



MUNICIPIO ROMA I CENTRO



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BULLYING IN ITALY

A LEGAL PERSPECTIVE

Bullying and Italian Law



- In the Italian legal system there is no legal definition of bullying
- Indeed, no specific law has been issued in Italy at the moment (a bill is currently pending) but the existing legal framework (the Constitution of the Italian Republic, part one, Rights and Duties of the Citizens, the Civil Code, the Penal Code) represents a quasi complete regulatory mechanism to prevent bullying and provide a means of punishing criminal bullying behavior

Bullying and Italian Law



- At the international level, bullying behavior is usually defined as:

The repetitive, intentional hurting of one person or group by another person or group, (often aimed at certain groups e.g. race, gender or sexual orientation) where the relationship involves an imbalance of power. Bullying can be physical, verbal or psychological. It can happen face-to-face or through cyberspace.

Bullying and Italian Law



It takes many forms and can include:

- Physical assault
- Beating
- Theft
- Harassment and intimidation
- Threat
- Extortion
- Cyberbullying – bullying via mobile phone or online (e.g. email, social networks and instant messenger)

Bullying and Italian Law



While bullying itself is not a specific criminal offence in Italy, it is important to bear in mind that some type of harassment and threatening behavior or communication could be a criminal offence under the Italian Penal code.

Bullying and Italian Law



Regional level

In spite of the fact that Italy has no national anti-bullying laws per se, the Lazio region has been the first to approve and adopt a bill for preventing and combatting any forms of bullying and cyberbullying, in order to safeguard the social, psychological and educational development of children.

Bullying and Italian Law



- Indeed, the regional Authority of Lazio has issued the regional law no. 2 of 24 march 2016 containing provision to prevent all forms of bullying and fight bullying and cyberbullying
- This innovative Law, composed of 7 articles, encourages and financially supports projects for preventing and tackling bullying

Bullying and Italian Law



- In accordance with article 7 of the law, the Lazio regional Authority will allocate a fund of 750.000 euro in order to support all the schools, charities, or associations that are working and dealing with child protection issues

Bullying and Italian Law



- To avail of these funds, involved entities and associations must be recorded in accordance with the regional Law n.22 of 1999, and have 5 year's experience in this particular field
- In addition, the associations must submit a project which can include cultural or sports initiatives, to support adolescents and their families in becoming aware of safe use of the Internet, since it is social networks that are the most used in spreading videos, stunts, insults and pranks amongst pupils

Bullying and Italian Law



- The purpose of these projects, as the Regional law states, must aim to inform pupils and their families of the seriousness of bullying and its consequences, and should aim to combat all discrimination, as provided for in Article 21 of the Charter of Fundamental Rights of the European Union
- Moreover, the law also provides training courses for school personnel in order to ensure the acquisition of appropriate technical psycho-pedagogical and educational practices and thereby implement effective prevention against bullying and cyberbullying

Bullying and Italian Law



- In Article 3, paragraph 4, the law states that the region takes care of supporting legal fees for victims of bullying in judicial proceedings, subject to the income limit for legal aid
- Last but not the least, according to article 4 paragraph 1, a “Regional Committee on Bullying” has been established within the Presidency of the Region in order to create a synergy with all the actors on the ground which can help in combating the phenomenon

BEST PRACTICES



- The school community has a duty of care to protect all its members and provide a safe and healthy environment
- In order to achieve this aim, all schools ought to have measures to encourage good behavior and prevent all forms of bullying amongst pupils
- Each school, for example, ought to set up an agreement, such as an anti-bullying policy, which aims to respond promptly and effectively to issues of bullying

How to create an Anti-bullying initiative?



- Firstly, once a school has decided to tackle bullying, it should clarify its philosophy.
- Secondly, the school is required to draw up a plan to create an anti-bullying initiative followed by the creation of an anti-bullying policy and the implementation of an anti-bullying program.

How to create an Anti-bullying initiative?



The program should provide :

- Preventative strategies for teachers, in the classroom and in the school environment
- Intervention strategies aimed at resolution of conflict, (peer counseling, peer mentoring, peer mediation)
- Follow up strategies such as anger management and restorative justice approaches

Conclusions



- All teaching and non-teaching staff, pupils and parents should have an understanding of what bullying is
- All teaching and non-teaching staff should know what the school policy is on bullying, and follow it when bullying is reported
- All pupils and parents should know what the school policy is on bullying, and what they should do if bullying arises
- Pupils and parents should be assured that they will be supported when bullying is reported



Thank you for your attention!

BUILD FUTURE - STOP BULLYING

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