

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS  
BY THE DEPUTY OF GROUVILLE  
ANSWER TO BE TABLED ON TUESDAY 10th MARCH 2015**

**Question**

What legislation, if any, is being developed by Home Affairs to make it a criminal offence with a prison sentence to abuse and harass people on the internet, and how are the police working to target perpetrators?

**Answer**

The Crime (Disorderly Conduct and Harassment) (Jersey) Law 2008 provides for the offence of harassment or abuse, if a person (the offender) can be shown to have pursued a course of conduct against the said victim. This applies to conduct both off and on-line.

In 2014, the States of Jersey Police managed 21 official complaints of such on-line (internet based) harassment. These complaints resulted in 4 offenders being taken to court and a variety of other resolutions for the remainder, for example, words of advice, harassment notice served (no further action), 1 restraining order and 3 others withdrawing their original reports.

The harassment legislation, however, cannot be applied to conduct that occurs on only one occasion and therefore has no application to one-off communications sent over the internet.

Article 51 of the Telecommunications (Jersey) Law 2002 concerns the use of a public communications system to send a message that is grossly offensive or of an indecent, obscene or menacing character.

When this particular legislation was written, social media did not exist and current deliberations suggest that such existing legislation is not suited for this 'new' on-line environment.

In consequence and in accordance with developments in other jurisdictions, the Economic Development Department are in the process of seeking to amend the Electronic Communications (Jersey) Law 2000 in order to bring the Island's capability in this regard up to date. It is intended that this piece of legislation should be amended to enable the relevant authorities to have the ability, in certain cases, to prosecute people for sending grossly offensive, threatening, false or malicious electronic communications, including by social media. It is anticipated that this would cover such things as cyber bullying and revenge porn and a law drafting request will be submitted after consultation via Green Paper with stakeholders.

In the meantime, however, the States of Jersey Police will continue to respond to all reports of cyber abuse and harassment whether these are received as a result of a direct complaint or indeed through our intelligence structures and will support victims and do everything they can, within the Law, to bring offenders to justice.

On a broader note, Home Affairs is committed to working on a strategy to prevent and combat violence against women and girls, as set out in the new Strategic Plan. This would include both physical and emotional abuse.