



Deng Ken's account “勾手老大爷邓肯” has over 1.47 million followers on the video platform Bilibili.  
— Tian Shengjie



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#### Deng Xin

A judge at Changning District court

He said he used to publish the malicious information he received to let other netizens condemn these ruffians as a way of counterattack, but now he has to brush away their words.

“On one hand, many of them block me after cursing me, so as to prevent me from responding,” he said. “On the other hand, when a few people abuse you, you can retaliate, but when tens of thousands of people abuse you, the only thing you can do is tolerate.”

During the time when he felt most distressed, the platform opened a protective feature for him — only those who had followed the uploader for more than seven days could comment.

The insults, however, have not disappeared completely.

“Although I am trying to ignore these (insulting) words, I just cannot,” Deng said. “I need to check the feedback of users on my work, and these unkind words are often mixed with normal comments.”

Most of his online counterparts have also experienced cyber violence, he said. For example, one of his friends was hurt by some people who recently distorted certain photos of his underage daughter with obscene elements.

“Some suffer from depression, while others bid farewell to the social media accounts where they have put in a lot of effort,” Deng said.

He added that many uploaders are looking to one another for comfort and finding measures for self-protection. For instance, those who focus on judicial stories only judge the culprits in their works, instead of giving tips to potential victims, so as to avoid misunderstanding about uploaders.

Deng said that he and his friends had never thought of reporting the abuse to the police or suing the offenders.

“The online environment needs to be cleaned up, but if everyone can be an offender, things could become sort of complicated,” he said.

This erroneous tendency is being corrected by the Supreme People's Court, the Supreme People's Procuratorate and the Ministry of Public Security.

Recently, China's top three legal bodies jointly drafted an anti-cyberbullying guideline. It states that online bullying includes slandering or insulting others, infringing on others' privacy or reputation, as well as malicious marketing and publicity stunts based on online abuse.

#### Righting the wrong

The draft requires judicial departments to give severe punishment to lawbreakers who bully children and the disabled, as well as network service providers who organize online violence.

Those who falsify sex-related topics or use technologies such as deep synthesis to insult others will also be punished harshly.

Although the guideline is still at the stage of soliciting public opinions, the deadline being June 25, many people are cheered by it.

“It can be regarded as an official opening salvo taken by the government against cyber violence,” said Deng Xin, a judge at Changning District court. He is also the team leader for the trial of Internet-related cases.

“Previously, bullies in online violence cases were mostly detained for several days but after



the launch of this guidance, they will likely be sentenced to prison,” he said.

The judge said the guideline especially targets the first movers, promoters and organizers involved in cyberbullying. A justified and timely crackdown on these possible offenders can be a warning to others.

The prosecution of cyberbullying cases was not as complex as the public might think, judge Deng said.

“Ordinary cases usually end within three to six months,” he said. “Online court trials are being promoted nationwide, which can further reduce the time cost of the litigants.”

In one of several related cases he had handled recently, an apartment owner living in Changning slandered seven members of a property owner committee in a WeChat group with hundreds of people, claiming that they took kickbacks.

The owner even posted pictures of the seven dwarves from the Disney animated film to insult the committee members.

Although the incident did not cause serious consequences, the court ruled on the case, ordering the defendant to apologize to them with financial compensation.

In another two similar cases, a worker was called a “pig” by a leader in a WeChat group with hundreds of members, while a man's personal information, including his name, workplace and photos, was published by his ex-girlfriend on lifestyle-sharing platform Xiaohongshu, where she marked him as a “womanizer.”

“The court will accept a case after receiving the perpetrators' information, a complaint and evidence. The victims can obtain personal information of the perpetrators from the platform either by themselves

or with the help of lawyers,” judge Deng said.

He emphasized that it is necessary to collect evidence in time.

“According to the regulation, the platform needs to delete the cyberbullying-related content as soon as possible to reduce its influence. But this will increase the difficulty for victims to collect evidence,” he said.

According to the draft guideline against cyberbullying, if the victims have such difficulty, the court will likely ask for the help of public security. If the case causes serious consequences to society, the procuratorate will intervene.

Judge Deng said relevant judicial interpretations need to be further improved, such as the definition and punishment of malicious marketing and publicity stunts based on online abuse — a new concept in the guidance.

Once the guideline takes effect, an increasing number of cyberbullying victims are expected to use legal weapons to uphold their rights.

The Changning court established the city's first trial division for Internet-related cases five years ago to tackle a variety of issues, including online infringement.

“Freedom of speech doesn't mean that people can break the law and hurt others,” said the judge.