Cyberbullying Rights and Responsibilities
 - Cyberbullying and the Law Fact Sheet
- Photocopy the following handouts:
 - Cyberbullying Scenarios
 - Cyberbullying Case Study
 - Selections From the Canadian Charter of Rights and Freedoms



Procedure

Distribute the *Cyberbullying Scenarios* handout. Ask students to quickly read each hypothetical scenario and rank each one from 1 to 5, where:

- 1 = Totally acceptable and appropriate
- 2 = Possibly wrong, but no action needs to be taken
- 3 = Wrong, and school authorities or Internet service providers should take action
- 4 = Wrong, and civil action could be taken by the target or the target's parents
- 5 = Wrong, and criminal charges should be pressed

Class Discussion

Read through each of the scenarios with students and ask how they ranked each one. Some will likely have obvious and unanimous rankings (i.e. the negative review of the band is a 1), but most will involve some debate. Ask students to explain what makes some scenarios more or less acceptable than others, especially those that are closely related (2, 4, 5 and 13, for instance, or 8 and 10).

For several scenarios, the answer will probably be "it depends." This is good: push the class to consider what the answer depends on, to bring out further aspects of the issue.

Major issues that should come out of this discussion are:

- Anonymity does it make the perpetrator more or less responsible?
- Defamation how can someone hurt another person's reputation? Is doing that the same thing as hurting them physically?
- Harassment what does it involve?
- Is it wrong to say bad things about a person? If so, is it just morally wrong, or can it be legally wrong as well? In what situations might it be acceptable?
- Does it make a difference if bad things are said in private or in public? Why?
- What control should a person have over images of herself or himself? Is it different if the person in the image created it herself or himself, or not? Does someone lose control over an image after it has been uploaded?
- What control should a person have over emails or other messages he or she sends? What about material posted in a public forum, like Facebook?
- Is it worse to harass or defame a teacher or a peer? Why?

Distribute the handout Selections From the Canadian Charter of Rights and Freedoms. Review and discuss these selections with students. As you do so, move the discussion from the specific examples in the Cyberbullying Case Study handout to the broader question of the conflict between the right to freedom of expression (Section 2 of the Charter) and the right to security of the person (Section 7).

Use the following questions to focus the discussion:

Right to freedom of expression – What limits on this right can be "justified in a free and democratic society"?
 (Sections 1 and 2 of the Charter.)

- Right to security of the person Does this include protection from damage to a person's reputation? Does it protect people from fear as well as from actual harm? (Section 7.)
- What duty do schools and teachers have to prevent and act on cyberbullying? How does this relate to Section 7 of the Charter?

Case Study Exercise

Distribute the handout *Cyberbullying Case Study*, and review it with the class. Divide the class into six groups and assign each group to a role as follows:

- Perpetrator
- Target
- Parents of target
- Bystanders (people who know the target and saw the website)
- Teacher of perpetrator and target
- Police

Ask each group to analyze the case from their assigned point of view, considering the issues that came up in the class discussion and that were covered in the *Cyberbullying and the Law Fact Sheet*. Give each group an additional question to consider:

- Scott: How can you defend your actions?
- Colin: Was what you did cyberbullying as well? If so, how can you accuse Scott? If not, why not?
- Colin's parents: What should school and civil authorities do about this case? Why?
- Other members of Scott's Facebook group: What can you do, and should you have done, in this case?
 Why?
- Teacher: What can you do, and should you have done, in this case? Why?
- **Police:** Should criminal charges be laid in this case? If so, which ones and why? If not, prepare an explanation of why not for the target's parents.

After each group has shared its analysis, ask the class to find a consensus on how the case should be handled.

Final Activity

Have each group develop a school policy against cyberbullying.

Instruct students to consider the following questions while they are developing the policy:

- How can students' right to freedom of expression be balanced with the school's duty to provide an environment that is free from bullying?
- What definition of cyberbullying should be provided to students through the school policy? Can the definition help to balance the students' rights?
- What issues are most important in a school environment?

- What forms of discipline are appropriate for cyberbullying cases?
- Which decisions should be left to the discretion of the teacher and principal, and which should be required in all cases (for instance, should teachers be required to report all cyberbullying incidents to the police)?



Cyberbullying - Rights and Responsibilities

Types of Cyberbullying

Peer Against Peer

In 2008, nearly one in five Canadian students surveyed reported having been bullied online in the past three months, according to a University of Toronto cyberbullying survey. Some examples of cyberbullying against peers include Web pages created to mock a student, false messages sent in a student's name, uploading of an embarrassing video or photos of a student, and organized exclusion from online communities.

