

# Cyberbullying victimization during COVID-19: Psychological effects and the legal measures

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## ABSTRACT

March 2020 has seen thousands of people across the globe have been infected with coronavirus disease 2019 (COVID-19). Apart from that, the pandemic has affected the learning of billions of students worldwide. As a result, educational institutions throughout the world have turned to online learning using online platforms. Online platforms not only cater to virtual learning, but the students will also have unrestricted access to their social media accounts and online games. Due to this situation, there has been an increase in violence and hate online, which includes bullying. The study reviewed articles to identify cyberbullying victimization during COVID-19. Articles published during COVID-19 pandemic from January 2020 to April 2021 were identified for review. The article search was conducted in April 2020 using the search engine on the National Centre for Biotechnology and Information (NCBI) website and Google Scholar. Nineteen articles were chosen as being appropriate for the study's scope. The review highlights the presence and the psychological effects of cyberbullying during COVID-19. The current preventive measure in place is the legal measures. However, the legal measures are found not to be effective in combating cyberbullying.

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## 1. INTRODUCTION

Since the beginning of human history, bullying has been an area of concern in society. Olweus [1] defined bullying as an activity of being repeatedly exposed to inappropriate behavior by one or more people. It relates to harmful conduct which is meant to terrify, enrage, or embarrass the targeted people. Bullies nowadays use the internet to carry out their awful activities as the use of social media has escalated around the world. With the growth of the modern internet and communication technology, cyberbullies can now bully others while hiding behind the mask of anonymity [2], [3]. According to Simon [4], bullying that occurs through technological devices is considered cyberbullying. Cyberbullying also happens when people use digital tools like social media, messaging platforms, gaming platforms, and cell phones to bully others. Cyberbullying has risen exponentially around the world [5]. In Malaysia, it has become one of the most dangerous threats in cyberspace [6].

March 2020 has seen coronavirus disease 2019 (COVID-19) have infected thousands of people across the globe. The government worldwide had imposed strict measures to prevent the spread of the disease, such as social distancing, hand washing, use of hand sanitizer, avoiding handshakes, coughing, and sneezing etiquette, and wearing a facemask. The authorities also issued a movement control order (MCO) to break the virus's chain. However, the government's actions have had an impact on the country's economy.

Education, tourism, manufacturing, construction, and agriculture are a few industries that have been struck by the COVID-19 outbreak. Strict rules imposed during COVID-19, such as social separation, also affected individual mental health. Humans, being social creatures, require interaction with others [7]. The social separation created by COVID-19, according to Hemavathi [7], had led to anxiety, posttraumatic stress, and obsessive-compulsive, wreaking havoc on people's mental health. COVID-19 and lockdowns have significantly affected college students' psychological well-being in China, especially on anxiety [8]–[10]. A study was undertaken in Malaysia to investigate university students' anxiety levels during the COVID-19 outbreak and lockdown. The study found anxiety levels of 20.4% of respondents range from mild to moderate, 6.6% of respondents suffer severe anxiety, and 2.8% of respondents suffer acute anxiety [11].

According to United Nations Educational, Scientific and Cultural Organization (UNESCO), the pandemic has affected the learning of more than one billion students in 129 nations throughout the world [11]. As a result, educational institutions around the globe have turned to online learning using online platforms. Not only will they be immersed in virtual learning throughout the day, but students will also have unrestricted access to their social media accounts and online games. Due to this situation, there has been an increase in violence and hate online during the COVID-19, including bullying. The review attempted to identify cyberbullying victimization during COVID-19 and the preventive measures in place to combat cyberbullying.

## 2. RESEARCH METHOD

### 2.1. Study design

The study adopted scoping review which follows preferred reporting items for systematic reviews and meta-analyses (PRISMA-ScR). Scoping review is a common approach for mapping broad topics. Topic for this study does fit these criteria because the literature on cyberbullying victimization in relation to psychological effects and legal measures exhibits a large and complex which has not yet been comprehensively reviewed [12], [13]. The article search was conducted in April 2020 using the search engine on the National Centre for Biotechnology and Information (NCBI) website and Google Scholar. This paper reviews articles regarding cyberbullying victimization, which was published during COVID-19 from January 2020 to April 2021. These search engines were selected because they are the most reliable websites for scholars. The terms searched were 'cyberbullying,' 'victimization,' 'psychological effects' 'legal measures' and 'COVID-19.' Journal articles, short communications, letters to editors, and comments were among the published materials connected to these terms.

