

INDIVIDUALS
ENGAGING IN
SOCIETY

Citizenship Foundation



SmartLaw Resource

Social Media and the Law

Age Range: KS4

Timing: This unit is designed to be run across a lesson, lasting approximately one hour. Rough guidelines for timings have been given for each activity.

Curriculum references:

- Citizenship Main Aims: Develop a sound knowledge and understanding of the role of law and the justice system in our society and how laws are shaped and enforced.
- Students are equipped with the skills to think critically and debate political questions.
- Citizenship KS3: The nature of rules and laws and the justice system, including the role of the police and the operation of courts and tribunals.
- The precious liberties enjoyed by the citizens of the United Kingdom.

- Citizenship KS4: The legal system in the UK, different sources of law and how the law helps society deal with complex problems.

Cross Curricular links:

- SMSC: Recognise legal boundaries and, in so doing, respect the civil and criminal law in England. Accept and engage with the fundamental British values of democracy, the rule of law, individual liberties and mutual respect.
- Language and Literacy: This lesson supports aims relating to spoken language, reading and writing and vocabulary development.
- English: 'Speak confidently and effectively including through using standard English confidently in a range of formal and informal contexts, including class discussion.'

Related lessons plans:

- Cyberbullying and Sexting

Context

In this session you will be exploring the law in relation to social media posts, the types of offences that people are committing (whether knowingly or not), the types of punishments that have been given and the potential dangers involved in restricting what people post.

Suggested timings are given as a loose guide. You should spend as long as you need and want on each activity; this will depend on your group's needs, how well an activity is being received and the amount and level of discussion that is being generated. It is not necessary to complete all the activities in this lesson.

Use the '**Consider**' questions to help generate and guide discussion with your class.

Lesson objectives

By the end of this lesson, students will be able to:

- Consider different types of online behaviour and whether they are acceptable or not
- Understand the possible offences that can be committed online and apply these to case studies
- Explore the importance of freedom of expression in social media

Worksheets & Resources:

- Worksheet 1 - Social Media Usage Quiz
- Worksheet 2 - What Do You Think?
- Worksheet 3 - Acceptable/Unacceptable
- Worksheet 4 - What's The Offence
- Worksheet 5 - Protecting Freedom of Expression
- Extension Worksheet - Tom Daley Twitter Cases

Introduction (5 mins) Slide 3

Pose the question: "What is Social Media?" and ask students if they can name some examples.

Examples include: Facebook, Snapchat, Youtube, Instagram, Flickr, Pinterest, WhatsApp, LinkedIn, Google+, Tumblr and Twitter.

Consider

Q: What is meant by electronic communications?

A: Communication made via computers (this includes smart phones and tablets). Any communication sent digitally or electronically, includes retweets and self-deleting messages e.g. Snapchat.

Q: What are the benefits of having and using social media and electronic forms of communication in general?

A: It's quick and an easy way to stay connected to many people and share information.

Q: Are there any negatives that are associated with these forms of communication?

A: You might forget who you are sharing with. You might share without thinking. You might be harassed by messages or people.

Activity 1: Social Media Usage Quiz

(20 mins) Slides 4 - 9

Give students a copy of the Social Media Usage Quiz (**worksheet 1**), and give them 10 minutes to complete it. Then go through the answers and discussion questions on **slides 4 - 9**.

Slide 4

A - True

Source: <http://www.bbc.co.uk/news/business-33712729>

Slide 5

C - 62%

Slide 6

B - Twitter

Source: <http://stakeholders.ofcom.org.uk/market-data-research/other/research-publications/adults/adults-media-lit-14/>

Slide 7

A - True

Facebook sells information to third party advertisers so that they can provide adverts that are much more targeted to the individual's interest. This can however be opted-out of.

Source: <https://www.facebook.com/notes/facebook-and-privacy/advertising-and-our-third-party-partners/532721576777729>

Slide 8**A - True**

The potential consequences of this will be explored later in this lesson.

