

Submission
No 53

INQUIRY INTO BULLYING OF CHILDREN AND YOUNG PEOPLE

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Purpose Standing Committee Number Two**

Inquiry into

Bullying of Children and Young People

New South Wales Government

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**LEGISLATIVE COUNCIL GENERAL PURPOSE STANDING COMMITTEE –
INQUIRY INTO BULLYING OF CHILDREN AND YOUNG PEOPLE**

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1. Introduction

The NSW Government welcomes a Legislative Council Inquiry into best practice approaches to reduce bullying of children and young people.

The Department of Education and Training (DET) advises that bullying is likely to be present in schools, educational institutions and workplaces and at all levels of society and in all types of relationships. However, there is no nationally accepted figure for the number of young people who have experienced bullying.

DET advises that the negative impact of bullying – for both the person being bullied and the person who bullies – is well documented. Bullying has been linked to poor physical, psychological and social health, as well as poor academic outcomes in children and young people. Bullying can also have negative long-term consequences, including an increased risk of anxiety and depression for the person bullied, and anti-social and criminal behaviour in adulthood for the person who bullies.

DET also notes that over the last 15 years a considerable body of research has aimed to understand the causes and consequences of bullying among children and young people. Research has also focused on effective approaches to address bullying.

The NSW Government has a zero tolerance approach to bullying, and the Government is working with young people, parents, educators and employers to ensure that measures are in place to prevent bullying wherever possible. Bullying is a complex and multi-faceted problem which requires multi-faceted and evidence based approaches to minimise the negative impact for people who are bullied, people who bully and people who witness bullying.

The Government has implemented policies and procedures so schools, institutions and workplaces can effectively define, identify, report and deal with bullying. Government agencies are also implementing evidenced-based, cross-jurisdictional strategies to protect children and young people in schools and vocational education institutions such as TAFE NSW, and trainees, apprentices and employees in the workplace.

This submission, which has been compiled with advice from across the NSW Government, addresses each of the Terms of Reference, with a view to informing the work of the Committee.

Responses to the Terms of Reference

2. The nature, level and impact of bullying among school age children and young people under the age of 18, including apprentices and trainees.

2.1 Nature and prevalence of bullying

The Department of Education and Training (DET) advises that there is no nationally agreed definition of bullying in Australia. However, researchers tend to agree that bullying has distinct characteristics. These include:

- *An intentional nature* - the person who bullies intends harm to the person being bullied;
- *Persistency* - the behaviours are typically repeated over time;
- *An imbalance of power* - the person who bullies is usually stronger than the person being bullied, who is not able to react effectively.

DET notes that bullying typically involves an interaction between at least two people during which a stronger person (or group) gains power over a weaker person who is unable to defend him/herself. The power imbalance increases as the bullying continues.

DET advises that examples of bullying behaviours may include: physical assault, threatening gestures, verbal abuse, rumour spreading and deliberate exclusion from a group. Bullying can involve all forms of harassment (including sex, race, disability, homosexuality or transgender), humiliation, domination, intimidation and victimisation of others. Research suggests that:

- Girls and young women continue to face high levels of sexual harassment in Australian schools (Flood and Fergus, 2009). Similarly, the NSW Office of Industrial Relations advises that females are more likely than males to be bullied in workplaces.
- The Department of Ageing, Disability and Home Care (DADHC) advises that young people with a disability are more than twice as likely as their peers to experience bullying, according to one international study (Mencap 2006). There is a greater likelihood of students with a disability not attending school and dropping out of the workforce if they experience bullying (Holzbauer 2008).
- The Department of Aboriginal Affairs (DAA) advises that bullying is the fifth most common reason for Aboriginal children to contact Kids Help Line, compared with non-Aboriginal children who reported it to be the tenth most common cause (Kids Help Line, 2003). The outcomes for Aboriginal children who are bullied include far lower academic achievement and greater negative mental and physical effects (the Western Australian Aboriginal Child Health Survey, 2005)
- The NSW Attorney General's Department advises that young gay, lesbian, bisexual and transgender (GLBT) people experience more abuse and harassment in educational settings than in any other setting. Australian research has found the impact of bullying of GLBT young people in schools can result in impaired psychological wellbeing, dysfunctional relationships, increased risk of self-harm, self-mutilation and attempted suicide, and drug and alcohol abuse (Hillier et al 1998).

