

# Editorial

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With the rise of the internet, social networks and file-sharing, new types of crime are also emerging that require new ways to prevent and fight them. Crimes such as pharming, phishing and, more recently, cyberbullying are spreading as fast as the use of the internet in society.

To combat this, Spanish legislators, both in response to public pressure and international commitments, have passed several reforms of the Spanish Penal Code in recent years, introducing new offences and modified existing ones. In fact, a bill is currently being passed to amend the Penal Code to better address behaviours becoming more frequent on the web. These include the unauthorized publication of private recordings and images obtained with the victim's consent but published without them knowing when it seriously breaches their privacy or the contacting of minors via electronic means to trick them into providing intimate and pornographic images. In addition to combating these socially unacceptable behaviours, the reform also aims to criminalize other activities such as the downloading of copyright material from internet link pages, which, unfortunately, is broadly accepted in society.

Thus, despite the continued efforts made by legislators to define new offences that adequately address the new criminal behaviour arising on the web, criminal prosecution of offences committed on the internet is not enough for deterring or reducing such conduct. Not even the hard work done by law enforcement bodies and the courts are stemming the continual flow of new victims, who often belong to especially vulnerable groups. The problem lies in the difficulty in detecting such crimes and the complexity of prosecuting them, which in many cases is only made more difficult by the cross-border nature of these activities.

It is increasingly evident that to combat these crimes, in addition to criminalizing them and prosecuting them through the police and the courts, social awareness on the need to protect ourselves against them must also be raised. In recent years, a number of bodies have made public recommendations on how to avoid becoming a victim of these new crimes and have pursued initiatives to raise awareness on the social and financial consequences victims of such crimes face. Examples of these efforts include the Parents' Guide to Minors on the Web from INTECO (Spain's National Institute of Communication Technologies); the Teachers' Guide to Promoting Privacy from the Basque Data Protection Agency in collaboration with the other Spanish data protection agencies; and the Good Practices Guide for the Prosecution of Intellectual Property Offences drafted by a team of experts from different ministries, the police, the public prosecutor's office, the judiciary and rights protection groups as part of the implementing of the Spanish government's Comprehensive Plan for the Reduction and Elimination of Activities that Violate Intellectual Property Rights.

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Nonetheless, the regulatory reforms call for patient and detached analysis and a reflection on their reach, effectiveness and impact. Thus, we thought it timely and necessary to devote this issue to reflection on the regulation of internet crime. In particular, this issue's monograph compiled by UOC lecturer María José Pifarré contains a number of articles written by renowned Spanish and Italian experts on the subject including Ivan Salvadori with his article on *Regulation of Computer Damage in Italian Criminal Law*; Fernando Miró Llinares, author of *Criminal Law, Cyberbullying and Other Forms of (Non-sexual) Harassment in Cyberspace*, or Lorenzo Picotti, who in this issue provides us with the first part of his article *Fundamental Rights in the Use and Abuse of the Social Networks: Criminal Aspects*.

In addition to these articles, issue 16 also includes the second part of lecturer Antonio Troncoso's article *Social Networks in Light of the General Data Protection Regulation Proposal* that examines the personal data processing done by social network companies both from the perspective of the current legal framework and the EU's proposed general data protection regulation. This issue also includes José Agustina's article *How to Prevent Abusive Behaviour and Technological Crime at Companies* in which a number of Spanish businesses are examined in terms of their strategies for preventing and controlling the use of electronic media by staff.

There are also reports on two events organized by the UOC's Law and Political Science Department during 2013: the *1st Conference on Virtual Legal Practice* in which the opportunities that the internet offers for providing legal services were examined and the *3rd Conference on Criminology* which looked at victimization in offences such as pornography and harassment on the web.

Lastly, this issue also includes a presentation of the book *Sociedad red. Estado, economía y sociedad en la era de la información* by Marian Ortiz del Almo and Yanina Welp and a review of the new developments in law from lecturer Jordi García.

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