

GENERAL CHARACTERISTICS OF CYBERBULLYING AND WAYS OF ITS PREVENTION

Summary. The article analyzes such type of violence in cyberspace as cyberbullying. The specific features of cyberbullying are described, which allow distinguishing it as a separate type of bullying. Various forms of cyberbullying are considered, such as flaming, harassment, denigration, grieving, cyberstalking. The consequences of cyberbullying for both the victim and the aggressor are analyzed. Preventive measures are proposed for parents and school administrators to avoid cases of cyberbullying. The options for countering the victim's cyber attacks are considered.

Keywords: *bullying, violence, cyberbullying, cyberbully, victim, cyberspace, cyberstalking.*

The virtualization of the modern social space has become an undeniable fact. And teenagers are perhaps the largest social group in this communication space. Naturally, the manifestations of non-direct tactile or verbal aggression are shifted to the online zone [1, p. 43]. The development of scientific and technological progress poses a potential threat to modern society. One of these threats is cyberbullying, which appeared not so long only 20 years ago, but gained wide popularity and continues to gain momentum. Cyberbullying is a new "social problem", which implies systematic violence on the Internet through electronic devices. Digital sociality creates an ideal that requires a positive social image. What is published on *social networking* sites, how a person looks in this environment is what he or she wants or allows others to see.

Often teenagers in search of new acquaintances, trying to gain popularity, and just hanging out, expose personal information and photos for wide access. Thanks to such actions, they become a potential victim of cyberbullying. However, many of them do not know how to behave in such a situation and how to resist violence on the Internet.

Cyberbullying is a violence that has no boundaries and any person can be victimized. Quite often, celebrities faced with this problem, when haters write them an insulting comment by social media. But they are more or less prepared for it and realize that it is the pay for success and a beautiful life. However, what to do the average teenager who reacts rather painfully to negative comments under his or her photos from peers or strangers? How to respond to threats on the Internet and what to do when you fall victim to cyberbullying? We will try to analyze the social phenomenon of cyberbullying, the forms of its manifestation and, on the basis of this, develop a strategy to combat it.

A term "cyberbullying" coined by Canadian educator Bill Belsey *and means the use of information and communication technologies to support deliberate, repeated, and hostile behaviour by an individual or group that is intended to harm others* [2, p. 15]. Sheri Bauman considers that cyberbullying shall be defined as verbal or relational bullying accomplished using electronic or wireless media [3]. That is, cyberbullying is "covert, psychological bullying, conveyed through electronic mediums such as cell-phones, web-logs and web-sites etc." [4, p. 28].

Cyberbullying is "an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly and over time against a victim who cannot easily defend him or herself" [5, p. 376]. Price and Dalglish note that: "Cyberbullying is the collective label used to define forms of bullying that use electronic means such as the internet and mobile phones to aggressively and intentionally harm someone..." [6, p. 51].

Cyberbullying as a type of bullying has the same basic features as 1) intentional aggressive behaviour; 2) repetitiveness or regularity of act; 3) inequality of victim and aggressor; 4) consequences in the form of mental or physical harm. A special feature is that cyberbullying occurs through electronic technologies.

Cyberbullying, like traditional bullying, involves malicious aggressors who seek implicit or explicit pleasure or profit through the mistreatment of another individual [7, p. 91]. Such aggression should be repeated, as in the situation with bullying the sole case does not fall under these criteria. It can also be noted that bullies in cyberspace are more aggressive than they are offline and it is the most essential factors that distinguish cyberbullies from traditional bullies [8, p. 121].

Furthermore, the lack of tangible feedback means that the bully does not have to witness the effect of his or her behavior on the target. The absence of the experience of seeing the harm reduces the likelihood of an empathetic reaction [9].

One more of the defining features of cyberbullying is that it can occur at any time [10, p. 89]. When cyberbullied, the victims are accessible around the clock, and there is no time when text messages, emails, or other messages cannot be sent [11]. The victims are in fear all the time and cannot feel protected even at home.

As in the situation with bullying, cyberbullying is characterized by the difference in the strength of the victim and the aggressor. The peculiarity will be that cyberbully should not be stronger physically or older in age. This type of bully can be any one: large or small, popular or an outcast, an honor student or a challenged learner. A cyberbully's two most important features must be to have Internet access and possess a desire to cause harm to another [12, p. 55]. In cyberspace,

though, computer proficiency alone may result in a power differential [7, p. 91].

