



Cyberbullying – a Crime Specific to the New Digital Era

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Abstract: *The Internet has become the primary means of communication in the digital age, while bullying has taken on a modern dimension – cyberbullying. Although it shares similarities with traditional bullying in terms of repeated aggression, it differs due to the protection of anonymity and the fact that the perpetrator requires technological competencies rather than physical strength or social skills. The ease of access to technology represents both a significant benefit and a considerable risk, depending on the user's discernment and capacity for critical judgment. Risk factors for cyberbullying include risk-taking behavior, impulsivity, depression, and responses to major life-changing events. In virtual environments, numerous witnesses may be present, and the dissemination of defamatory content increases the risk of uncontrolled spread, often leading to severe psychological trauma for the victim, with potentially fatal consequences. Cyberbullicide – suicide directly or indirectly influenced by violent online experiences – is an alarming phenomenon, with children being the most vulnerable group. Preventing cyberbullying involves raising children's awareness of the risks associated with online exposure, through the involvement of parents, educators, and law enforcement, and through the implementation of public policies focused on prevention and the protection of rights in the digital sphere. However, such measures have often proven ineffective or have been criticized for conflicting with constitutionally protected rights and freedoms, such as freedom of expression. A society in which students are taught from an early age to adopt nonviolent behaviors and to cultivate respect and tolerance will grow into a healthy and socially cohesive community.*

Keywords: *cyberbully; victim; aggressor; witness; information and communication technologies (ICT)*

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1. Introduction

The online environment brings significant benefits to children and young people in terms of education, self-expression, and social development. However, its use also involves considerable risks, to which they are more vulnerable than adults (Vevera and Albescu, 2019, p. 63).

The Internet has become one of the main means of interpersonal communication, with the power to greatly influence human decision-making, attitudes, behaviors, and even emotions. Through the Internet, a virtual social space has been created where people can meet, debate, act, and exchange both information and goods (Hulanová, 2012, p. 27).

Cyberspace is a term used to describe an online communication environment that takes place within information and communication technologies (ICT). It allows continuous connectivity with other users and constant access to information. Cyberbullying can also have an intergenerational dimension: young people can harass adults, including parents, teachers, and others, in ways that differ from real-life harassment (Rogers, 2011, p. 33). People behave differently in the virtual world; it is very common for there to be a distorted image not only of others but also of oneself in cyberspace.

With the development of new ICT technologies as a hallmark of the technological age, bullying has evolved considerably, moving to an entirely different level, transferring its forms of manifestation online and transforming into its modern form, known as cyberbullying (digital bullying).

Easy access to ICT increases the risk of witnessing and spreading violence, which can be viewed and disseminated through any gadget. Therefore, digital technologies can be both useful, when used reasonably and beneficially, and dangerous, when misused.

In modern society, most people have their own mobile phone, computer, laptop, or tablet with Internet access, and there is nothing wrong with constantly using modern communication technologies and the Internet, as long as they are not abused in the form of cyberbullying, which specifically occurs in cyberspace, in the virtual world.

A widely held belief is that if bullying does not happen face-to-face, it is not as dangerous and cannot cause much harm to potential victims. The truth is quite the opposite—its consequences can often be more severe than those of traditional, classic bullying, which involves physical attacks, aggression, or psychological abuse, and often combined assaults by one or more aggressors against a victim who is unable to defend themselves effectively.

Cyberbullying is a form of psychological harassment in which one or more individuals deliberately and repeatedly mistreat and emotionally harm one or more people through ICT (Koláf, 2001, p. 84).

Romania ranks third in Europe in terms of the incidence of cyberbullying, especially in the case of sexting messages. Today, not only students but also teachers are becoming victims of cyberbullying, some of whom cannot cope with the traumatic consequences and, in extreme cases, resort to suicide. Cyberbullying can be associated with real-world harassment (Eckertová and Dočekal, 2013, p. 64).

2. Legislative Framework

Law No. 221/2019, which amends and supplements the National Education Law No. 1/2011, provides for the prevention of "psychological violence – bullying" in educational institutions. The methodological norms from June 2020 for applying Law 221/2019 stipulate that every school must have an anti-bullying team composed of: the school principal, the school counselor, three teachers trained in issues related to violence including bullying, two or more student representatives, one parent representative, and representatives of local authorities.

Law No. 106/2020, which amends and supplements Law No. 217/2003 on the prevention and combating of domestic violence, regulates and introduces the concept of "cyber violence" within the scope of "domestic violence." According to Law 106/2020, domestic violence means any intentional action or inaction of physical, sexual, psychological, economic, social, spiritual, or cyber violence, committed within the family/domestic environment or between spouses/former spouses/current or former partners, regardless of whether the aggressor lives or has lived with the victim.