Slide 9**B - False**

Users can use screenshot to 'save' images. You will be notified if someone does this, but you cannot stop it happening.

Source: <http://mashable.com/2014/10/10/saving-snapchat-photos-easy/>

Activity 2: What do you think?

(20 mins) Slides 10 - 12

In this activity pupils will be shown different scenarios on the screen. Discuss each of the scenarios as a class, by asking students to decide how acceptable they think the post/action was. You can carry out this activity in a number of ways:

- Use **worksheet 3** with the arrow and "acceptable/not acceptable". You could ask students to place a finger on the diagram indicating (or mark on the diagram) how acceptable they think the post/action was.
- You may like to letter post-its A-G and stick them on the acceptable/not acceptable line according to class opinion

Remind students that this is about their opinion and not what they think happened. They will be looking at the actual outcomes later on.

Next, distribute **worksheet 2 - What Do You Think**. This examines each scenario in more detail, referring to the actual cases.

Pupils can work in pairs or small groups to discuss the scenarios and then feedback to the rest of the group. They can just discuss or if you wish they can write their answers. Facilitate discussion using the questions below.

A. Match Fixing Accusation

This is based on the case of the former New Zealand cricket captain Chris Cairns, who sued the former chairman of the IPL (the Twenty20 cricket franchise in India) for tweeting allegations that he had been involved in match fixing.

Consider

Q: How would you feel if you were the cricketer?

A: Offended by the accusation, hurt, worried about his reputation.

Q: Do you think it makes a difference that it was a senior sports chairman that made the comment? If so, why?

A: Yes, people are more likely to believe the accusations were true if they are endorsed by a senior

sports chairman.

Q: What potential impact might the tweet have on the cricketer's career? Does this matter?

A: Negative media attention, might impact his perception in the sport's world. It does matter because of his position as a cricketer, the Tweet is more damaging than it would have been for an ordinary person.

B. Revealing Identities

In February 2013, Neil Harkins and Dean Liddle published photographs on Twitter and Facebook which were said to show the killers of James Bulger.

Jon Venables and Robert Thompson were convicted of murdering two-year old James Bulger in February 1993 when they themselves were children.

Consider

Q: Why do you think the two people posted the images online?

A: They felt like they were protecting society.

Q: Do you think it would be more or less acceptable if they knew their actions went against a court order?

A: Less acceptable because they would have been deliberately breaking the law. Is it fair that they may get in trouble for publishing the pictures when they did not know they were breaking the law?

Q: Why do you think the court put a ban on the publication of the images in the first place?

A: To allow the killers to start their lives again in society after serving their sentence without negative media attention. Should they be allowed to do this?

Q: Could their actions affect how seriously people take court orders of this nature?

A: If they were convicted, people might be more careful about leaking images etc.

C. Disappointed Pop Star

In 2013, Justin Bieber's manager tweeted angry comments relating to the fact that the pop star didn't get nominated for any Grammy awards.

Consider

Q: Why do you think he posted this?

A: Frustration, to gain support for Justin Bieber.

Q: Do you think the post will have any long-term effect on the reputation of the Grammys?

A: No, because they would probably be used to people being unhappy and it doesn't affect the status of the Grammys.

Q: Should he be allowed to post comments like this?

A: Yes, he is just posting his opinion. No, he is deliberately trying to draw negative attention to the Grammys.

D. Airport Threat

In January 2010, Paul Chambers tweeted that he was going to 'blow up' Robin Hood airport near Doncaster after it was closed due to snow.

Consider:

Q: Does it matter that the man acted out of frustration?

A: Yes, because it shows that he was not thinking and did not intend what he had posted. No, because the people reading it might not have realised this.

Q: If you had read that comment on Twitter or Facebook would you have been concerned?

E. Jury Contact

In 2010, juror Joanne Fraill contacted defendant Jamie Sewart via Facebook and discussed her case while the jury's deliberations were continuing. Ms Sewart had been acquitted, but other defendants were still on trial.

Consider

Q: What is a jury and what do they do?

