The implementation of the Italian law on cyberbullying, the role of the data protection authority and some systemic considerations

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Outline

• **Scope of the law: definitions, roles and prescriptions**
• **Main facts one year after the implementation**
• **Effectiveness, drawbacks and systemic considerations**
Definitions, roles and prescriptions

- Website managers
- Hosting, Caching, Mere conduit
- Network providers

The law applies
The law does not apply
The law does not apply
Definitions, roles and prescriptions

Prior to the 48 hours threshold

After the 48 hours threshold

Victim or parent/tutor

Website manager

Garante

Prior to the 48 hours threshold

After the 48 hours threshold

Victim or parent/tutor

Website manager

Garante
Definitions, roles and prescriptions

- The establishment of a Code of Conduit
- Awareness programs
- The institution of a reference entity in each school
- Psychological assistance to victims
- Early involvement of families
Definitions, roles and prescriptions

– A new role for a Data protection Authority
Main facts

- Number of complaints
- There are success stories to report
- A new role for a DPA
- Judiciary cooperation
Effectiveness, drawbacks and systemic considerations

- Multiplicative factor
- Ascertaining a cyberbullying activity
- Identifying/contacting the responsible entity
- The issue of digital copies
- The interplay with privacy
- The interplay with freedom of expression
Effectiveness, drawbacks and systemic considerations

A way forward

• The role of prevention and education
• The role of technology
Thank you very much

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