### 2.2. Inclusion and exclusion criteria

Inclusion selection process requires the articles to meet the inclusion criteria as follows; i) English written articles, ii) Original data reporting; ii) Focusing on cyberbullying during COVID-19 pandemic, iii) Addressing the psychological effects, iv) Addressing the effectiveness of legal measures to combat cyberbullying.

On the other hand, exclusion criteria for this study are as follows; i) article does not publish in English, ii) focusing on general features of cyberbullying not during COVID-19 pandemic, iii) does not focus on psychological effects of cyberbullying, iv) does not focus on the effectiveness of the legal measures. The selection process began with articles were firstly screened based on title. Later, the articles were then assessed in full text. Articles' extraction was conducted by one author (RS) and screening process was conducted by another author (ZZMZ). Only eligible articles will be extracted. After the article extraction, full text then was downloaded. Article extraction was conducted only for those articles that met the inclusion criteria.

## 3. RESULTS AND DISCUSSION

A total of 572 titles were retrieved on National Centre for Biotechnology and Information (NCBI) and Google Scholar. There were 37 titles retrieved on NCB and another 535 titles were retrieved on Google Scholar. After a preliminary screening was conducted based on title and abstract, 553 articles were removed on few reasons. The reasons are as follows: duplicate (n=23), unrelated topic, not publish in English (n=17), abstract only (n=29). Out of 21 eligible articles, two articles were removed after full text assessment was conducted because of the following reasons. One article focuses on perception of law enforcement officer towards cyberbullying. Another article focuses on social prevention of cyberbullying as oppose to legal prevention. This left 19 papers that met the study criteria. Figure 1 illustrates the study selection process. At the end of the selection process, 19 articles were included in the scoping review. The authors organized the articles according to references, titles, and findings of the articles. Table 1 shows the articles that were selected for review.

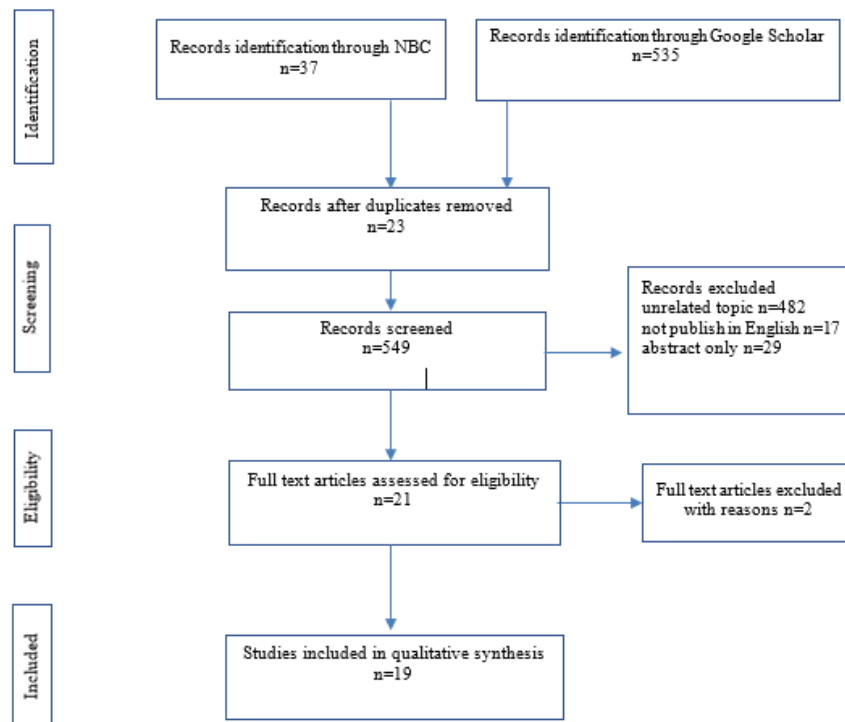


Figure 1. Study selection process

### 3.1. Cyberbullying and psychological effect during COVID 19

During the COVID-19 pandemic, there was a substantial surge in cyberbullying [14]–[16] and social media incivility [17]. School closure and the increased usage of social media by the students and children during the COVID-19 shutdown have resulted in most children and youth becoming victims of cyberbullying [18]. A rise in social media and online gaming activities also contribute to a rise in cyberbullying [19]. During COVID-19, researchers [20] discovered that up to 20% of young people surveyed were linked to cyberbullying. The study found that cyberbullying victimization happened predominantly through educational communication methods and social media [21], and Twitter [22].