A: A jury is made up of 12 adults in England and Wales. The jury is chosen randomly from the electoral register. They sit on criminal cases being heard in the crown court. They will decide the facts of the case based on what they have heard in court and they will decide whether the accused is guilty or innocent.

Q: Why do you think they aren't meant to contact anyone involved in the case?

A: To keep them impartial and to ensure they are not influenced in anyway by the people involved.

Q: What do you think happens to the case when something like this happens?

A: The case has to be reheard from the start with a new jury. This means time and money has been lost.

F. Mocking Images

Sean Duffy posted videos and messages mocking the deaths of teenagers, including a girl hit by a train. He targeted Facebook tribute pages and posted videos on YouTube taunting the dead and their families.

Consider

Q: Why might someone post something like this?

A: A joke. Trying to be deliberately provocative to gain more followers/publicity.

Q: Does it make a difference if they only thought their friends could see their posts?

A: Yes, because he did not intend to cause harm to the families. No, because his comments were still very offensive, regardless of his intention.

Q: Who might these posts upset?

A: The families of the people who had died. Anyone else who had been affected by the issue of teenage deaths.

G. Racist Tweets

In April 2015, a 15 year old boy was arrested and cautioned for posting a racist tweet about Arsenal football player Danny Welbeck.

Consider

Q: How would you feel if you were the footballer?

A: Victimised, hurt, upset.

Q: How could this affect his career?

A: His mental state may affect his performance on the pitch.

Q: What difference does it make that the poster in question was only 15?

A: As he is young and not yet an adult, he may not fully understand the impact of his actions.

H. Homophobic Tweets

In August 2012, Welsh football player Daniel Thomas posted a homophobic message about Olympic diver Tom Daley on Twitter.

Consider

Q: How would you feel if you were Tom Daley?

A: Victimised, hurt, upset.

Q: How could this affect his career?

A: May not be able to concentrate in training or during competitions.

Q: Do you think it makes a difference that Daniel Thomas only meant it as a joke and quickly removed it from Twitter?

A: Yes, because it shows his intentions were not malicious. No, people still saw the comment.

The following factors went in his favour:

- He had meant the comments as a joke
- The comments were only meant to be seen by family and friends that followed him
- He took quick action to remove the message and express remorse.

Although criminal charges weren't brought against Daniel Thomas, the Football Association of Wales' disciplinary board suspended the player for one match and fined him £500 for his actions.

Activity 3: What's the Offence?

(10 mins) Slides 13 - 20

Using *slide 13* pose the question: *"Do you think any of the people in the case studies have broken the law? Why?"* to students. Explain that you are now going to look at the offences that were committed and then look at the outcomes of the cases.

Go through the offences on *slides 14 - 17* and explain that these are some of the potential offences that can be committed online.

Slide 14

Grossly Offensive Comments under The Malicious Communications Act 1998: *In other words, this is saying very outrageous and nasty things about a sensitive issue.*

Slide 15

Defamation: *Defamation is when someone makes comments that are untrue or unjustified, which are damaging to a person's reputation. Defamation is broken down into: libel (written comments) and slander (spoken comments). This is governed by the Defamation Act 2013.*

Slide 16

Threats under the Communications Act 2003: *Writing 'grossly offensive, obscene or menacing electronic communication'. In other words, writing something that might scare someone and make them think you are going to hurt them.*

Slide 17

Contempt of Court: *Contempt of court covers any actions which undermine or could undermine the course of justice and the procedures designed to deal with them.*

Slide 18

Ask students to sort the scenarios into the categories of offences as per the table. You could do this as a class, or in pairs/individually.

When they are finished you may wish to ask if they were surprised by any of the offences, and then go through the answers:

Match Fixing-Accusation: *Defamation*

Chris Cairns' reputation could have been seriously damaged by these untrue comments.

Disappointed Pop Star: *No Offence*

This comment did not damage anyone's reputation, threaten anyone, undermine court procedures or grossly offend anyone so it was not an offence.

