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Here's How You Can Take Action Against Bullying Beyond Pink Shirt Day

By STYLE Canada February 26, 2020 No Comments



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bullying programs in these areas.



This year's **Pink Shirt Day** theme is 'lift each other up'; a simple but powerful message encouraging us to look beyond our differences and celebrate the things that make us unique. That's exactly what Canadian personal injury lawyer **Jasmine Daya** of **JD & Co** is trying to help her kids embrace, as well as her clients. Here we talk to Daya about what can be done within the legal system to improve the bullying and cyberbullying crisis here in Canada.

Remember: bullying and cyberbullying happen everyday. Participating in Pink Shirt Day is one way to show your support for victims of unnecessary and in some cases, unlawful, verbal and physical abuse. However, it's important to use your voice against unjust bullying and cyberbullying whenever you can.

*Keep reading to learn about what can be done within the legal system to improve the bullying and cyberbullying crisis here in Canada with words from personal injury lawyer **Jasmine Daya**.*



SC: How do you spot bullying or cyberbullying?

JD: Although it's not always easy to detect, the best way to spot bullying or cyberbullying is to observe changes in behaviour and engage in ongoing communication with your children. Despite my three children sometimes rolling their eyes at my questions, I continue to engage them in conversation. I want them to know that no matter what, I am there for them. Putting aside obvious signs such as physical injuries or self-inflicted wounds due to bullying, parents and guardians should be on the lookout for more subtle signs. For example, faked illness, increased anxiety, avoidance of social situations, deteriorating grades, loss of interest, feelings of sadness or helplessness, secretiveness, and destructive behaviour could all be warning signs.

In my opinion, cyberbullying is far worse than traditional bullying because it's inescapable. Leaving an environment would often also leave the bullying behind. The same is not true with cyberbullying. Wherever the victim goes, they will continue to feel the repercussions of cyberbullying.

- Counselling suicide
- Incitement of hatred
- Defamatory libel

Bullying does not only involve children. In fact, a common form of cyberbullying that causes great distress for adults involves “revenge porn”. This involves the posting of intimate images of an individual without consent. Another area of concern regarding adults is workplace bullying which can involve employment law issues, particularly if management is aware of the harassment and failing to properly address the issue.



SC: What are some of the legal actions victims of bullying or cyberbullying can take?

JD: Often times, bullying or cyberbullying won't result in criminal charges but that does not preclude a victim from seeking civil damages. Meaning, monetary compensation from the 'bully' or whoever enabled the bully to commit the acts. In the case of adults in a workplace environment, the employer could be held liable. One of my clients (aged 14-years-old) had been complaining to her parents that she was sick and given the complaints, her parents were under the impression that my client was suffering from vertigo. They later learned from a school counsellor that my client had been cutting herself and the true illness she was suffering from was depression and anxiety due to bullying – traditional and cyberbullying. My client went on a school trip to Montreal and that resulted in a breaking point. Instagram posts created by a device that the young girls were not allowed to use at night pushed my client over the edge. The teachers called the bully's parents and they went to Montreal to pickup their daughter, however the damage was done. My client was an honour roll student and a young woman with her entire life ahead of her. She missed weeks of school following this incident. Her grades have dropped. She requires ongoing psychological treatment. The future is unclear for my client, but, it is clear that this situation could have been prevented. She could have continued to

SC: What is the Canadian justice system doing to deter incidents of bullying?

JD: The Canadian justice system has been more reactive than proactive, as technological advances are occurring faster than our legal system can address them. The responsibility to deter, prevent, and stop bullying rests largely on the shoulders of our communities.

Communication and awareness are key to promoting a safe environment that denounces bullying. The provincial government has enacted anti-bullying legislation at the school level and the federal government has addressed it in the context of criminal matters. But, if we are turning to the justice system, then it means that the wrong has already occurred. A victim already exists. Punishing the wrong doer will not erase the action, nor will it take away the victim's pain. Trying to eradicate the root cause of the issue or minimize it will be beneficial for our communities as a whole, now and in the future.

This interview has been condensed and edited by **STYLE Canada**.

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