ABSTRACT

A concern shared among nearly all generations of adults is that they must do something to tackle the problems in society caused by young people. They often forget that they were once young, and all too often blame young people for all of problems in their community. This paper challenges this view and shows how the blaming of Internet trolling on today’s young people – called digital teens – is probably inaccurate. What might otherwise be called Troublesome Online Youth Groups (TOYGs), this paper looks at data collected from subjects in three UK regions (n=150 to 161), which includes young people who are not in education, employment or training (NEETs). Unlike might be typically thought, the data shows that far from these NEETs being the causes of Internet trolling it is in fact the areas with high levels of productivity, higher education and higher intelligence that report lower perceptions of quality of life that these electronic message faults (EMFs) most occur in.

Keywords: Computer Law, Criminal Procedure, Internet Trolling, NEETS, Youth Policy

INTRODUCTION

As one passes though time there is a common theme that young people are the masters of new technology and that because of it, it seems they are both to blame for the social ills in communities. Research has been carried out into ‘television and delinquency,’ the dangers of ‘video nasties’ and most recently the dangers of internet use in terms of cyberbullying, Internet trolling and online predators (Halloran, 1970; Na, 2008; Petley, 1994). Recent research has looked at concepts such as online youth groups and digital teens (Cavagnero, 2012) as well as in relation to troublesome youth groups, such as gangs, that exist offline (Decker & Weerman, 2005; C. Williams, 2009). This paper extends this research by bringing the two concepts together to consider ‘Troublesome Online Youth Groups’ (TOYGs) as being distinct from those
young people who are simply not in education, employment or training (i.e. NEETs) who may not have problematic Internet use. Young people who are NEETs are often seen as being outside of society, when in fact this paper hopes to show that the opposite is the case.

Internet abuse has existed as long as the technology itself. It has come in many guises and been called many names. To the digital natives in the 1990s there is a clear distinction between those messages which are abusive, called ‘flaming’, and those which are simply provocative, called ‘trolling’ (Porter, 1996; Wallace, 1999). Today there have had to be distinctions devised because the word ‘trolling’ has come to mean the posting of any content on the Internet that is either provocative or offensive. Flame trolling refers to that which is intended to abuse and offend others and kudos trolling that which is intended to provoke someone for mutual enjoyment. However as some kudos trolling can be done for unjust reasons, such as to gain the trust of someone to groom them in order to sexually assault them, a clear and distinctive term is needed. The posting of wrongful content for the purpose of damaging others reputation, wellbeing or privacy, can be referred to as ‘electronic message faults’ (EMFts). Internet trolling (i.e. the communication of EMFs) refers to the posting of provocative or offensive messages on the Internet, often for humorous effect. Those trolling posts that are not faults, and are instead free speech could therefore be called ‘electronic message freedoms’ (EMFrfs).

PROSECUTION OF INTERNET TROLLERS IN THE UK

The courts of law in the UK are on the whole the competence of the UK Government, but certain powers exist for devolved administrations to provide guidance to the Courts, something it has been argued could be helpful in terms of how Internet trollers are dealt with in the case of Wales, where the Welsh Government can issue guidance on the welfare of digital teens and other young people (Bishop, 2012). Table 1 provides a guide on how EMFts can be classified according to the type, the severity of the offence and the appropriate legal provision for a trolling offence of that kind (Bishop, 2013a; Bishop, 2013b). It also provides a ‘CPS score’ which is the rating given by the UK public prosecutor (Starmer, 2013), and the fortitude of a victim must be before any legal action.

A CPS score of 1 is met if an EMFt may constitute credible threats of violence to the person concerned or damage to property. In the case of the trolling magnitude scale in Figure 1, this only falls within a TM of 2.00 to 2.49. This is because the appropriate action is to detain the person so they cannot carry out further offences. A CPS score of 2 is for an EMFt that specifically target an individual or individuals. This correlates to TMs of 2.50 to 4.49. As can be gathered from this, there is such a wide scope to this CPS score, that law enforcement authorities might want to use the TMS for more specific guidance in order to be proportionate. The CPS score of 3 only applies to a TM of 4.50 to 4.99 and a PS score of 4 applies to TMs of between 1 and 1.99. The CPS score of 3 applies to those EMFts that may amount to a breach of a court order and thus fall into the maximum of the TMS (TM 4.50 to 4.99). This is likely to be where the person before the court meets ‘pertinax reus’, through committing previous offences at a lower TM. According to Starmer (2013), a CPS score of 4 refers to those EMFts which are not severe enough for the other grades, but which nevertheless may be considered where victims are below normal fortitude. In the TMS
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