Non-specific to bullying or cyberbullying, the following offenses under the Penal Code may be applicable: art. 206 – Threat: threatening a person with the commission of a crime or harmful act against them or another person, if the threat is likely to cause fear; art. 207 – Blackmail; art. 208 – Harassment; art. 191 – Determining or facilitating suicide; art. 226 – Violation of private life; art. 221 – Sexual corruption of minors.

The applicability of anti-cyberbullying provisions in Law 106/2020 is limited to the legal conditions for sanctioning domestic violence. It is not a general regulation but rather a supplement to the types of violence included in the scope of "domestic violence." If the act of cyber violence takes place outside the domestic environment and between persons who do not fall under the relationships defined in the law, the provisions do not apply.

The inclusion of cyberbullying in the definition of domestic violence does not criminalize cyberbullying by unknown or known persons with whom the victim does not have one of the relationships specified by the law.

To sanction such acts, whether criminal or administrative, no specific legal framework exists, all acts of cyber violence are assessed: in relation to various offenses (harassment, blackmail, invasion of privacy), as long as the elements of those offenses are met, by the National Supervisory Authority for Personal Data Processing, for issues within its jurisdiction.

For the type of cyberbullying known as "revenge porn" or "non-consensual pornography", a legislative proposal has been submitted to supplement Article 226 of Law 286/2009 on the violation of private life. This proposal introduces new paragraphs stating: the disclosure, distribution, presentation, or transmission in any way of an intimate image of an identified or identifiable person, based on the information provided, without the consent of the depicted person, likely to cause them psychological suffering or damage their reputation, shall be punishable by imprisonment from three months to two years or by a fine. An "intimate image" is defined as any reproduction, regardless of the medium, of the image of a naked person exposing totally or partially any intimate body parts or engaging in a sexual act.

The act does not constitute an offense if: it was necessary to prevent, capture, or prove the commission of a crime; it was authorized, in well-justified cases, by a judicial authority during legal proceedings.

Cyberbullying includes persistent demands from the perpetrator for nude photos – this also covers "dick pics" (explicit obscene images), which may appear unsolicited in private messages.

By using the phrase "in any way", the legislator left open the possibility for any method of committing such an act—including via the online environment—to be criminally sanctioned.

3. Bullying versus Cyberbullying

A comparative analysis between traditional bullying and cyberbullying highlights the following similarities and differences:

a. In traditional bullying, aggressive behavior is repeatedly directed at one or more individuals in the real world. In cyberbullying, the perpetrator does not necessarily need to act repeatedly—anyone using communication technology is a potential witness, and repetition is effectively replaced by the harm caused through the wide audience reach—practically unlimited (Vágnerová, 2009, p. 95). A cyberbully shares

inappropriate content—such as defamatory photos or information—that can be commented on and redistributed by anyone worldwide connected to the Internet (Sevčíková, 2014, p. 121). If website administrators do not delete such content, the dissemination increases the intensity of the attack, continuously traumatizing the victim and worsening the psychological damage, which may lead to severe or even fatal consequences;

b. Traditional bullying is characterized by a power imbalance between aggressor and victim, based on physical or social superiority (Čérna, 2013, pp. 34–35). In contrast, a cyberbully does not need physical or social dominance—only the skills to use ICT, creating a control imbalance (Vágnerová, 2009, p. 94);

c. In traditional bullying, the victim typically knows who the aggressor is. In cyberbullying, the victim often does not know the aggressor's real identity. Cyberbullies exploit the advantages of anonymity to harass others under a fake identity. The anonymity of the Internet encourages them to act uninhibitedly and escalate their attacks, allowing them to harass the victim continuously, at any time;

d. Bullying usually occurs in the same places and at predictable times—such as at school, before or after classes. Cyberbullying, however, is unidirectional and pervasive: children and young people are nearly constantly in cyberspace, so the aggressor can find and target them anytime, anywhere. Cyberbullying spreads quickly, making it particularly dangerous, more complex, and harder to detect (Vágnerová, 2009, p. 95);

e. Traditional bullying can involve physical violence, which is absent in cyberbullying, as it occurs entirely in the virtual space.

Depending on the nature of the attack, cyberbullying can be classified into: direct - the perpetrator attacks the victim directly and indirect: no direct confrontation occurs, and the aggressor uses an intermediary. This is considered more dangerous, as accomplices may participate without realizing it (Kavalír & Rottová, 2009, pp. 22–25).