Another hallmark of cyberbullying will be that cyberbullies feel safe terrorizing their victims. These perpetrators believe they are "invincible" due to the anonymity offered by electronic means, giving these bullies a sense of safety from being caught [13, p. 135]. The elements of perceived anonymity on-line, and the safety and security of being behind a computer screen, aid in freeing individuals from traditionally constraining pressures of society, conscience, morality, and ethics to behave in a normative manner [14, p. 134]. Another feature of cyber-space bullying is that hundreds of perpetrators can get involved in the abuse, and class-mates who may not engage in the bullying at school can hide behind technology to inflict the most serious abuse [4, p. 29]. Cyberspace makes it possible to unleash the aggressor's potential and manifest violence without fear of punishment, thus the circle of aggressors expands and pressure on the victim becomes stronger.

Sophia Alim distinguishes also such features of cyberbullying as complication of tracking down who has carried out instances of cyberbullying and difficulties for victims of cyberbullying to deal with bullies in real life [15, p. 69]. That's why cyberbullying should not be underestimated; it is much more dangerous than it seems.

Nancy Willard distinguishes different forms of cyberbullying. Among them: Flaming (online "fights" using electronic messages with angry and vulgar language); Harassment (repeatedly sending offensive, rude, and insulting messages); Denigration ("dissing" someone online; sending or posting cruel gossip or rumors about a person to damage his or her reputation or friendships); Impersonation (breaking into someone's account, posing as that person and sending messages to make the person look bad, get that person in trouble or danger, or damage that person's reputation or friendships); Outing and Trickery (sharing someone's secrets or embarrassing information or images online; tricking someone into revealing secrets or embarrassing information, which is then shared online); Exclusion (intentionally excluding someone from an online group, like a "buddy list"); Cyberstalking (repeatedly sending messages that include threats of harm or are highly intimidating; engaging in other online activities that make a person afraid for her or her safety) [16, p. 70].

In addition, there is such a type of cyberbullying as grieving. This is a type of activity in online games, consisting in sabotage and vandalism against other players, for example, killing players in games, demolishing buildings in games, stealing resources and items.

Kowalski et al. added more forms of cyberbullying: happy slapping and hopping, and also sexting. Happy slapping means recording assaults on the target and upload those recordings to the Internet for hundreds and thousands to see and comment on. Sexting refers to the sending or posting of nude or semi-

nude pictures or videos via text messages or other electronic means [17, pp. 67-69].

Cyberthreats and cyberstalking are particularly frightening forms of cyberbullying. The latter involves repeatedly sending messages that include threats of future harm, while the former may be threats to others, threats to harm a third party or parties, or threats to harm self. These types of messages are typically associated with emotional distress [3]. Hurtful damaging messages can be sent instantaneously at any time to a very large audience; because they 'live' indefinitely in cyberspace, these messages have a recurring capacity to inflict harm on the victim [18, p. 48].

Cyberbullying negatively affects the psychological health of adolescents, causing depression, decreased self-esteem and suicidal thoughts [19]. Victims of cyberbullying report more social and emotional problems, such as isolation and emotion regulation problems, than victims of traditional bullying [20]. In an American study conducted among adolescents hospitalized on the University of Miami/Jackson Memorial Hospital Acute Inpatient Child and Adolescent Psychiatry Unit it was found that 50% of them were cyberbullying [21]. It should be noted that victims of cyberbullying may be at risk for other negative developmental and behavioral consequences – including school violence and delinquency [7, p. 104]. On the one hand, cyberbullying victims are more likely to be bullied at school; on the other hand, they can try to compensate for their humiliation in cyberspace by aggression against classmates in real life.

Turkish results of research showed that there is a positive association between depression, anxiety, somatization, hostility and cyberbullying and victimization in university students' sample [22, p. 14]. It should be noted that the negative consequences of cyberbullying can occur in adulthood, both in the victim and in the aggressor, since both sides are subject to mental deviations. A Norwegian study showed that people who were bullied had depressive symptoms and high levels of total, internalizing and critical symptoms, increased risk of having received help for mental health problems and reduced functioning because of a psychiatric problem. While those being aggressive toward others showed high levels of total and internalizing symptoms. Both of them had increased risk of psychiatric hospitalization because of mental health problems [23].

