

# An Garda Síochána

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Please quote the following ref. no.:  
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Date: 26 May 2021

Dear Parents/Guardians,

The advancements in technology in recent years has greatly impacted our everyday life in a positive way. Technology has been especially beneficial during the past year when we faced unprecedented times because of Covid. Online communication helped us to stay in touch with our loved ones, work from home, home school, shop and bank online just to name a few. As a whole, technology has aided our very existence during these trying times.

However, not all communication online is positive. Online communication can also have a negative impact on those who fall victim to online abuse or cyberbullying, sometimes resulting in devastating consequences. Nicole Fox, at 21 years of age, was one such victim of this online abuse. As a result of her death, Nicole's mother campaigned for legislation to prevent this happening to another person. As a result of this campaign, The Harassment, Communications and Related Offences Act 2020 came into effect.

An Garda Síochána are receiving reports that offences under this act are being committed in our community at present. We would ask all parents to speak with your children and explain to them the importance of not recording, distributing or publication of such intimate images as they may be committing an offence under this act.

I have attached an information sheet for you explaining Cocos law and a list of professional contacts that may assist with mental health concerns.

Garda Orla Doyle.

# An Garda Síochána

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Date: 25/05/2021

## Harassment, Communications and related offences Act 2020

This act, also referred to as *Coco's Law* was formed as a result of a death of Nicole Fox, who died by suicide following years of online bullying.

*"There is no doubt about the educational and social benefits that adults and children can enjoy from being online. However, at the same time, our research shows that during the first lockdown in 2020, up to 28% of young people aged between 10-17 reported that they were the targets of cyberbullying and 50% of this age group said they witnessed cyberbullying."* Prof James O'Higgins Norman, Director of the National Anti-Bullying Research and Resource Centre at Dublin City University.

Coco's Law creates two new offences which criminalise the non-consensual distribution of intimate images both online and offline.

- The first offence deals with the distribution or publication or threatening to do so, with intent to cause harm or being reckless as to cause harm. The penalties applicable can be an unlimited fine and/or 7 years imprisonment.
- The second offence deals with the taking, distribution or publication of intimate images without consent even if there is no specific intent to cause harm. This offence will carry a maximum penalty of a €5,000 fine and/or 12 months imprisonment.

Minister for Justice, Helen McEntee TD said:

*"Image based abuse is absolutely disgusting and can ruin lives. There can be no tolerance for online abuse. Coco's Law represent a big step forward in tackling harassment and harmful communications. This legislation will not only provide an effective tool to bring justice to those who use technology to harm others, but it will also send a clear message that as a society the sharing, or threat to share an intimate image of another person without their consent is not acceptable in any circumstance."*

The once off sending of a threatening or grossly offensive message/communication with intent to cause harm will result in 2 years imprisonment and/or fine.

It will be irrelevant that a person may have consented to the taking of an image if it is subsequently published or distributed without their consent.

The legislation will update existing harassment legislation by broadening the scope of the offence of harassment to cover all forms of persistent communications about a person,, not just indecent images, and will increase the penalty from seven years to 10 years to reflect the harm that can be caused by most serious forms of harassment.

*If you or someone you know has been affected by mental health issues you can contact:*

*Samaritans – 116 123, text 087 2609090 or email [jo@samaritans.ie](mailto:jo@samaritans.ie)*

*Pieta (Suicide & Self Harm) – 1800 247 247 or 01 6235606 or text HELP to 51444*

*Aware (Depression, Bi-Polar Disorder & Anxiety) 1800 80 48 48*

*Grow (Mental Health support & Recovery) – 1890 474 474*

*Bodywhys (Eating Disorders Associations of Ireland) – 1890200 444*

*Childline (for under 18's) – 1800 66 66 66*

*Macroom Garda Station – 026 20590*