

Bullying and the Law

Learn about the legal aspects of bullying

Ways to intervene



Recognize

What is bullying?

The law defines bullying as actions, words, or behaviours that:

- are repetitive,
- isolate, hurt, or create a sense of helplessness, and
- are made by an individual or a group that is more powerful.



Bullying is more than just a disagreement between students.

Has a crime been committed?

Bullying can take many forms and can sometimes be a crime. For example:

- threatening to harm or to kill another student
- using force against another student
- harassing another student and making them fear for their safety
- extorting (blackmailing) another student
- sharing intimate images of another student
- stealing from another student.



A student can commit a crime in person, using their phone, or through the Internet. This could lead to criminal charges..

You should know! A teenager who is accused of a crime will not be treated the same as an adult. The law will hold a teenager accountable for their actions, but favours rehabilitation over punishment.

What about the right to control one's image, to be free from discrimination, and to the protection of reputation?

All students are entitled to these rights. However, bullying can violate them. For example, sharing a student's images without their consent could violate their rights. This also applies to racist insults against a student.



Intervene

How to intervene?

You must act quickly. Consult your school's **plan to prevent and stop bullying** to learn how to intervene.



Here are some options: you can meet with the students, have them participate in mediation, or see that they are punished.

Should you contact the police?

In general, you are not required to report a crime to the police unless you believe that a gun is present at school or on a school bus.



You can decide to **contact the police** if you believe that it is the appropriate action or if the school's anti-bullying plan calls for it.

You must **contact the Director of Youth Protection (DPY)** if you believe that the development or safety of a child is at risk. For example, if you suspect sexual or physical abuse or if there are serious behavioural problems.

A student who has had their rights violated can **go to court to ask for compensation for the harm they suffered**. For example, they could ask for money as compensation, or for their photos to be removed from the Internet.



Bullying can have legal consequences

Learn more about the ways to report bullying and about your rights and responsibilities.

educaloi.qc.ca/en/web-guide/bullying-law/

The content of this brochure is valid as of February 1st, 2021. The law is constantly changing and can evolve rapidly. You can make sure that the content of this brochure is up-to-date by visiting www.educaloi.qc.ca/en or by consulting a lawyer.