Perpetrators may be more inclined toward bullying online because they do not see or hear the consequences of their behaviour, which discourages the development of empathy.

Student(s) Against Authority

There have been a number of reports of students engaging in online bullying behaviour against teachers and administrators. Most often this has taken the form of Web pages created to criticize or mock teachers, photos of teachers manipulated to be embarrassing or offensive, and uploading of embarrassing videos.

The Internet makes this kind of behaviour easier because young people feel that they are out of the school's reach on the Internet, and because it permits a cloak of anonymity.

Legal Approaches

Criminal law: harassment and defamatory libel

Criminal harassment is an offence under the Criminal Code. It consists of communication that causes another person to fear for his or her life or the lives of others. It can also apply to "stalking" behaviour, where frequency (rather than content) causes the fear.

Defamatory libel is also an offence under the Criminal Code. It consists of communication that can severely harm the reputation of an individual. There have been few recent cases of defamatory libel, all of them against people in positions of authority such as police, judges and prison guards. (For details, go to www.answers.com/topic/defamation-1.)

Civil law: defamation

Defamation in civil law means communicating a false statement (which does not have to be in words – it could be an image, a movie, etc.) that will do harm to the reputation of another person. It must have a clear and obvious target and be accessible to one or more people besides the person making the statement and the target.

Generally speaking, spoken or transitory defamation is called **slander** and written or permanent defamation is called **libel**. Both can be the subject of lawsuits by the target.

"The reasonable person": To be libellous, the material must seem defamatory to a person who is "reasonable," not a person with delicate or fragile sensibilities. There is no absolute legal test for this and it must be defined case-by-case, though there are precedents.

Innocent reproduction: A person who knowingly reproduces or forwards defamatory material, or causes it to be distributed, can be held liable for her or his actions. The exception is where she or he had no reasonable way of knowing that the material was defamatory. For instance, a teacher would be liable if the defamation appeared on the school website (where he or she has final approval over its content) but probably not if it appeared in an email sent from the school's computer lab, since the teacher could not reasonably supervise what every student was doing at every moment.

Human rights law: safe work environment

All employers are required to guarantee a safe work environment to their workers. This applies to teachers – school boards and administrators must act against any bullying behaviour toward their teachers – and it also applies to students. Therefore, school boards, administrators and teachers have a responsibility to guarantee a safe learning environment for their students. Even if bullying is taking place outside the school (such as on a website), the school has a responsibility to act if the situation is preventing any student from enjoying a safe learning environment.

Duty of care: Schools have an additional responsibility to act *in loco parentis*, or in the place of parents, because they have charge of children. Therefore, their duty to prevent and act on cyberbullying extends beyond that of employers.

Teachers and administrators must be aware of **tangible** and **foreseeable harm** that might come to students under their care. For teachers or administrators to be held liable, the harm done must be related to an **action** or **omission** on their part.

Rights and Responsibilities Under Civil Law

The following is a composite list of the rights and responsibilities of students and teachers in regard to cyberbullying under civil law. Individual schools, school boards, and provinces or territories may have their own formal codes of rights and responsibilities.

Summary of a student's rights and responsibilities:

- A right to learn in a safe environment.
- A right to be treated with respect by teachers, staff and other students.
- A right to free expression where that right does not libel another person, cause another person to fear for her
 or his safety, or interfere with the operation of the class and school, and the creation of a safe learning
 environment for all students.
- A responsibility to treat all teachers, staff and other students with respect.
- A responsibility to use school space and equipment, including computers, in a responsible and appropriate way.
- A responsibility to report to the teacher or administration anything that may interfere with maintaining a safe learning environment.



Summary of a teacher's rights and responsibilities:

- A right to be treated with respect by students, colleagues and staff.
- A right to take appropriate action, or recommend appropriate action to the administration, to maintain a safe learning environment.
- A right to free expression where that right does not libel another person, cause another person to fear for his
 or her safety, or interfere with the operation of the class and school, and the creation of a safe learning
 environment for all students.
- A responsibility to treat all students, colleagues and staff with respect.
- A responsibility to take seriously and act on anything she or he feels may interfere with maintaining a safe learning environment.
- A responsibility to ensure that school space and equipment, including computers, are used in an appropriate and respectful way.
- A responsibility to take all necessary steps to maintain a safe learning environment.



Cyberbullying and the Law Fact Sheet

According to a 2008 University of Toronto cyberbullying survey, nearly one in five Canadian students surveyed reported having been bullied online in the past three months. In an Alberta study, one-third of students who had cyberbullied had also been victims of it. 2

Cyberbullying can be much more severe in its effects than offline bullying because the targets feel they have no escape. Also, because of the wide scope of the Web, there can be many more witnesses to the bullying.