DET advises that research has identified gender and age trends in youth bullying. Boys are generally more likely than girls to be involved in bullying as both perpetrators and

targets, and are more likely to engage in physical aggression, name-calling and threats (Nansel et al. 2001; Olweus 1993 in Boyle 2005). Girls tend to use indirect or relational bullying, which can involve social isolation of and spreading rumours about the target (Boyle 2005).

NSW Health notes that bullying appears to be most common during late primary school and early high school years, and tends to decline with age. However, DET advises that some studies suggest that the likelihood of being involved in cyber bullying actually increases with age (Willard 2006). The nature of bullying activity also varies according to age: the Department of Community Services (DoCS) notes that among younger children bullying is more physical, whereas with older children it tends to be more relational and indirect, such as excluding a person or spreading rumours (Rigby 2008).

NSW Police advise that generally, bullying is thought to be underreported by children and young people. It is often only reported after several incidents have already taken place, or after it has escalated to physical assault which has been witnessed by other people. DET advises that research has identified that children and young people who are bullied often show a reluctance to seek help (Boyle 2005).

Reports on the prevalence of bullying vary considerably, depending on the definition of bullying and the way the data is gathered (Rigby 2002). DoCS advises the results of international studies suggest that between 30 and 60 per cent of school students report being bullied during the current semester or school year and of those, between six and 15 per cent were bullied weekly or more frequently (Card and Hodges 2008). DoCS also notes that in Australia, Rigby (1997) conducted a survey of more than 38,000 students aged seven to 17 and found that 16 per cent of students were bullied on a weekly basis.

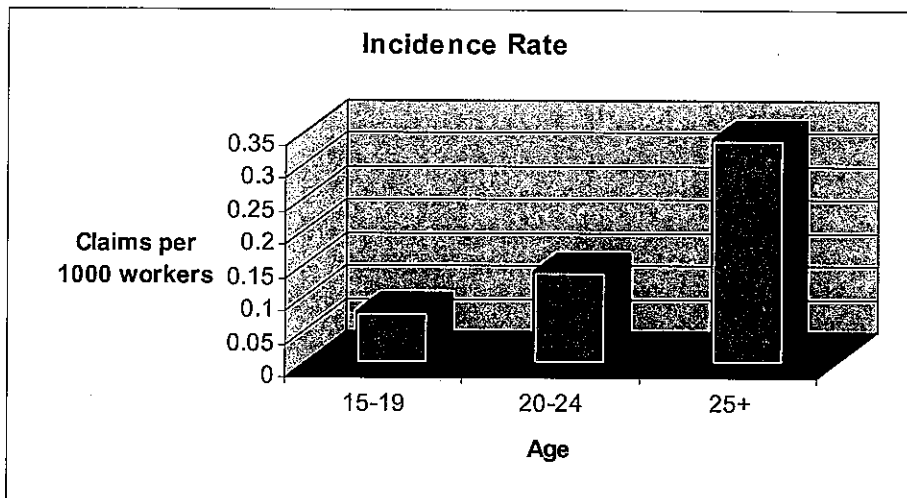
Bullying as a community issue is evidenced not only in the broader community but in places where children and young people spend time. This includes the home, and other institutions such as schools, VET institutions and workplaces.

WorkCover NSW advises that young workers are likely to have less experience, knowledge and skills than older workers in safely dealing with workplace hazards. They may be unaware of their employer's duties and their own rights and responsibilities, and they may lack confidence in raising occupational health and safety issues (European Agency for Safety and Health at Work). WorkCover NSW recognises that young workers may have a higher risk of experiencing workplace bullying because of their vulnerable status.

