

THE INTERNET & THE LAW

Lesson plan

 **Topic:** The Internet and the Law

 **Target age group:** Years 7-10

 **Lesson duration:** 40-50 minutes - if the introduction and three case studies are used.

 **Recommended teaching approach:**

This presentation is designed to highlight online behaviours and actions that can have possible legal consequences. The following teacher notes are an overview of the slide content. The slide deck can be presented in its entirety with the introduction and the 3 case studies. Alternatively, you may wish to combine the introduction with one or more of the case studies.

1. The Internet and the Law - introduction
2. Case Study #1 Sexting - taking, sending and distributing nude pics
3. Case Study #2 Making Threats
4. Case Study #3 Defamation

The dialogue/information required to facilitate this session is written on the slides.

When you see this symbol  on a slide, it indicates an opportunity for class discussion.

 **Activity purpose:**

- identify rights and responsibilities in relation to being online
- investigate scenarios that highlight negative online actions having legal consequences
- analyse online circumstances that can lead to legal and social implications.



Key words:

- internet
- youth
- law
- sexting
- defamation
- threats
- consequences
- image-based abuse.



Australian curriculum links:

Digital technologies (Years 9 and 10) Create interactive solutions for sharing ideas and information online, taking into account safety, social contexts and legal responsibilities- ACTDIP043

Civics and Citizenship (Year 8) The types of law in Australia, including criminal law and civil law, and the place of Aboriginal and Torres Strait Islander customary law - ACHCK064

Health and Physical Education (Years 9 and 10) Investigate how empathy and ethical decision making contribute to respectful relationships - ACPPS093

Teaching notes for slides

The Internet and the Law - introduction

In Australia, there are Commonwealth laws that apply to everyone, but there are also specific State laws. In 2014 for example, the Victorian parliament passed sexting laws that differ to other states. For laws specific to your state refer to [Youth Law Australia](#).



Case Study #1- Sexting: taking, sending and distributing nude pics.

This case study looks at two seventeen-year-old students who asked numerous girls at their school to send them nude pictures. The girls who sent the photos, later, discovered the boys had asked many girls to send photos. The boys were overheard in a conversation saying they intended to upload the photos to other websites.

The girls reported the boys to teachers and the police were called to the school. The police confiscated their phones and were used as evidence in a police investigation.

In the jurisdiction (state) the boys resided in, it is illegal to create, possess and distribute child pornography. Nude images of under 18-year olds are considered child pornographic material.

As a consequence of their actions, the boy's parents, in discussion with the school decided that the boys may be better placed in another school. The police cautioned the boys but they could have been charged and placed on the sex offenders register.

The laws related to sexting or sending nudes also differ across the states and territories in Australia.

Image-based abuse occurs when an intimate image or video is shared, or threatened to be shared, without the consent of the person in the image or video. Image-based abuse can include digitally altered (ie photo-shopped) images. Consensual sexting (sending or sharing nude or nearly nude images) is not image-based abuse but it is image-based abuse if someone on-shares a nude without consent.

It is important to emphasise that image-based abuse is never okay. It's not your fault if someone shares or threatens to share your image without consent – you have done nothing wrong. The eSafety Office can help with the removal of intimate images and with taking action against the person who posted, or threatened to post intimate images (if that is something you want them to do).

Visit [Youth Law Australia](#)- 'Internet, phones and technology' for the specific law in your state.

Case Study #2- Making Threats

This case study looks at Tom and Lisa who were dating until recently. The relationship has since ended. Tom was upset about the break up and sent threatening messages to Lisa on a chat platform. Lisa felt scared by Tom's threats.

Mike and Tom were also friends until Tom started sending him threatening messages. Tom believed Lisa and Mike were now dating. Mike and Lisa decided the threatening messages were serious and decided to report Tom to the police. They collected the evidence from their phones before going to the police, noting the time, dates and frequency. The police investigated the matter and Tom was found guilty of using a phone and internet to harass Mike and Lisa. He was placed on probation.

Harassment, abuse and making threats may be considered a criminal offence in Australia.

For more information visit [Youth Law Australia](#).



Case Study #3 - Defamation

Defamation occurs where someone intentionally spreads false, hurtful or misleading information about another person, group of people or organisation. The information may damage the reputation of the other party.

This case study is about Louisa. Louisa was a Project Manager at a company called R&C Slide. She received some unfortunate news from management that the project she had been working on, for several months had been cancelled due to a shift in company priorities. She was feeling very angry about it. Louisa posted a status update on her own page criticising the company and shared it with colleagues as well as friends outside the organisation.

Some colleagues added to Louisa's comments. A person who did not create the defamatory material, but only shares it, may also be found guilty of defamation.

Louisa had undertaken privacy and social media training which clearly defined the expectations of staff when using social media. Her posts were liked and shared by her colleagues and seen by many of her friends. She even hashtagged the company in her angry post.

Louisa's manager was forwarded the post and Louisa was subsequently asked to leave her job the next day. Louisa believed that she had been unfairly dismissed and took her employer to court. The court found Louisa was in breach of the company policy. She knowingly breached the policy as she had been given training that described the social media policy expectations about what employees could and could not post online.

The best thing do you if you are accused of defamation is to take down the offending post immediately, and offer an apology.

Watch the video [Make Good Choices online](#).

The video highlights legal risks and consequences when negative offline behaviours are transferred to online platforms. (3.17 minutes)

For more information visit [Youth Law Australia](#).