Emotional intelligence plays a buffering role in such situation. When a teenager sees that there is an aggressor on the other side of the screen that provokes the victim to various actions or arouse negative emotions, he needs to be able to understand this situation. This will help control his feelings and emotions, and will protect the teen from the status of the victim of cyberbullying. Spanish study found that cyberbullying has less impact on the suicidality of adolescent victims and self-esteem if they have high emotional intelligence. Possessing the emotional abilities grouped together as emotional intelligence –

perception of emotions, understanding of the causes and consequences of emotions and the ability to manage the emotions of oneself and others – may reduce the risk that adolescent victims of cyberbullying might experience psychological problems as a consequence [19].

As we can see bullying is evolving from the classic image of a big schoolyard bully picking on smaller kids to a more technologically, sophisticated model of kids using cyber technology to electronically tease, bully, and harass their peers with texting, voicemails, emails, and posts on public websites [24, p. 537]. Cyberbullying is the unfortunate by-product of the union of adolescent aggression and electronic communication, and its growth is giving cause for concern [14, p. 131].

Director of cyberbullying research center in the USA Justin W. Patchin states that 17.4% of students said they were a target of cyberbullying in 2019, compared to 16.5% in 2016 [25]. Similar figures are given in a Thai study where the prevalence of cyberbullying victims was 17.36%, whereas those who were school bullied were 21.91%. Among those who reported experiences of being cyberbullied, 62% were males and 38% were females and the experience was more common in private school students [26, p. 12878]. In Ukraine, almost one in five adolescents (21.5%) has admitted to being victims of cyberbullying; boys and girls equally abused and humiliated in this way [1, p. 43].

Statistics show that cyberbullying continues to gain momentum, despite opposition from the state and the introduction of various anti-bullying programs. A vivid example is the United States, where each state has a statutory regulation of anti-bullying and cyberbullying, as well as anti-bullying events in schools. While administrative responsibility for bullying in Ukraine was introduced a year ago, including in cyberspace, it is too early to talk about positive dynamics. Unfortunately, this is not the method of struggle that gives a result. Of course, it is necessary to legislatively regulate such negative actions. But the success of the fight against cyberbullying lies in a different plane. Basic measures should be taken by the parents and school administration.

Trusting relationships with parents is an important element of alternate cyberbullying. The child should know that he or she will not be scolded, that phone or computer will not be taken away. To young people today, losing their technology is akin to being banished from their social world, and they often would rather risk being a target of cyberbullying than losing their technology.

Children think that their parents do not understand the issue and that they would overreact. Teaching the issue of cyberbullying to parents, and highlighting the dangers and possible solutions to cyberbullying when it occurs can be a form of prevention [11].

Parents need to know about the potential of cyberbullying, and that they must be much more involved in monitoring the technological activities of

children. Many adults believe that by installing filters on computers, they are protecting their children from unwanted contact and sites [3]. It is desirable that parents know their children's passwords, and regularly check that they are current. But that is not all.

The main task in the fight against cyberbullying is to talk with children and adolescents about this negative phenomenon, to explain them how to behave if you become a victim or witness of an attack. Parents should make it clear that the child will not be punished, even if he or she provoked such actions with his or her victim behavior (for example, shared an intimate photo, as a result of which he or she became a victim of cyber blackmail).

Mental and emotional development in many respects contributes to the progress of stress resistance during cyber attacks, which reduces the likelihood of becoming a victim of cyberbullying in the future. Therefore, it is important for a teenager to learn to control their emotions. For this, parents should pay attention to the mental education of their child. If necessary, they should attract specialists. It is important to make it clear to the teenager that he or she is not alone, that adults will always support him or her and help in any situation. Unfortunately, statistics say that fewer than 9% of victims informed a teacher or an adult about cyberbullying, whereas 56.6% were more comfortable talking about their victimization to a friend [7, p. 92].

The role of the school is as great as that of parents. The main task for the school administration should be to conduct educational activities that form a negative attitude towards cyberbullying. Police officers, psychologists, parents, and teachers should be involved in these activities. Adolescents should be made aware of administrative responsibility for committing acts of bullying and cyberbullying. School policy should be aimed at introducing anti-bullying programs into the educational system. Although it should be noted that, according to recent studies, general programs such as Olweus Bullying Prevention Program give insignificant results regarding cyberbullying. The program had weaker and somewhat less consistent effects on students' reports of being cyberbullied than on being bullied in other ways [27, p. 81].