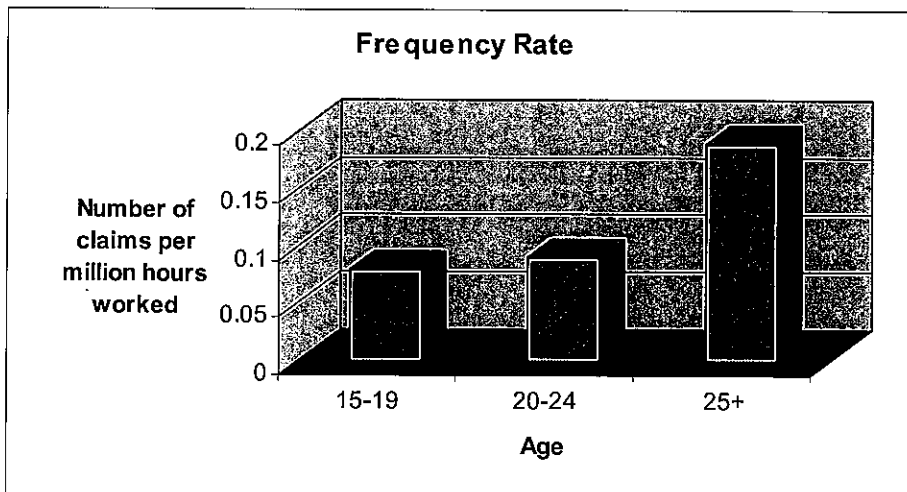
WorkCover NSW advises that there could be significant under reporting of work related injuries amongst young workers. The potential for under reporting should be taken into consideration when reviewing workers compensation data. New South Wales workers compensation data shows that over the last five years (2002/03-2006/07), there were 321 major and minor claims for bullying for workers aged 15-24 years. Of these claims, 174 were major claims* (Boufous and Williamson 2003).

* A major workplace injury results in death, permanent disability or temporary disability where five or more days are paid for incapacity. A minor workplace injury includes a temporary disability where less than five days are paid for incapacity.

Graph 1: Incidence rate* of claims for bullying (2002/03-2006/07)



Graph 2: Frequency rate* of claims for bullying (2002/03-2006/07)



The graphs above, provided by WorkCover NSW, show that workers aged 15 – 19 have a lower incidence rate and frequency rate than older workers for major and minor workers compensation claims for bullying over the last five years.

2.2 The Impact of bullying

DoCS advises that the impact of bullying on an individual is influenced by a range of factors, including the personal characteristics of the individual, characteristics of the home and school or work environment, and the frequency and type of bullying.

DET notes that the Western Australian Child Health Survey (2000) reported that the greatest fear for children and adolescents is being bullied. A growing body of research demonstrates that bullying is a stressful experience for the person being bullied and has negative short and long term consequences for both the person being bullied and the person who bullies.

* "Incidence rates" refer to the number of injuries per thousand workers in NSW per year.

* "Frequency rates" refer to the number of injuries per million hours worked in NSW.

DoCS, DET and NSW Health advise that the negative outcomes for victims of bullying can include:

- poor psychological wellbeing, including feelings of confusion, anger, insecurity and lowered self-esteem (Olweus et al. 1998);
- social maladjustment;
- poor academic performance;
- physical health problems (such as stomach aches, headaches, sore throats);
- physical injuries;
- increased risk of anxiety and depression and poor self-esteem as adults (Olweus 1993); and
- suicidal ideation and, in extreme cases, attempted suicide (Olweus 1993; McDougall).