Airport Threat: *Threats under the Communication Act 2003*

Given the emphasis on airport security post-9/11, this comment was taken very seriously, despite his intention for it to be a joke.

After he lost his appeal, thousands of people retweeted Paul's original message with the hashtag #IamSpartacus. Ironically, the original comment ended up being part of the top trend on Twitter in the UK.

Jury Contact: Contempt of Court

There are strict rules that members of a jury must follow. Inappropriate contact by the juror threatened the defendant's right to a fair trial.

Mocking Images: Grossly Offensive Comments under the Malicious Communications Act 1998

Making jokes about teenage deaths directly to their families through their tribute pages was grossly offensive and upsetting.

Racist Tweet: Grossly Offensive Comments under the Malicious Communications Act 1998

The comments that were made over Twitter were grossly offensive and upsetting. Many Twitter users retweeted the message as part of a campaign to have the teenager arrested. As he was 15, he was only given a youth caution. If he had been over 18 he may have faced a more severe punishment.

Homophobic Tweet: No Offence

The DPP considered the Tweet to be offensive but not grossly offensive. Criminal charges were not brought against Daniel Thomas, but the Football Association of Wales' disciplinary board suspended him for one match and fined him £500 for his actions.

Slide 19

*This activity is available on **worksheet 4**. Ask pupils to match up the cases to their outcomes. You may wish to ask if they were surprised by any of the outcomes and why. You could also ask students why they think those particular punishments were given.*

Remind the students that these cases and their outcomes are based on real life situations. However, not all comments and posts that might come under these offences will lead to court action and a conviction or damages.

When the offence is one of defamation it will only go to court if the person who claims their reputation has been damaged takes the individual to court. This is a civil matter. Since the 2013 Defamation Act the 'harm' must be serious to stop court time being wasted.

The other offences that we have discussed are criminal. The Crown Prosecution Service (CPS) and the Director of Public Prosecutions (DPP) will decide whether these cases should be taken to court.

Activity 4: Freedom of Expression

(20 mins) Slides 20 - 21

Pose the question: "What does 'freedom of expression' mean?" Explain that you have already touched on the fact that there is a reluctance to take social media cases to court and that this should only happen in extreme cases. One of the reasons for this is the concern that people's right to freedom of expression will be eroded. Discuss what the term 'freedom of expression' actually means. Article 10 of the European Court of Human Rights protects speech, even if it is offensive, shocking or disturbing, however it can be restricted by governments when they can show it is necessary and proportionate to do so. It is unlikely to be seen as proportionate and necessary in the following circumstances:

- the suspect has displayed genuine remorse;
- swift and effective action has been taken by the suspect to remove the communication in question;
- the communication was not intended for a wide audience;

- the content did not obviously go beyond what could conceivably be tolerable.

Explain that you are now going to discuss and develop some arguments for and against being able to restrict people's social media posts. Give out **worksheet 5** 'Protecting Freedom of Expression' to pairs. Ask students to discuss and decide whether each argument is for or against the restriction of social media.

Reasons in favour of restricting social media posts:

- A. Protect an individual's reputation from being damaged by others
- E. Prevent you from damaging your own reputation
- F. Protect people from physical or mental harm
- G. Demonstrate what is and isn't acceptable behaviour
- I. Prevent crimes from happening - for example by preventing riot plans being posted online

Reasons against restricting social media posts:

- B. It could stop people being able to speak out when they feel they have been wronged
- C. It may lead to more things we say and do being restricted
- D. Too hard to do. Thousands of people post comments online every minute
- H. Erode part of the democratic system we live in by giving the government too much power
- J. It could mean that important information that is of public interest is not shared

Some cases you might wish to refer to:

- Super-injunctions:** A super-injunction can be taken out to prevent the publication of certain information by the press. For example in 2011 a super-injunction was taken out by Ryan Giggs to prevent details of an affair he had with Imogen Thomas from coming out. This meant that traditional news sources could not identify Ryan Giggs as being involved in the affair, and could only report on some details of the affair. However in May 2011 Twitter users began to identify Ryan Giggs as being the footballer involved. This information was retweeted and repeated by lots of people on Twitter, but nobody faced legal action. Why do you think people on Twitter were able to reveal Ryan Giggs's identity but news sources couldn't?
- The Arab Spring:** The Arab Spring was a wave of protests and revolutions in the Middle East and North Africa in 2012. Social Media was used in many of the countries involved such as Egypt and Tunisia, to spread the ideas and awareness of the revolution as well as to organise protests.

