



Advice from Alan

Dealing with cyber abuse

by Alan Knowsley, consultant, Rainey Collins Lawyers

Abuse and harassment online can take many forms such as bullying, posting objectionable material, identity theft, and threats of harm. Dealing with the abuser and getting the material removed can often be difficult.

Repeated abusive calls or texts may be able to be dealt with by your telecommunications provider. You can also use the safety tools on social media platforms to try to protect yourself and to report harmful communications. You should report abuse to Netsafe, which provides free and confidential support for dealing with online abuse and harassment, seven days a week. Their website is www.netsafe.org.nz and they also provide online guides for many social media platforms on what to do on each site. Advice from Netsafe is really important if you are suffering online harassment or abuse. They can help contact the platforms and try to organise removal of the material for you.

If you are unable to stop the abuse through Netsafe or your

telecommunications provider, you can take action under the Harmful Digital Communications Act, which aims to deter and punish online abuse and harassment. This can include an application to the District Court for orders against the person posting the material to cease their harassment and to remove the offending material. It can also include orders for the social media platform to take down the material. Some platforms are helpful, while others make it difficult by requiring action to be taken in other countries where they are based rather than in New Zealand where they operate on the internet.

Identifying where material is posted is one thing. Identifying who posted it is often quite difficult. An order against one platform may just result in an abuser shifting to another platform or using AI to send out multiple abusive messages to many different places. If you cannot identify who has posted material, then orders against each social media platform may be your only remaining course of action and this can require a large investment of time and money.