When children engage in bullying behaviour from a young age without effective intervention, they too are predisposed to negative outcomes. These can include:

- poor psychological health, including depression (Salmon, James and Smith 1998);
- suicidal ideation and increased risk of suicide (Rigby and Slee 1999);
- increased risk of engaging in vandalism and graffiti, shoplifting, truancy, and substance abuse (Olweus 1993);
- increased risk of interpersonal aggression and intimate partner violence as adults (Flood and Fergus 2009);
- heightened risk of antisocial and criminal behaviour later in life (Olweus 1993).

NSW Health advises that children who both bully and are themselves bullied have the worst outcomes.

WorkCover NSW advises that workplace bullying can lead to psychological and/or physical injuries. Workers affected by bullying may be more likely to make mistakes causing injuries and may, because of increased muscular tension, be more likely to develop injuries such as occupational overuse syndrome and lower back pain. Bullying can also damage organisations. Bullying can lead to:

- loss of productivity;
- high staff turnover;
- increased absenteeism;
- reduced performance; and
- low morale.

DoCS cautions that determining the direct impact of bullying is fraught. Much of the research conducted has been cross-sectional, so it is difficult to determine the direct effects of bullying (Rigby 2008). For example, the link between children being bullied and having lower self-esteem could equally be explained because children with low self-esteem are commonly targeted by bullies. In addition, it is unclear whether long-term consequences are a direct result of bullying or are mediated through a third variable. For example, since bullying is associated with depression, it may be that depression results in poor long-term outcomes rather than bullying per se (Rigby 2003).

2.3 The nature, prevalence and impact of cyber bullying

DET advises that cyber bullying is a relatively new phenomenon, and involves the use of information and communication technologies. Forms of digital communication used to bully may include: e-mail, instant messaging, social networking sites, chat rooms, web sites, blogs, and text messages. Activities can include “flaming” (repeated negative messages), impersonation, denigration, cyber stalking, and “happy slapping” (filming a set up fight and posting it for all to see).

DET advises that researchers such as Marilyn Campbell note that several characteristics distinguish cyber bullying from other forms of bullying:

- people who are bullied have no place to hide, and can be targeted anytime and anyplace;
- cyber bullying can involve a very wide audience;
- people who bully are relatively protected by the anonymity of electronic forms of contact, which can safeguard them from consequences or retaliation; and
- people who bully do not usually see the response of the victim, changing the satisfactions or inhibitions normally generated by bullying.

Many incidents of cyber bullying occur outside of education contexts, although a significant proportion is reportedly done by school peers (Willard 2006). In fact, cyber-bullying is reported to be a growing problem for school-aged children. DET advises that the number of children who report being cyber bullied is estimated to be approximately one third of those who are victimised through traditional forms (Smith et al 2007). DoCS notes that a survey of 120 grade eight students in Brisbane found that 14% had been bullied, most often by text messages (Campbell 2005, cited in Bauman 2007).

DoCS advises that research into cyber bullying is still in its infancy, but some studies suggest it may be more harmful for children and young people than traditional bullying. This is because harmful messages online can potentially be received by millions of people (Bauman, 2007), and because written insults (for example, text messages) can be read repeatedly by the victim, where verbal insults may more easily have been forgotten (Campbell, 2005). DET advises that research shows that young people who are cyber bullied most commonly report feelings of frustration, anger, sadness and distress (Hinduja and Patchin 2007).

3. Factors contributing to bullying

It is important to note that risk factors may contribute to bullying as much as they are a consequence of it. NSW Health advises that a cycle may exist in which certain factors place children at risk of bullying and the bullying leads to further problems in these areas.

DoCS and NSW Health advise that while some research shows it is difficult to predict who is more likely to bully and be bullied, there are likely to be a range of individual factors that may predispose a student to being bullied or a bully. It is also important to note that there is a high correlation between children who are bullied and also engage in bullying.

Research suggests that children who are bullied by peers may:

- be physically weak;
- have low self-esteem;
- experience anxiety and depression;
- exhibit low levels of socially-skilled behaviours; and
- exhibit high levels of 'internalising' behaviours (Merrell et al 2008).

