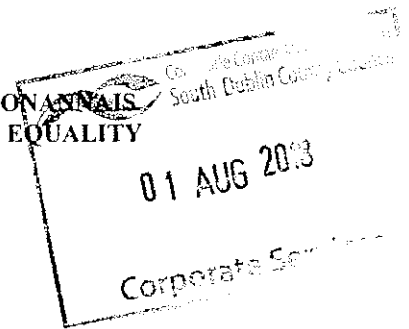


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OFFICE OF THE MINISTER FOR JUSTICE AND EQUALITY



Mr. Colm Murphy, Meetings Administrator,
Corporate Services Department,
South Dublin County Council,
County Hall,
Tallaght,
Dublin 24.

30 July 2018

Minister's Reference: 0705152023
Your ref: M7/0618

Dear Mr. Murphy,

I am directed by the Minister for Justice and Equality, Charlie Flanagan T.D., to refer to your correspondence dated 19th June 2018 regarding a motion of the Council of 11th June 2018 to call on Government Ministers to introduce legislation in the area of bullying, be that in person, through phone or through social media.

As you may be aware, the Taoiseach, along with a number of Government Ministers, recently launched the Government's Action Plan for Online Safety. The actions contained in the plan cut across six Government Departments - underlying the range and breadth of the issues involved - Communications, Climate Action and Environment; Education and Skills; Justice and Equality; Children and Youth Affairs; Health and Business Enterprise and Innovation. The plan is based around 5 goals; Online Safety for All; Better Supports; Stronger Protections; Influencing Policy and Building Our Understanding.

Key actions in the plan include:

- A new National Advisory Council on Online Safety, chaired by Minister of State Kyne, to provide advice to Government on online safety policy issues with stakeholder input and engagement
- Legislation for new criminal offences with the support of the Oireachtas
- A national communications campaign and single identity - Be Safe Online - with key online safety messages targeted at specific groups, including children and young people, parents, guardians and teachers
- The creation of a single online access point on www.gov.ie/besafeonline through which all available Online Safety resources can be accessed
- A coherent and united policy approach across Government through the establishment of a new Sponsors Group structure, chaired by the Department of

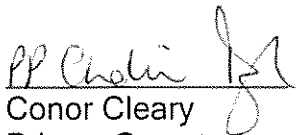
Education and Skills.

In relation to legislative proposals in this area, the Minister for Justice and Equality recently agreed to cease work on a Government Bill and to support a Labour Party Private Member's Bill introduced by Deputy Brendan Howlin. The *Harassment, Harmful Communications and Related Offences Bill, 2017*, will give effect to many of the recommendations of the Law Reform Commission in their report on Harmful Communications and Digital Safety, 2016. The report recommended strengthening the criminal law to deal with all forms of harmful communications, including harm perpetrated online. It also recommended introducing offences relating to the distribution of intimate images without consent.

While bullying has unfortunately been an issue in Ireland for many years, the advent of new technologies has made it easier for those who wish to engage in this type of behaviour to do so online, often with complete anonymity. It is extremely sad that young people have taken their lives or engaged in self harm due to the behaviour of others. There is however a need to strike a balance, particularly when dealing with young people. The Law Reform Commission, in the 2016 report, was very clear that the criminal law should only be used in certain circumstances, and that efforts to address bullying, including cyber-bullying, should focus on educational programmes and other such means to avoid subjecting young people to the criminal justice system.

Work is underway in the Department of Justice and Equality to prepare amendments to the *Harassment, Harmful Communications and Related Offences Bill, 2017*, so that it can be as effective as possible. It is hoped that this piece of legislation, along with the other key actions in the Government's Action Plan for Online Safety, will improve the safety of all users into the future.

Yours sincerely,



Conor Cleary
Private Secretary to the
Minister for Justice and Equality