

This is why Google has been sentenced.

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The reason for the sentence of the Court of Milan have been filed some hours ago, with which last February, **some Google managers have been sentenced to six months' imprisonment**. The charge against the search engine derives from a video where some minors attacked and humbled, in class, an autistic classmate (and not Down syndrome, as we can read still in a lot of newspapers). According to the juridical principle of the *mere transport*, diffused all over the world, site owners are not considered responsible for the files uploaded by their users, since a preventive control that checked all file contents would be impossible and dangerous. So, **the Italian sentence would be new in the international law**, apart from a similar case in Brazil. To avoid misinterpretations, it is necessary also to explain that the charge looks at the violence of the simple privacy of the minor represented in the video, not the contribution towards the humiliation (for which charge had already been dropped). Probably, an accurate analysis of these reasons can only be made in the next hours, when the sentence will be available on-line also for the different experts of the sector, who have commented negatively in the previous days. In the meanwhile, there are only a few insignificant excerpts from the news agencies.

Even the endless prairie of Internet does not exist, where everything is permitted and nothing can be forbidden, with punishment of excommunication from the people of the web”, says the leaked part of the reasons filed by the judge **Oscar Magi**. “Instead, laws exist that codify behaviours and create obligations that, where not respected, could lead to the recognition of criminal liability”.

“Google Italy managed the data present in the video loaded onto the platform and so it was responsible at least for the results of the privacy law”, the reason continues. The privacy norm was completely lacking and so much hidden in the general conditions of the contract to result absolutely inefficient for the consequences forecasted since the law.

According to the experts, instead, Google could not be considered responsible based on at least two factors, **the Italian privacy law applies only to the people in charge of the data processing with an office in Italy** (article 5 says) moreover the European law on the electronic trade, received in Italy, explains clearly the **non obligation of supervision** for the suppliers of communication services.

Considering that every day thousands of videos on the Internet are indexed, asking for a preventive control would render impossible the activity of the social networks.

When the reason is explained, with every probability, there will be an appeal by the Google managers.

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