Conversely, children who bully may:

- not enjoy school;
- have poorer academic ability;
- have lower levels of empathy;
- experience anxiety;
- exhibit high levels of externalising ('acting out') and hyperactive behaviour;
- be depressed, aggressive, hostile and domineering; and
- have conflict within friendships (Merrell et al 2008).

DoCS also advise that there are a number of family risk factors that may be associated with bullying.

For children who bully others, family risk factors may include:

- maternal depression;
- domestic violence;
- low parental supervision; and
- parenting that is authoritarian and punitive and/or permissive of aggression (Georgiou 2008).

For children who are bullied, family risk factors may include:

- insecure attachment;
- family conflict;
- a history of child abuse; and
- overprotective parenting (Georgiou 2008).

However, DoCS advises that while these factors may be linked to bullying, they do not necessarily cause bullying. For example, parents may become overprotective as a result of their child being bullied, rather than overprotective parenting causing the child to be bullied (Rigby, 2003).

DET advises that researchers have identified that bullying behaviour is as strong among siblings as among peers. Within the home environment sibling relationships can, in some

cases, serve as a 'training ground' for bullying, by establishing behavioural patterns that can be reinforced across contexts (Duncan 1999).

The Department of Aboriginal Affairs (DAA) advises that life stressors may also contribute to bullying behaviour. For example, between 1999 and 2001 approximately one in five Aboriginal children were living in households in which seven or more major life stressors had occurred in the past year. These children were five and a half times more likely to demonstrate significant emotional and/or behavioural difficulties when compared to children where only one or two life stressors had occurred (Coffin 2008). When "normality" of life for children includes witnessing regular violence in their homes or community, this negative role model behaviour can normalise aggression (Coffin 2008).

DAA also advise that racism and power struggles are very much historically part of the Aboriginal Australian experience (Coffin 2008), and that exploring the concept of ethnic racism and how this relates to bullying is important in understanding the underlying contributing factors to bullying in an Aboriginal context.

3.1 Environmental factors - School

DoCS advises that peers, teachers and the school environment can influence bullying behaviours.

DoCS notes that peer relationships are one of the most studied risk factors for bullying involvement. Key risk factors are peer rejection and deviant peer group associations. In addition, the way in which the peer group responds to bullying will often determine whether or not the bullying will continue. DET advises that most bullying takes place when bystanders, or witnesses, are present. Although most bystanders do not act to discourage bullying, when any one does there is a good chance (around 50%) that the bullying will stop (Salmivalli 2007).

NSW Health advises that at school, bullying may be more likely to occur when adults are not present. Some research suggests that only about half of primary school aged children and as few as 15% of high school students report bullying to school staff.

DoCS advises that the school climate is also an important factor. Those schools with high conflict and poor student/teacher morale report higher levels of bullying. Conversely, research shows that bullying is minimised in schools where:

- there are high expectations of students;
- students feel supported;
- there is consensus and cohesion among staff;
- there is a sense of community; and
- staff model appropriate behaviour (James et al 2008).

The NSW Attorney General's Department advises that in 2002, the NSW Government convened a forum on school safety. DET subsequently commissioned the Bureau of Crime Statistics and Research to conduct a study on conditions within the school social environment that foster or inhibit violence between secondary school students. This work resulted in the 2005 report, *School Violence and its Antecedents: Interviews with High School Students*, which was the largest study of its kind conducted in Australia. The report is available on the BOCSAR website (www.bocsar.nsw.gov.au)

The NSW Attorney General's Department advises that the study noted the absence of national data in Australia that could be used to reliably gauge the prevalence of or trends in, school violence. However, it found that a number of school related factors were associated with physical violence. The study also found that, although schools had a strong influence on violence, individual and family related factors also influenced violence perpetrated on school premises. DET advises that this research also showed schools to be one of the safest places for children and young people to be.

3.2 Environmental factors - Workplace

State Training Services within DET monitors the training contracts of all apprentices and trainees who are under 18 years of age in NSW. State Training Services have identified that bullying is more likely to occur when supervisors of apprentices and trainees have not had any training in supervision, coaching or mentoring.