A study conducted by Karmakar and Das [23] revealed an increased trend in cyberbullying related to tweets. Data on cyberbullying relating to public tweets were collected in this study, and the Bayesian method was applied to analyze the data. The study found that during COVID-19, Twitter users discussed cyberbullying more frequently, which could be related to the pandemic's direct impact. It seems that cyberbullying is very common in social media. Thus, a study is needed to build a profile for someone more vulnerable to cyberbullying. This study is essential so that people around the victims can prevent further damage to the victims. A study relating to coping strategies was conducted during the COVID-19 pandemic. It was found that people in China mostly adopted emotion-focused coping. This coping strategy is associated with negative behavior. The study revealed that cyberbullying and depression are among the impact related to COVID-19 [24].

The consequences of cyberbullying differ from one person to another. Cyberbullying has been linked to various harmful effects, including poor mental health and the development of suicide ideation [25], [26]. The victims may suffer from sadness, anxiety, and low self-esteem. In addition, they may feel insecure, sad, and lonely. Cyberbullying has been shown to have a psychological impact on the victims. Frustration, rage, and grief are common reactions to cyberbullying [27]. Cyberbullying victims are more likely to have a high level of depression, and they are most likely to commit suicide [28]. Cyberbullying can cause anxiety, low self-esteem, insecurity, and loneliness in addition to depression [29], [30]. A study conducted by Lai [31] found the unfavorable consequence of cyberbullying will cause the victims to become more cautious, sensitive, and introverted over time. In the long run, melancholy and insecure sentiments may lead to changes in sleep, eating habits, and a loss of interest in previously enjoyed activities. As a result, the victims are frequently physically weaker than their peers. In the worst-case scenario, if they are not provided counsel and aid to stop cyberbullying, they may commit suicide. Bullycide, or suicide by young people due to bullying, has increased over the last few years, fueled by cyberbullying in addition to traditional bullying [32], [33].

Table 1. Summary of articles related to cyberbullying victimization, psychological effects, legal measures and COVID-19