Try to get the students to reach a majority agreement about whether or not we should restrict what people post online and if so, how far?

Conclusion

- Briefly pull together key points from the discussion. Explain that most people would agree that in an open, democratic society, freedom of expression is essential.
- It is what allows us to hold the government accountable for its actions.
- There are occasions when this right can be restricted but these restrictions can only be imposed for specific aims e.g. protection of national security, health, morals or rights.

Here are some further ways to develop the activity:

- Divide the class in two and ask the students to debate for and against the topic, using the arguments from the sheet and developing their own.
- Ask students to number the statements from 1 to 5 (1 being the strongest and 5 being the weakest) to indicate how strong they think the argument is.

Plenary

(5 mins) *Slide 22*

- What types of online behaviour might lead to you being taken to court?
- When do you think people are most likely to be taken to court for posts they make?
- What surprised you the most from what we discussed today?
- Is there anything we discussed that you totally agree/disagree with?

These questions can be in the form of written answers or a class discussion. You can use this as an opportunity to solidify the key principles (and revisit the learning objectives) and to clarify any insecurities in knowledge.

Remind students that what they have learnt in this lesson isn't everything. Harassment and sexting via social media are also behaviours (amongst others) which could lead to a court appearance.



Pupils may wish to give feedback on their learning either at the end of the lesson or at a later point. Ask them to Tweet @SmartLawCF using the hashtag #SmartLaw or leave a comment on our [Facebook page](#).

Extension Activity

(5 mins) Slides 23 - 29

This activity can be used as an extension. It looks at some real-life Twitter cases regarding Olympic diver Tom Daley.

Hand out the extension worksheet. After reading the case studies there are a series of questions. These can be discussion based as a class or in small groups, or you could ask students to write down their responses. Some potential answers are explored below:

Slide 27

Consider:

Q: What is meant by the term 'troll'?

A: A person that posts offensive, hurtful or abusive messages online with the aim of causing offence.

Q: Why do you think the teenager posted this comment?

A: He may have wanted to make his Tweet stand out by making a deliberately hurtful message.

Q: Do you think he should have been taken to court? Why/Why not?

A: To be taken to court there must be sufficient evidence, and the case must be in the public interest.

Slide 28

Consider:

Q: What do you think the difference is between 'offensive' and 'grossly offensive'?

A: Grossly means that the comment is extremely offensive. Comments will have to be so offensive that they justify court action being taken. A person must be more than slightly upset.

Q: Why do you think it mattered that the footballer in the second case meant his comments as a joke for only his friends and family to see and that he took them down quickly?

A: It showed that he didn't intend for Tom Daley to see the comments or for anyone to believe them. The fact that he took them down quickly demonstrated that he realised his mistake and the harm he could potentially do.

Q: Why do you think he was fined by the Football Association Board?

A: Footballers are seen as role models by many. His comments were still unacceptable even if they were not considered criminal on this occasion.

Slide 29

Q: What do you think is meant by the term 'serious harm'?

A: A person's reputation is clearly being worsened in the eyes of the general public as a result of a false comment.

Q: What do you think is meant by a 'substantial campaign of harassment'?

A: Repeated attempts to impose unwanted communications or contact upon an individual that could be expected to cause distress or fear. It can include harassment by more than one person.

Q: Why do you think the decision was made not to take trolls that post one-off tweets to court?

A: It might be very hard or impossible to deal with the number of people who post one-off comments of this kind. Also the impact of a one-off comment is arguably less than several upsetting comments by the same person. The person who makes a stand-alone comment may also have done so in the heat of the moment before thinking about the consequences of his/her actions.