WorkCover NSW has identified the following factors as contributing to workplace bullying:

- *Culture and relationships.* Workplaces where workers' views are ignored or undervalued, or where there is poor communication, unequal treatment, constant teasing or inappropriate practical jokes, are more likely to experience and tolerate bullying.
- *Organisational change.* Significant change, such as restructuring or technological change, can promote bullying behaviour if people feel uncertain, insecure or fearful as a result.
- *Work systems.* System factors (such as increasing demands for efficiency and speed, unrealistic work schedules, poorly defined jobs, uncertainty about job requirements, poor job security, lack of experience and skill among workers and lack of appropriate policies and procedures) are stressors that contribute to the development of bullying.
- *Poor management practice.* While poor management practices on their own are not considered to be bullying, the risk of bullying is linked to poor people management skills and a lack of supportive leadership.

4. The evidence-base for effective anti-bullying approaches

4.1 Bullying interventions in schools

DET advises that researchers such as Rigby refer to primary, secondary and tertiary interventions:

- For most children (70-80%) bullying is temporary. With minor intervention (eg school anti-bullying programs) these children will engage positively with peers.
- A smaller proportion of children (10-15%) will have ongoing problems with bullying. These children may require specialised interventions to learn the building blocks of healthy relationships.
- For a small proportion of children (5-10%) bullying problems will persist and require comprehensive intervention, such as mental health support and parental engagement. These children require education in positive relationship skills since they have missed the essential lessons in healthy social development. Early intervention may divert them from a pattern of lifelong relationship problems.

Much research notes that the goal of interventions is to enhance children's interpersonal capacity in order to promote healthy relationships both for the present and throughout life. Approaches must consider children's age and gender, so that relationship solutions match the student's developmental needs.

DET also advises that whole school policies are effective in reducing bullying behaviours. In fact, implementing comprehensive policies is the single most effective action a school can take to reduce bullying (Smith and Sharp 1994).

- *Interventions for children and young people who bully*

DET advises that in many cases, children who bully others are asserting their social power and have learned to use that power aggressively. The challenge is to redirect this leadership potential from the negative strategies of bullying to positive leadership skills and opportunities. These children require support to find positive ways of gaining power and status within their peer relationships. They need to be provided with formative, rather than punitive consequences. Interventions should provide a clear message that bullying is unacceptable, but also build awareness, skills, empathy and insights and provide appealing alternatives to bullying.

- *Interventions for children and young people who are bullied*

DET advises that children who are persistently bullied experience abuse from peers and are often not supported by children who witness the bullying, or by adults (who may be unaware of the problem). The task is to help these children find ways to develop positive connections with peers and a trusted adult.

There is some evidence that teachers can help promote positive relationships through:

- establishing buddies;
- circles of support;
- peer mentors; and
- by finding ways to highlight the child's talents for others to see.

Support can be provided through programs that emphasise social skills, but especially through consistent moment-to-moment support from teachers, parents and peers (Boyle 2005).

- *Interventions for children and young people who witness bullying*

DET advises that research is increasingly recognising the important role bystanders (those who witness bullying) play in instances of bullying, and the role the peer group plays in reinforcing bullying behaviour.

Research has documented the benefits of engaging bystanders to take a stand against bullying by safely intervening directly, telling a trusted adult, or at least by not encouraging the bullying child. Some research suggests that bystanders might be easier to influence than those who bully. This is because bystanders often think that bullying is wrong and they would like to do something to help. However, it is noted that converting bystanders' already existing attitudes into behaviour is a challenging task (Salmivalli 2007).

Children need help understanding their social responsibility to intervene when bullying is taking place. For example;

- peers can be coached in taking a stand when bullying occurs;
- children and young people may need scripts for what to say and do to intervene in a positive way;
- adults need to establish conditions in which children feel responsible, and to encourage children to take the risk of speaking out against bullying; and
- adults need to listen respectfully and respond with relationship solutions to empower children to act.

