

# Cyber-Safety Act

The province is taking action to better protect victims and hold cyberbullies accountable for their harmful behavior.

Legislation introduced Thursday, April 25, 2013, will ensure all Nova Scotians have a place to turn when they experience or are aware of cyberbullying. As well, the authority of school principals to deal with bullying will be clearer, whether the bullying occurs on or off school property.

## **Cyber SCAN investigative unit**

The act creates a CyberSCAN unit to investigate complaints of cyberbullying. ***This unit is the first of its kind in Canada.*** Anyone — young people or their parents, teachers, principals, or other members of the public — can call CyberSCAN to file a complaint about cyberbullying.

CyberSCAN investigators will try to resolve the complaint informally by contacting the individual, family members, or others as necessary. However, investigators will also have the power to seek a cyberbullying prevention order for victims of cyberbullying. The court may order a person to stop cyber communication or confiscate technology used for cyberbullying. If criminal charges appear to be warranted, this unit will refer the case to police.

## **Protection Order for Victims**

Victims of cyberbullying, their parents, or police can apply to a judge or justice of the peace for a protection order. This protection order may put conditions on the person or persons who are cyberbullying. Violating an order under this act would carry a fine of up to \$5,000 or a jail term of up to six months, or both, for a first offence.

## **Liability for Cyberbullying**

This legislation establishes cyberbullying behaviour as a tort. This means that the victim could sue the cyberbully in civil court. If the cyberbully is a minor, parents could be liable for damages.

## **Working with Schools**

Through amendments to the Education Act, the Cyber-Safety Act enables school boards to work in co-operation with the provincial government and its agencies (such as CyberSCAN) to promote and encourage safe and respectful cyber communications. This will help to ensure a safe learning environment for all students in Nova Scotia schools.

The amendments also clarify the authority of school principals to respond to incidents of bullying and cyberbullying that occur off school grounds or after school hours. Formalizing this authority in legislation will help ensure consistency across the province when principals respond to bullying and cyberbullying.

## Legislation: Part of Broader Provincial Actions

The province is developing broader actions that better protect and support girls, women, and all Nova Scotians affected by cyberbullying and violence. Other actions include:

- pushing for changes to the Criminal Code of Canada to make the distribution of intimate pictures without consent a crime
- meeting with community and women's groups, youth, health and education professionals, police, and others to identify gaps in services to support people affected by cyberbullying and sexual assault
- reviewing how the Halifax Regional School Board, IWK Health Centre, Capital Health, and associated agencies responded to Rehtaeh Parsons' needs
- reviewing how the police and Public Prosecution Service handled the case, immediately following the criminal process
- co-ordinating a provincial education campaign so Nova Scotians who need help know what help is available and where

## If You or Someone You Know Needs Help

1 800 668 6868  
KidsHelpPhone.ca

**Kids Help Phone**

811 

Call and talk to a registered nurse  
Composez le 811 pour parler à une infirmière autorisée

**211**®

Helping you find the right  
community and social services.

[www.ns.211.ca](http://www.ns.211.ca)

**Nova Scotia  
Mental Health Crisis Line  
1-888-429-8167**

  
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