Perpetrators may be more likely to engage in bullying behaviour online because they can't see or hear the effects of their actions, and because it's possible to be anonymous online.

Forms of Cyberbullying

Insulting: Posting or spreading false information about a person that will cause harm to that person or that person's reputation.

Targeting: Singling someone out and inviting others to attack or make fun of her or him.

Identity theft: Pretending to be someone else to make it look like that other person said things he or she doesn't believe or that aren't true about him or her.

Uploading: Sharing images of a person, particularly in an embarrassing situation, without her or his permission, or sharing emails without the writer's permission.

Excluding: Pressuring others to exclude someone from a community (either online or offline).

Harassment: Repeatedly sending someone nasty, mean and insulting messages.

How the Law Addresses Cyberbullying

Cyberbullying can be addressed under **civil law** or **criminal law**, based on the situation.

Civil law: This is the branch of law that deals with property rights, personal dignity and freedom from injury. Under civil law, there are three approaches to cyberbullying:

 A cyberbully may be engaged in **defamation**. This is when the bully causes harm to someone's reputation by spreading false information about that person. In general, defamation that appears temporarily (as unrecorded speech or in a live broadcast) is called **slander**, and defamation that appears permanently (in a book or on a website) is called **libel**.

To be libellous a statement must: do harm to someone's reputation, have a clear and obvious target, and be seen by people other than the person making the statement and the target.

In libel cases, the target can lay a suit against the person making the statement. If the suit is successful, the person making the statement will have to pay **damages** (money) to the target.

² Quing Li, New Bottle but Old Wine: A Research of Cyberbullying in Schools, Elsevier Ltd., Calgary, Alberta, 2005.



¹ University of Toronto, March 2008

A person accused of libel may defend himself or herself by saying that the statement was **true**, that it was a **fair comment** (a genuine criticism, not a personal attack), or that he or she **innocently reproduced** the statement without knowing what it was.

- 2. A perpetrator may be creating an unsafe environment by making the target feel that she or he cannot go to school without facing violence, teasing or exclusion. Schools and workplaces are required to provide a safe environment for their students or employees, and must take any appropriate action to do so. A school, therefore, might punish a student for online behaviour that is making it hard for other students to learn in a safe environment. In Ontario, the Safe Schools Act has been changed to specifically include online behaviour: students can now be suspended or expelled for cyberbullying, even if it is done outside the school.
 - A school or workplace that does not do everything it can to provide a safe environment can be sued by the target(s). Even if a statement is not libellous, spreading it around might still create an unsafe environment.
- 3. Finally, a person is responsible for any consequences that he or she might reasonably have guessed would happen. Therefore, a perpetrator who suggests that a depressed student should kill herself would be liable if the student actually did kill herself, as long as the perpetrator had reason to believe it was a likely result.

Criminal law: This branch of law determines which actions are **crimes against the state**. In criminal law, there are two approaches to cyberbullying:

- 1. Harassment is a crime under the Criminal Code. Harassment is when something a person says or does makes someone fear for his or her safety, or for the safety of others. Even if the perpetrator did not intend to frighten someone, she or he can be charged with harassment if the target feels threatened. Criminal harassment is punishable by up to 10 years in prison.
- 2. **Defamatory libel** is a crime under the Criminal Code. It is most often treated as a crime if the libellous statement is directed against a person in authority and could seriously harm his or her reputation. Defamatory libel is punishable by up to five years in prison.

Section 2 of the Canadian Charter of Rights and Freedoms guarantees freedom of expression. However, this right is guaranteed "subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society" and, in the case of cyberbullying, must be weighed against Section 7. The latter section guarantees "the right to life, liberty and security of the person." In general, Section 2 of the Charter has not been accepted as a defence in civil or criminal bullying cases.

Provincial and Territorial Laws

Several provinces and territories have laws specifically dealing with online and offline bullying:

Ontario: The Education Act now includes a specific definition of "bullying":

"bullying" means aggressive and typically repeated behaviour by a pupil where,

(a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of,

- (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
- (ii) creating a negative environment at a school for another individual, and
- (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education.

The following definition of cyberbullying is also given:

- (1.2) Without limiting the generality of the definition of "bullying" in subsection (1), bullying includes bullying, known as cyber-bullying, that is done through any form of electronic means using any technique, including,
- (a) creating a web page or a blog in which the creator assumes the identity of another person;
- (b) impersonating another person as the author of posted content or messages; and
- (c) communicating material to more than one person or posting material on an electronic medium that may be accessed by one or more persons.