Author	Title	Findings
Yang, F.	Coping strategies, cyberbullying behaviors, and depression among Chinese netizens during the COVID-19 pandemic: a web-based nationwide survey.	During COVID-19 pandemic, emotion-focused coping strategy was found to be adopted by most people. The strategy is associated with negative behavior such as cyberbullying and depression.
Das, S. <i>et al.</i>	Change-point analysis of cyberbullying-related Twitter discussions during COVID-19.	The study, which was conducted through Twitter, discovered that there was an upsurge in cyberbullying during COVID-19.
Tahat, D.N. <i>et al.</i>	Jordanian Newspapers Coverage of Cyberbullying during COVID 19 Pandemic.	The study's findings indicate that during the COVID-19 outbreak, Jordanian publications were interested in covering cyberbullying issues based on the reports by the government officials. The reports revealed that ordinary people were the ones who were most targeted by cyberbullying.
Alsawalqa, R.O. <i>et al.</i>	Cyberbullying, social stigma, and self-esteem: the impact of COVID-19 on students from East and Southeast Asia at the University of Jordan.	Cyberbullying occurred during COVID-19, which targeted East and Southeast Asian heritage students with low self-esteem. The bullies claimed that humor was their primary motivation for cyberbullying, and that they were unaware to the fact that their cruel behavior could be considered bullying.
Mkhize, S. <i>et al.</i>	Cyberbullying Perpetration: Children and Youth at Risk of Victimization during COVID-19 Lockdown.	During the COVID-19 shutdown, children and students tend to use more social media. As a result, majority of them became victims of cyberbullying.
Alrawashda, M.N. <i>et al.</i>	The Risk of Bullying as a Result of COVID-19 Among University Students.	Asian male and female students have been subjected to cyber bullying at Jordan government universities during the pandemic. According to the findings, Chinese students experienced the most bullying, followed by Indonesian students, and Filipino students experienced the least bullying.
Tas'adi, R. <i>et al.</i>	Cyberbullying in the Digital Age: A Common Social Phenomenon.	During COVID-19, up to 20% of young people examined were linked to cyberbullying.
Jain, O. <i>et al.</i>	Has the COVID-19 pandemic affected the susceptibility to cyberbullying in India?	The COVID-19 epidemic has influenced the susceptibility to cyberbullying based on the differences in factors between the two time periods.
Doxbeck, C. <i>et al.</i>	Original Paper Equity in the Academy? Examining Cyberbullying Victimization and Conflict Resolution Across Sexual and Gender Identity During COVID-19.	During COVID-19, cyberbullying victimization occurred mostly through educational communication means and social media and was not linked to one's sexual or gender identity.
Karmakar, S. <i>et al.</i>	Evaluating the impact of COVID-19 on cyberbullying through Bayesian trend analysis.	The study's new Bayesian analysis revealed since mid-March 2020, there was an increased trend in tweets relating to cyberbullying.
Mahmood, I.S.	Are Cyberbullying Interventions and Criminal Law Prevention Effective? (A Review of Cyberbullying Legislation in Iraq).	In Iraq, legal measures have been limited in their implementation due to impacts of cyberbullying being poorly understood.
Rosenthal, H. <i>et al.</i>	(Non) existence Laws of Workplace Cyberbullying Limitations of Legal Redress in a Digitized Market.	The current common law and legislative remedies in the United States are insufficient to provide legal remedies to victims of cyberbullying.
Karthikeyan, C. <i>et al.</i>	Social and Legislative Issues in Handling Cyberbullying in India.	Countries around the world have enacted relevant laws to combat the act of cyberbullying. However, the effectiveness of the laws is still questionable.
Dey, V. <i>et al.</i>	Cyberbullying: Causes, Psychological Impact and Remedies.	There is a need for creating awareness about the laws because the absence of awareness among the victims precludes them from getting redress.
Ghandour, A. <i>et al.</i>	Security and Privacy of Adolescents in Social Applications and Network: Legislative Aspects and Legal Practice of Countering Cyberbullying on Example of Developed and Developing Countries.	A study conducted in developed and developing countries shows that law relating to cyberbullying are either ineffective or in absence.
Sumardiana, B. <i>et al.</i>	Social Response of Legal Prevention for Cyberbullying to Children (A Comparative Study on Cyberbullying to Children of Indonesia and Thailand).	Victims in Indonesia and Thailand are not familiar with the law relating to cyberbullying. As a result, victims are then challenged in court as in violation of freedom of speech.
Nugraheni, P.D.	The New Face of Cyberbullying in Indonesia: How Can We Provide Justice to The Victims?	The government of Indonesia has enacted ITE Law that is passed in 2008 to protect victims of cyberbullying. However, it seems that people in Indonesia are not aware of the law.
Pennell, D. <i>et al.</i>	Should Australia Have a Law on Cyberbullying? Problematising the Murky Legal Environment of Cyberbullying from Perspectives within Schools.	Australia does not have a specific law on cyberbullying. A study conducted by Pennell (2021) found that educational approach is favoured over legal approach.
Adediran, O.A. <i>et al.</i>	Cyberbullying in Nigeria: Examining the Adequacy of Legal Responses.	The existing law in Nigeria is ineffective in curbing cyberbullying. There has not been any notable enforcement of law in prosecution of cyberbullying cases.

### 3.2. Legal measures as a means of protection

An issue of cyberbullying is very much connected with legal measures. Countries around the world have enacted relevant laws to combat the act of cyberbullying. However, the effectiveness of the laws is still questionable [34]. The above review highlights the function of legal measures in countries around the world in tackling issue relating to cyberbullying. Generally, most countries have their own laws to combat cyberbullying.