Typical manifestations of cyberbullying include: humiliation, defamation, harassment, insults, threats, intimidation, blackmail, and stalking (Krejčí, 2010, p. 27).

The most common cyberbullying tools include SMS and MMS messages, mobile phone calls, photos and videos, emails, chat platforms, online games, websites or blogs, and social networks with instant messaging features (Kaiserová, 2018, p. 19).

4. Forms of Manifestation

Cyberbullying is a complex phenomenon that can take multiple forms, facilitated through various information and communication technologies (ICT). These forms include:

a. Cyberstalking – Refers to repeated, escalating, and intimidating harassment behavior, often through threatening messages or blackmail. The aim is to create real-life conflict, with the perpetrator demanding face-to-face meetings and making physical threats. Cyberstalking has become a global issue, creating not only new types of crimes but also victims (Hulanová, 2012, pp. 69–70).

b. Flaming – Involves hostile or offensive online discussions. A "flamer" attacks other users through offensive messages, escalates their attacks, harasses those who disagree with them, issues threats, uses vulgar language, or initiates harassing phone calls (Čérna, 2013, p. 26).

c. Trolling – A troll deliberately tries to provoke conflict by violently insulting others online. These attacks are often personal and intended to enrage the victim, making them lose composure and react negatively (Vevera & Albescu, 2019, p. 65).

Trolls can be confused with flamers, as both post inappropriate or vulgar comments, often unrelated to the discussion topic.

d. Dissing – Refers to persistently sending messages or emails to a person despite their refusal to respond or engage (Vevera & Albescu, 2019, p. 65).

e. Trickery – The aggressor creates a false sense of trust and friendship with the victim to get them to share secrets or embarrassing information, which are later posted online (Vevera & Albescu, 2019, p. 65).

f. Fraping – Involves unauthorized changes to the victim's personal online profile (offline context), such as when someone leaves their device unlocked. This can include impersonating the victim in communication with others to damage their reputation (Vevera & Albescu, 2019, p. 65).

g. Happy slapping – Consists of physically attacking a victim unexpectedly while filming it, then distributing the video online, thereby increasing the victim's humiliation (Vevera & Albescu, 2019, p. 65).

h. Cybergrooming – When someone uses online communication tools and fake identities to gain a child's or adult's trust, aiming to lure them into a real-life meeting (Kožíšek & Písecký, 2016, p. 72).

i. Sexting – The sending of text messages, photos, or videos with sexual content electronically. It is one of the most dangerous forms, with potentially fatal

consequences, as victims may experience extreme pressure leading to self-harm or even suicide (Kožíšek & Písecký, 2016, p. 83).

j. Gossip – Involves posting speculative public statements in virtual space that may lead to defamation, damage to one's reputation, or incitement of others to treat the individual in a discriminatory way (Vevera & Albescu, 2019, p. 65).

k. Exclusion – Refers to intentionally excluding someone from online groups or activities (social networks, blogs, online games, etc.) because they are deemed unworthy of inclusion. Since people are inherently social, being excluded from virtual groups can have a serious negative impact (Vevera & Albescu, 2019, p. 65).

l. Harassment – Involves constant and deliberate mocking or mistreatment of a person (Vevera & Albescu, 2019, p. 65).

m. Comments – Refers to posting negative and defamatory reactions to photos, videos, or messages posted by others in the virtual environment (Vevera & Albescu, 2019, p. 65).

n. Fake Profiles – Created by cyberbullies to maintain anonymity and facilitate communication with targeted victims (Vevera & Albescu, 2019, p. 65).

o. Identity Theft – When the aggressor impersonates the victim or manipulates the victim's posts to make them appear as if written by the victim (Šmajah, 2014, p. 48).

p. Disclosure and Deception – Involves spreading secret, personal, or embarrassing information about the victim with the intent to harm them online (Šmajah, 2014, p. 48).

5. Combating and Preventing the Phenomenon

Both traditional bullying and cyberbullying involve three main actors: the aggressor, the victim, and the bystander/witness. Since traditional harassment and cyber harassment are inextricably linked, the profiles of these actors are largely similar, particularly for the first two categories, where personality traits play a crucial role in the relational dynamics (Sevčíková, 2014, pp. 128–129).

Today's youth—especially digital natives—spend a significant amount of time online, often unaware of the risks associated with publishing personal data, contact information, or visual content. Such careless online behavior can turn their profiles into tools for potential cyberbullies who exploit these vulnerabilities for abusive purposes. Consequently, the risk of becoming a victim increases, especially for those who, out of fear, shame, or social isolation, choose to remain silent. This lack of communication amplifies the psychological trauma and may, in extreme cases, lead to tragic outcomes (Kopecký and Krejčí, 2010, pp. 24–26).