Consider

Q: Why do you think the CPS guidelines do not make all offensive comments criminal?

A: It would be too difficult to enforce (as per answer 3)

The guidelines also indicate that those under 18 who 'may not appreciate the potential harm and seriousness of their communication' are also likely to avoid court action.

Q: Does this mean you can or should still post whatever you like online if you are under 18?

A: You might not agree with these laws, but it is important to remember that what you post online can have real world consequences. The law on this is still subject to change, and in some cases it can lead to a criminal conviction, or having to pay damages. What you post online could also affect your future career prospects, such as in the case of Paris Brown. She lost her position as Britain's first Youth Police and Crime Commissioner at the beginning of 2013 due to Tweets she had posted in previous years about sex, drinking and drug taking. Some of her comments were also considered to have been potentially homophobic and racist.

Conclusion

Q: The law can be unclear when it comes to social media. Why do you think this is?

A: Social media is a relatively new phenomenon and so the law is catching up with problems that it has created and can lead to, and how best to deal with these. It is also very fast paced and as a result it is hard for the law to keep up with developments in this area.

Q: Do you think the government will have to introduce new laws specifically about the use of social media? Why/why not?

A: Yes – because the law in its current state is uncertain and unclear.

No – this is an area that is developing too rapidly to keep up with.

Explain that the DPP has indicated that in the future, Twitter trolls could face other sanctions short of criminal prosecution (which should only be used in extreme cases). This could include a police caution or a fixed penalty crime.

Q: Why do you think the DPP would want to leave criminal prosecution (charging someone and taking them to court) as an option to be used only in extreme cases?

A: There might be a time and cost implication. There is also the fear that people's right to freedom of expression might be eroded.

Social Media Usage Quiz

1 Facebook is now used by half the world's online users

True

False

2 What percentage of adults in the UK use a smartphone?

52%

32%

62%

82%

3 Which social media site is used by a third of social networkers?

LinkedIn

Twitter

Snapchat

WhatsApp

4 Facebook makes money from selling your personal data to third parties

True

False

5 Which part of the UK uses YouTube the most?

Wales

Scotland

England

Northern
Ireland

6 You can be prosecuted for something you post on Twitter

True

False

7 Snapchat photos cannot be saved

True

False

What do you think?

Match Fixing Accusation

This is based on the case of the former New Zealand cricket captain Chris Cairns, who sued the former chairman of the IPL (the Twenty20 cricket franchise in India) for tweeting allegations that he had been involved in match fixing.

- **How would you feel if you were the cricketer?**
- **Do you think it makes a difference that it was a senior sports chairman that made the comment? If so, why?**
- **What potential impact might the tweet have on the cricketer's career? Does this matter?**

Revealing Identities

In February 2013, Neil Harkins and Dean Liddle published photographs on Twitter and Facebook which were said to show the killers of James Bulger. Jon Venables and Robert Thompson were convicted of murdering two-year old James Bulger in February 1993 when they themselves were children. The murderers were given new identities when they were released from prison.

- **Why do you think the two people posted the images online?**
- **Do you think it would be more or less acceptable if they knew their actions went against a court order?**
- **Why do you think the court put a ban on the publication of the images in the first place?**
- **Could their actions affect how seriously people take court orders of this nature?**

Disappointed Popstar

In 2013, Justin Bieber's manager tweeted angry comments relating to the fact that the pop star didn't get nominated for any Grammy awards.

- **Why do you think he posted this?**
- **Do you think the post will have any long term effect on the reputation of the Grammys?**
- **Should he be allowed to post comments like this?**

Airport Threats

In January 2010, Paul Chambers tweeted that he was going to 'blow up' Robin Hood airport near Doncaster after it was closed due to snow.

- **Does it matter that the man acted out of frustration?**
- **If you had read that comment on Twitter or Facebook would you have been concerned?**

Jury Contact

In 2010, juror Joanne Fraill contacted defendant Jamie Sewart via Facebook and discussed her case while the jury's deliberations were continuing. Ms Sewart had been acquitted, but other defendants were still on trial.