In the United States, the present legal structure requires that cyberbullying take place in physical spaces, which means that internet harassment is not consider as harassment. Thus, the current common law and legislative remedies in the United States are insufficient to provide legal remedies to victims of cyberbullying [35]. In Iraq, legal measures have been limited in their implementation due to impacts of cyberbullying being poorly understood. Current legislation in Iraq may not be adequate to deal with cyberbullying. Law reform is needed in Iraq. However, there are challenges to the law reform due to ambiguity in the definition of cyberbullying and intention to cause harm through online communication [36]. A study conducted by Adediran [37] examines the effectiveness of legal responses to cyberbullying in Nigeria. It was found that cyberbullying in Nigeria can be prosecuted under the Cybercrimes Act. However, there has not been any notable enforcement of law in prosecution of cyberbullying cases. The findings concluded that the existing law in Nigeria is ineffective in curbing cyberbullying.

Sumardiana [38] has conducted a study in Indonesia and Thailand. The study investigates the effectiveness of national criminal law and instrument to provide a legal prevention for cyberbullying to children. It was found that the victims are not familiar with the law relating to cyberbullying. As a result, victims are then challenged in court as in violation of freedom of speech. Nugraheni [39] is with the same opinion. According to the author, the government of Indonesia has enacted ITE Law that is passed in 2008 to protect victims of cyberbullying. However, it seems that people in Indonesia are not aware of the law. Thus, it is the duty of the government to educate the people about the law. Dey [40] also of the same opinion. He stated that cyberlaws are well drafted and can be utilised. However, there is a need for creating awareness about the laws because the absence of awareness among the victims precludes them from getting redress.

Australia does not have a specific law on cyberbullying. A study conducted found that educational approach is favoured over legal approach. The author further opined that law on cyberbullying has not much benefit the cyberbullying [41]. A study conducted in developed and developing countries shows that law relating to cyberbullying are either ineffective or in absence. Thus, it is encouraged that those countries to create separate cyberbullying legislation and review the already existing legislation in those countries [42].

From the above discussion, it is clear that law is important to prevent cyberbullying. However, law and legal measures introduced in most countries in the world are not effective to prevent cyberbullying. A good example can be seen in legal measures adopted in Malaysia.

The importance of legal measures in combating cyberbullying in Malaysia can be seen in a few recent cases involving cyberbullying during the COVID-19 pandemic. It cries for a specific law to be in place. A Sarawakian girl had posted a poll on her Instagram asking her follower to help decide whether she should live or die. It was found that 69% of her follower voted for her to die. As a result, she committed suicide the very next day [43]. Another cyberbullying incident involved an Indian girl, R. Thivya Nayagi, aged 20. She created a Tik Tok video with a male colleague who was a foreign worker. She received damning comments and remarks over the video from people she did not know. Later she committed suicide by hanging herself from the ceiling fan [44].

The perpetrators may justify cyberbullying as a harmless pastime. They argued that cyberbullying is a way to have fun with their friends [45], [46] actually kidding around with their friends. However, under Malaysian law, such behavior is prohibited. Currently, there is no specific legislation in Malaysia that addresses cyberbullying. Thus, existing legislation, for instance, the Penal Code, Communication and Multimedia Act 1998, and the Defamation Act 1957, can be used to tackle issues relating to cyberbullying.

#### 3.2.1. Penal code

There is no specific provision that provides for cyberbullying under the Penal Code. However, a few sections can be relied upon if cyberbullying falls under the offences provided in the Penal Code. Section 323 can be relied upon in cases involving cyberbullying. According to the section, it is an offence for a person to physically harm another person. It is required for harm to be committed to the person.

Section 351 and 506 can also be relied upon in cases involving cyberbullying. Both offences do not require physical contact. An offence can also be committed if the bullies' assault and used criminal force on the victim. Section 351 states that anyone who makes a gesture or makes a preparation with the intent that such action will lead any person to suspect that criminal force is to be made against the person who is committing an offence under the Penal Code.