To effectively combat this phenomenon, a coherent set of intervention strategies is required. In the case of cyberbullying, victims can adopt protective behaviors such as ignoring offensive messages, saving evidence (screenshots, recordings), reporting abusive content to platform administrators, blocking the aggressor across all communication channels, and—particularly in the case of minors—informing a trusted adult (parent, teacher, counselor).

Although some recommend confronting the bully with a public message asking them to stop, this approach is not advisable. Cyberbullies seek reactions; any form of response may be perceived as validation and could encourage continued harassment. In contrast, strategic silence and the absence of a reaction may discourage the aggressor, who eventually may abandon their efforts when their actions elicit no attention.

In terms of prevention, parents play a critical role as digital safety actors. Open and ongoing communication with children must be accompanied by early digital education—teaching them their rights and responsibilities in the online space, as well as ethical and empathetic behavior. It is essential that the norms respected in offline life are mirrored in the virtual environment, where the consequences can be just as real.

Likewise, teachers must be trained to become informed observers and active responders. Educators are key players in preventing the escalation of bullying, and their training should include not only pedagogical skills but also emotional intelligence, enabling them to identify early warning signs and respond appropriately.

Though a relatively recent phenomenon, cyberbullying has already emerged as a complex form of psychological violence, with significant effects on the emotional and social development of young people. It is imperative that this issue be addressed not only through isolated interventions but systematically—through the involvement of families, schools, communities, and, when necessary, law enforcement or child protection services.

A fundamental contribution also lies in the development of public policy strategies that focus not only on the punishment of deviant behaviors but also on creating a safe, inclusive, and respectful digital environment—especially for children and adolescents. In this regard, digital citizenship education must become a core component of youth development, fostering a culture of respect, dignity, and nonviolence across all environments of interaction.

6. Conclusions

Nowadays, we are witnessing an alarming increase in aggressive behavior among children and adolescents—an aggression that, when left unchecked and unaddressed by educational and social institutions, can escalate into serious forms of abuse such as bullying and, in its modern manifestation, cyberbullying. The longer such behaviors persist, the more severe their psychological impact on victims becomes, leading to anxiety, depression, low self-esteem, social withdrawal, and, in extreme cases, suicide.

Cyberbullying, due to its virtual nature, often escapes the immediate supervision of parents, teachers, or authorities. It is an unacceptable and intolerable behavior that must be addressed with the utmost seriousness and determination. Unlike traditional bullying, cyberbullying occurs in a space without physical boundaries, where the anonymity provided by the digital environment intensifies and facilitates repeated acts of aggression. The aggressor no longer requires physical presence or social skills but only technological proficiency and access to online platforms. In this context, the easy and unlimited access to technology becomes a double-edged sword: a tool with enormous educational potential, but also a fertile ground for the expression of destructive behaviors. For this reason, interventions aimed at combating bullying and cyberbullying must be unified, well-coordinated, and adapted to the digital realities of our time. Every affected child or adolescent should have access to specialized psychological support, educational guidance, and a stable, nurturing environment that ensures continuity in their development. Simultaneously, schools must become inclusive spaces where discrimination and exclusion are actively challenged through clear educational policies and a culture of respect, empathy, and diversity. Building a resilient society capable of confronting these phenomena requires collective involvement and a profound change in mindset. Each individual bears responsibility for promoting a social culture that rejects violence, stigmatization, and abuse. This culture must foster the acceptance of diversity, respect for others, and the development of empathy—not merely through rhetoric, but through concrete actions and personal example, inspiring others to follow the same path.

Raising awareness of the risks associated with cyberbullying is essential to increasing the effectiveness of prevention strategies. Cyberbullying is not an isolated phenomenon but a global issue affecting all age groups, with a particularly strong impact on children and adolescents during critical stages of identity formation. It must be combated with all available resources, including legal regulations, educational reforms, and psychosocial interventions. As information and communication technologies evolve, so do the forms of abuse, necessitating the continuous adaptation of protective and response strategies.

In conclusion, only through an integrated approach – combining prevention, early intervention, institutional support, and community involvement – can we build a safe, inclusive, and equitable social framework for young people. A society in which students are educated from an early age to adopt non-violent attitudes, show respect toward others, and cultivate tolerance is a healthy society, prepared to meet the challenges of the digital age and to uphold the dignity of every individual.

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