The amended Act also requires schools to provide "instruction on bullying prevention during the school year for every pupil," "remedial programs designed to assist victims of bullying" and "professional development programs that are designed to educate teachers in schools within its jurisdiction about bullying and strategies for dealing with bullying." Each school board is also required to "establish a bullying prevention plan for bullying in schools within the board's jurisdiction."

Quebec: An Act to prevent and stop bullying and violence in schools modifies the Education Act and the Act Respecting Private Education. It defines bullying as "any behaviour, speech, actions or gestures, including cyberbullying, expressed directly or indirectly, in particular through social media, having the aim of injuring, hurting, oppressing or ostracising an individual" (tout comportement, parole, acte ou geste, y compris la cyberintimidation, exprimés directement ou indirectement, notamment par l'intermédiaire de médias sociaux, ayant pour but de léser, blesser, opprimer ou ostraciser)". School boards are required to create anti-bullying plans and all school staff must take part in the plan.

Alberta: The Education Act was revised in 2012 to define bullying as "repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more other individuals in the school community, including psychological harm or harm to an individual's reputation." The Act requires students to "refrain from, report and not tolerate bullying or bullying behaviour directed toward others in the school, whether or not it occurs within the school building, during the school day or by electronic means," while school boards must "establish, implement and maintain a policy respecting the board's obligation under subsection (1)(d) to provide a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour." Alberta's law is notable because it requires students to report cyberbullying if they witness it, with penalties including suspension and expulsion possible for those who do not.



Nova Scotia: In 2013 the province legally defined bullying as "behaviour, typically repeated, that is intended to cause or should be known to cause fear, intimidation, humiliation, distress or other harm to another person's body, feelings, self-esteem, reputation or property, and can be direct or indirect, and includes assisting or encouraging the behaviour in any way" and cyberbullying as "bullying by electronic means that occurs through the use of technology, including computers or other electronic devices, social networks, text messaging, instant messaging, websites or e-mail." The Cyber-Safety Act lets targets of cyberbullying apply for "protection orders" that may put limits on perpetrators' actions or make them identify themselves, and makes parents of perpetrators responsible for their child's actions if the perpetrator is under 18.

New Brunswick: Section 1 of the Education Act includes both online and offline bullying in its definition of "serious misconduct." Students are also guaranteed a "positive learning and working environment" free from "bullying, cyberbullying, harassment and other forms of disruptive or non-tolerated behaviour or misconduct, including behaviour or misconduct that occurs outside school hours and off the school grounds to the extent the behaviour or misconduct affects the school environment." Principals are required to develop a positive learning and working environment plan and to report any incident of serious misconduct to the superintendent of the school district. Each school also must have a Parent School Support Committee that advises the principal on how to promote respectful behavior and prevent misconduct, helps to develop policies on how to prevent disrespectful behaviour or misconduct and how to support both those students who have participated in disrespectful behaviour and those who have been affected by it.

Manitoba has a bill currently in the legislature that, if it passes, will define bullying in a way that specifically includes cyberbullying, requires schools to have a written Acceptable Use Policy and a written policy "concerning respect for human diversity" and requires teachers and other school staff to report cyberbullying to their principal, and will apply to anyone who "intentionally assists or encourages the bullying behaviour in any way" as well as the original perpetrator.



Cyberbullying Scenarios

Remember that civil deals with property rights, personal dignity and freedom from personal injury. Civil penalties consist of fines and limitations on behaviour. Criminal law makes certain behaviours illegal and punishable by fines and/or imprisonment. (For example, if you don't get your faulty brakes fixed and you hit another car, that will likely fall under civil law. If you ram another car on purpose, that will fall under criminal law.)

statements, supposedly made by him, supporting terrorism.

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Now read	d each of the	scenarios t	oelow, and ra	ate the seriou	isness of each	one from 1 to 5, where:			
2 = Possi 3 = Wron 4 = Wron	g, and school g, and civil a	out no action ol authorities action could	needs to be s or Internet	service provi the target or	ders should tak the target's pai				
For any s be taken.	•	rate as a 3,	4 or 5, think	about who is	s responsible, v	vho should take action and what action sho	uld		
1.	A student posts a negative review of a concert given by another student's band. The review focuses on the band members' skill as musicians and the quality of their music.								
	1	2	3	4	5				
 A student posts a story making fun of a teacher, suggesting that he is unqualified to teach. The te name is not used, but he is clearly recognizable to anyone who knows him. 									
	1	2	3	4	5				
3.	student be		nt in her class and will likely lead to the school and is not hosted on school compute	ers					
	1	2	3	4	5				
4.	A student uploads to YouTube a video of his band performing a song that makes fun of teachers. No specific teacher is named or is identifiable from the song.								
	1	2	3	4	5				
5.	A student writes a letter to the school administration stating that a teacher has used improper discipline in class.								
	1	2	3	4	5				
6.				•		ner student in the class. The other student is	3		