Section 506, on the other hand, provides for criminal intimidation. According to the section, any person who threatens another to cause someone to do something to avoid the threat is said to commit criminal intimidation. The act of cyberbullying may fall under both sections 351 and 506 of the Penal Code because it is an offence committed without physical contact. Under section 351, the victim needs to prove that the bullies have made gestures to carry out the threat. Under section 506, it must be established that a threat made to the victim caused death or grievous hurt.

### 3.2.2. Communication and multimedia act 1998

Under the Act, cyberbullying can be covered under the purview of section 233. Section 233(1)(a) provides it is an offence for a person making, creating, soliciting, or initiating communication using a network facility that aims to exploit, irritate, harass, or threaten someone. A person convicted under the section is subject to a fine of up to RM 50,000 or imprisonment for one year or less, or both. In the case of *P.P. v Muslim bin Ahmad* [2013] 1 All Malaysia Reports (AMR), it involved an online platform whereby the accused reportedly utilized the Perak State Government Official Portal to make derogatory remarks about the Sultan of Perak. The accused denied the allegations, but the I.P. address pointed to them.

### 3.2.3. Defamation act 1957

Cyberbullying also falls under the purview of the Defamation Act 1957. Defamation exists when a person makes a comment that harms the third's party reputation. There are two types of defamation which are slander and libel. Slander is a false statement made in words spoken or gestures that defame the third party. Whereas libel is a false statement made in a permanent form such as writing or publishing, which aims to defame the third party. Defamation under the Act is a civil action. In order for the victim to claim under the Act, the victim must prove the three criteria. First, the plaintiff must prove that the defendant made an underprivileged statement. The statement injured the plaintiff's reputation, and the statement made has been published. Once the criteria are fulfilled, the defendant shall be guilty under the Act.

A good example to illustrate an online defamation case is the case of *Datuk May Phng @Cho Mai Sum & 2 Ors v Tan Pei Pei* [2018] 4 AMR 784. In this case, defamation was established when the email had been published and disseminated to the public. The statement made in the email was such that it damages the reputation of another person. The High Court granted R.M. 80,000 to the victim as general damages. Another case to illustrate defamation that is committed online is the case of *Mohd Khaidir Ahmad v. Mohd Iqbal Zainal Abidin* [2018] 1 LNS 1150. In this case, the decision made by the High Court was upheld by the Appeal Court. The court held that the defendant defamed the plaintiff via the Facebook page. One of his Facebook postings alleged that the plaintiff, being a government officer, was corrupt and had abused his power. The posting attracted negative comments from the public. The defendant argued that the posting was not defamatory. The Court of Appeal allowed the award of damages of RM 50,000 to the plaintiff.

The Penal Code, the Communication and Multimedia Act 1998, and the Defamation Act 1957 can be used to tackle issues relating to cyberbullying [47], [48]. However, the absence of a specific definition of cyberbullying makes it difficult for the perpetrator to be charged under the existing legislation. Due to the severity of cyberbullying activities during the pandemic, it is crucial for Malaysia to have a specific law that provides for anti-cyberbullying [49]. It is proposed that a new set of legislation to be enacted to provide for cyberbullying in Malaysia. In other jurisdictions, an amendment to the legislation is also proposed to deter cyberbullying, which has become prevalent in society [50]. Malaysia can learn lessons from other jurisdictions in enacting anti-cyberbullying law or amending the existing law.

## 4. CONCLUSION

Cyberbullying during the pandemic is prevalent and severe. The vital issue relating to cyberbullying is the effects it has on the victims. Research conducted showed cyberbullying affected the victims psychologically. It was found that cyberbullying can lead to sadness, anxiety, and low self-esteem, poor mental health, and the development of suicide ideation, and sometimes suicidal. Due to the negative effects created by cyberbullying, it is crucial for nations to stop this harmful act. Legal measure is important to stop cyberbullying around the world. Studies conducted in countries around the world shows that law relating to cyberbullying is either ineffective or in absence. Thus, it is high time for countries around the world to consider reforming the existing law or enacted a new law for this purpose. Malaysia for example, has no specific law to addresses cyberbullying. Thus, the existing Penal Code, Communication and Multimedia Act 1998, and the Defamation Act 1957 are used to combat cyberbullying. However, the lack of a comprehensive definition of cyberbullying makes it impossible for the perpetrator to be charged under the existing legislation.




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