- **What is a jury and what do they do?**
- **Why do you think they aren't meant to contact anyone involved in the case?**
- **What do you think happens to the case when something like this happens?**

Mocking Images

Sean Duffy posted videos and messages mocking the deaths of teenagers, including a girl hit by a train. He targeted Facebook tribute pages and posted videos on YouTube taunting the dead and their families.

- **Why might someone post something like this?**
- **Does it make a difference if they only thought a select group of their friends could see their posts?**
- **Who might these posts upset?**

Racist Tweets

In April 2015, a 15 year old boy was arrested and cautioned for posting a racist tweet about Arsenal football player Danny Welbeck.

- **How would you feel if you were the footballer?**
- **How could this affect his career?**
- **What difference does it make that the boy in question was only 15?**

Homophobic Tweets

In August 2012, Welsh football player Daniel Thomas posted a homophobic message about Olympic diver Tom Daley on Twitter.

- **How would you feel if you were Tom Daley?**
- **How could this affect his career?**
- **Do you think it makes a difference that Daniel Thomas only meant it as a joke and quickly removed it from Twitter?**

Acceptable



Not Acceptable

What's the offence?

Match the case to the outcome

Case

Match Fixing Accusation

Revealing Identities

Disappointed Pop Star

Jury Contact

Airport Threat

Mocking Images

Outcome

Jailed for eight months

Damages (money) £90,000

None

Jailed for 18 weeks

Found not guilty on appeal to the High Court.
Originally found guilty and fined £385

Nine month jail sentence suspended for 15
months

Protecting Freedom of Expression

A Restricting social media posts could...

Protect people's reputations from being damaged by other people.

For/Against freedom of speech

B Restricting social media posts could...

Stop people being able to speak out when they feel they have been wronged.

For/Against freedom of speech

C Restricting social media posts could...

Lead to more things we say and do being restricted.

For/Against freedom of speech

D Restricting social media posts could...

Be too hard to do. Thousands of people post comments online every minute.

For/Against freedom of speech

E Restricting social media posts could...

Prevent you from damaging your own reputation.

For/Against freedom of speech

F Restricting social media posts could...

Protect people from physical or mental harm.

For/Against freedom of speech

G Restricting social media posts could...

Demonstrate what is and isn't acceptable behaviour.

For/Against freedom of speech

H Restricting social media posts could...

Erode part of the democratic system we live in by giving the government too much power.

For/Against freedom of speech

I Restricting social media posts could...

Prevent crimes from happening - for example by preventing riot plans being posted online.

For/Against freedom of speech

Tom Daley Twitter Cases

Case One

After coming fourth in the men's synchronised 10 meter platform diving event at the 2012 London Olympics, diver Tom Daley received a message on Twitter from a teenager saying, 'You let your dad down.' Daley's father had died in 2011 from cancer.

The police gave the teenager a harassment warning and released him on bail.

- 1) What is meant by the term 'troll'?
- 2) Why do you think the teenager posted the comment?
- 3) Do you think he should have been taken to court? Why/why not?

Case Two

In August 2012, Welsh football player Daniel Thomas posted a homophobic message about Olympic diver Tom Daley. The DPP said that, 'The question for the CPS was not whether the [tweet] was offensive, but whether it was so grossly offensive that criminal charges should be brought.' The footballer was not charged for his actions.

The following factors went in his favour:

- He had meant the comment as a joke
- The comment was only meant to be seen by family and friends that followed him
- He took quick action to remove the message and express remorse

Although criminal charges weren't brought against Daniel Thomas, a Football Association of Wales disciplinary board suspended the player for one match and fined him £500 for his actions.

- 1) What do you think the difference is between 'offensive' and 'grossly offensive'?
- 2) Why do you think it mattered that the footballer in the second case study meant his comment as a joke for only his friends and family to see and that he took them down quickly?
- 3) Why do you think he was fined by the Football Association Board?