7.	A student finds that photos of her, which were taken by her (now ex-) boyfriend have been uploaded to his MySpace page. Then they were copied and reproduced in many more places, including photo-sharing sites. Her ex-boyfriend says that he is not responsible for what was done with the photos after he uploaded them.									
	1	2	3	4	5					
8.	A student writes a private email to his girlfriend accusing her of cheating on him.									
	1	2	3	4	5					
9.	website. V	A teacher asks students in her class to help write holiday greetings in a variety of languages for the school's website. Without the teacher's knowledge, one of the students' contributions is a false and insulting statement against another teacher.								
	1	2	3	4	5					
10.	During an instant messaging session with several participants, a student accuses her boyfriend of cheating on her.									
	1	2	3	4	5					
11.	A student discovers that other students in his class have created an online forum in which students are invited to vote on whether or not the first student should be beaten up.									
	1	2	3	4	5					
12.	A student creates a website in which she criticizes school policies and suggests that several teachers, whom she names, are overly strict in their discipline.									
	1	2	3	4	5					
13.	A student creates a Facebook group in which he states that one of his teachers is a space alien who is scheming to abduct students and take them to her home planet.									
	1	2	3	4	5					
14.	A student sends frequent emails to his ex-girlfriend. When she asks him to stop, he sends more emails, many of which contain abusive language or pornographic images.									
	1	2	3	4	5					
15.	A teacher discovers that students are being pressured by a popular student to remove an unpopular student from their Facebook "friends" lists.									
	1	2	3	4	5					



Selections from the Canadian Charter of Rights and Freedoms

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

This means that everyone has the rights listed in the Charter. In some cases those rights may be limited if they interfere with other people's rights.

Section 2 of the Charter states that everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

This means that everyone is free to think and believe what they want. Everyone is free to express themselves and to gather peacefully with anyone they want.

Section 7 of the Charter states that everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

This means that nobody can have their safety threatened or their freedom limited. The exception is that you can be put in jail if you have committed a crime. This includes a right to be protected against attacks on your reputation.



Cyberbullying Case Study

What follows is a work of fiction. Any resemblance to real people, places or situations is purely coincidental.)

Scott, a Grade 9 student, transferred to a new school halfway through the semester. He had trouble making friends until he discovered the school's Facebook network. Most of the other students on Facebook responded to his "friend" requests and he soon began to feel more included, and made friends with some of them at school as well.

After a while, though, Scott noticed that his friends list was shrinking as people removed him from their friends' lists. He was puzzled by this at first until one of his offline friends told him that Colin, a Grade 11 student, had gotten angry at Scott because he had seen Scott talking to Linda, Colin's ex-girlfriend. Colin had begun to pressure everyone he knew to remove Scott and Linda from their friends lists on Facebook, and to ignore them at school as well.

One afternoon in the computer lab, Scott got more and angrier at Colin and his friends. Since he had finished his work for the period, he decided to start a Facebook group called "Why I Hate Colin," and he invited everyone still on his friends list to join it. It turned out that there were quite a few people at the school who did not like Colin and his friends, and Scott's group grew quickly. Whenever the message traffic on the group slowed, Scott would try to boost it by posting some shocking accusation about Colin, such as suggesting that he had cheated on Linda or that he had hit her when they were dating (Linda was not involved in the group, and had never said any such thing).

Soon other members of the group started to make their own accusations and suggestions about Colin, some even saying that Colin should have water balloons thrown at him when he went up the main stairway. Scott responded to that suggestion, saying rocks should be thrown instead.

After a few weeks, one of Colin's friends discovered the group and reported it to him. Colin told his parents and they decided to report it to the principal and keep him out of school until things had been worked out, as well as to report what Scott had done to the police.

General Questions

- Who is the perpetrator in this case? Who is the target?
- What acts of cyberbullying have happened in this case? How serious would you rank each one as being?

Group Questions

- **Scott**: How can you defend your actions?
- Colin: Was what you did cyberbullying as well? If so, how can you accuse Scott? If not, why not?
- Colin's parents: What should school and civil authorities do about this case? Why?
- Other members of Scott's Facebook group: What can you do, and should you have done, in this case?
 Why?
- Teacher: What can you do, and should you have done, in this case? Why?
- **Police:** Should criminal charges be laid in this case? If so, which ones and why? If not, prepare an explanation for the target's parents as to why not.