Of course, the victim plays the main role in the situation with cyberbullying, how he or she reacts to attacks and what measures he or she takes to avoid them. S. Hurley suggests the following general strategies for not becoming a victim of cyberbullying: protecting personal information (passwords, etc.) in e-mail communication and other online activity; avoiding the unknown with regard to electronic messages – e.g., "learn to discriminate between the important and the potentially harmful"; blocking messages using software for cell phones and e-mail; avoiding replying to bullying behavior; gathering evidence of offending messages and pictures; reporting incidents to school and other authorities, and making the reporting process easier [28, pp. 22].

Pupils consider that the best ways to stop cyberbullying are: "blocking messages/identities"

(74.9%), "telling someone (parent/teacher)" (63.3%), "changing email address/phone number" (56.7%), and "keeping a record of offensive emails/texts" (46.5%), followed by "ignoring it" (41.3%), "reporting to police/other authorities" (38.5%), contact service provider (31.1%), and "asking them to stop" (21.4%), with the least popular advice being "fighting back" (19.6%) [5].

The analysis shows that cyberbullying, as a continuum of various forms of manifestations of cruelty in the virtual space, has a socio-psychological nature and is based on adolescents learning the laws of social inequality and the struggle for power. The prevention of cyberbullying contributes to the formation of the child's general readiness for constructive interaction in a modern complex society [29, pp. 27-28]. It is impossible to completely eliminate cyberbullying, as well as classical school violence in the struggle for leadership. But this does not mean that adults can ignore this phenomenon and stay away from conflict resolution.

Today's digital environment is a new risk (from cyberbullying and the sale of psychoactive substances to child pornography). The answer to these risks should be digital literacy, not a ban, but a strategy. Therefore, the main preventive direction is the formation of general media culture in the field of using information and communication technologies [1, p. 46]. Only in this way can we decrease the number of victims of cyberbullying and reduce its negative consequences.

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SOME ASPECTS OF LEGAL REGULATION OF THE CONSERVATION OF OBJECTS OF CAPITAL CONSTRUCTION UNDER THE LEGISLATION OF THE RUSSIAN FEDERATION

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НЕКОТОРЫЕ АСПЕКТЫ ПРАВОВОГО РЕГУЛИРОВАНИЯ КОНСЕРВАЦИИ ОБЪЕКТОВ КАПИТАЛЬНОГО СТРОИТЕЛЬСТВА ПО ЗАКОНОДАТЕЛЬСТВУ РОССИЙСКОЙ ФЕДЕРАЦИИ

Abstract. This work is devoted to the study of the state of modern legislation governing public relations in the field of construction activities. The provisions governing the conservation of capital construction facilities are analyzed. The main problems that arise in practical activities during the implementation of the conservation of unfinished objects are identified. Alternative methods for solving difficult issues that are used in foreign countries are considered. Based on the study, methods are proposed for resolving identified shortcomings by adjusting the provisions of the current legislation, as well as introducing additional legal obligations for participants in these legal relations.

Аннотация. Данная работа посвящена исследованию состояния современного законодательства, регулирующего общественные отношения в области строительной деятельности. Проанализированы положения, регламентирующие консервацию объектов капитального строительства. Выявлены основные проблемы, возникающие в практической деятельности при осуществлении процедуры консервации незавершенных объектов. Рассмотрены альтернативные способы решения затруднительных вопросов, которые применяются в зарубежных странах. На основе проведенного исследования предложены способы разрешения выявленных недочетов посредством корректировки положений действующего законодательства, а также введения дополнительных правовых обязанностей для участников данных правоотношений.

Key words: *legislation in the field of construction activities, construction, conservation of capital construction projects, obligations of participants in construction relations, verification activities, deadline.*

Ключевые слова: *законодательство в области строительной деятельности, строительство, консервация объектов капитального строительства, обязанности участников строительных правоотношений, проверочные мероприятия, предельный срок.*

Строительная отрасль, как сфера человеческой деятельности, зависит от множества факторов: экономических, политических, социальных. Стремительное развитие страны в целом и