- *The role of adults, including teachers and parents*

DET advises that research has established that adults need to take responsibility for constructing environments that promote positive peer interactions. This includes:

- adults discouraging grouping together children who are similarly aggressive and engaged in bullying, because when troubled children are together they reinforce one another's deviant behaviour;
- teachers ensuring working groups in the classroom are balanced with a mix of abilities - by proactively reorganising children's social groupings, teachers can avoid embarrassment for students who have not been chosen by any group; and
- providing children with consistent lessons to develop the complex skills required for healthy relationships - solutions need to focus on promoting relationship skills for all children involved in bullying: those who bully, those who are bullied, as well as those who are bystanders (Pepler and Craig).

DET also notes that researchers identify that lower rates of bullying are associated with the following teacher behaviours:

- caring for students;
- using effective teaching practices;
- monitoring student behaviour;
- appropriately intervening in cases of student misbehaviour (Ryan 2008); and,
- remaining conscious of cyber bullying and intervening in suspected incidents (Campbell 2005).

Although no parent can 'bully-proof' a child, DET advises that research suggests parents can assist by:

- helping their children to acquire good interpersonal skills, including making friends and acting assertively when necessary;
 - supporting their children if they do become involved in bullying/being bullied at school and being prepared to work collaboratively with the school to solve it; and,
 - assisting schools as much as possible in the development of policies and practices to address the problem (Rigby 2007).
- *Interventions in educational environments*

DET advises that research has identified the need for education settings to provide preventative and interventive anti-bullying strategies and methods that include:

- ensuring that the concept of bullying is explained clearly;
- being aware of what is happening and how stakeholders feel about it;
- developing a well supported anti-bullying policy;
- ensuring that learning how to prevent bullying is part of children's social education and is part of the school curriculum; and
- collecting relevant data (Rigby 2007).

DET also notes that children and young people spend up to 25% of their educational life in playgrounds. Research highlights the importance of promoting pro-social behaviours in the playground. Researchers also note that bullying can occur because children and young people have nothing to do (Leff and Munro).

DET advises that as a majority of low-level aggression occurs in unstructured educational settings, such as on the playground during recess, researchers note that programs need to promote children's social skills as part of a whole-school program, rather than through classroom culture alone (Leff, Power, Manz, Costigan and Nabors, 2001).

DET advises that research suggests that approaches to address bullying can include a focus on re-designing school playgrounds, empowering playground supervisors to better guide children's play behaviours, and helping educators implement age and gender-appropriate activities for children during recess. Examples of actions in this area could include:

- establishing a "go to" or point person at school, such as a teacher or playground supervisor;
- encouraging students to avoid bullying hotspots at school (e.g. less well supervised areas on the playground);
- providing structured and supervised activities during school recess;
- encouraging students to make positive decisions about which activities or groups of friends to join; and
- informing school personnel if a child is being bullied (Leff and Munro).

DET also notes that social and curriculum programs have been found to reduce the incidence of bullying behaviours. As previously noted, bystanders, usually peers, play an important role in perpetuating the cycle of bullying, and it is crucial to educate students about the importance of speaking out against bullying behaviour (Noble 2003).

- *Interventions for Aboriginal Australian school children*

DAA suggests that the Committee contextualise bullying in an Aboriginal cultural context and relate its implications and outcomes to an educational context. Better understanding bullying from a culturally secure context may yield some degree of appropriateness and guidance for developing programs that have a more positive impact on the outcomes for Aboriginal children, youth and communities.

DAA advises that there has been limited published research addressing the design and implementation of culturally informed and determined bullying prevention and reduction programs for Aboriginal Australian school children. Before any attempts are made to adapt current bullying resources for use in Aboriginal school settings, suitable processes must be determined to enhance the promotion of cultural awareness, improve teacher understanding and appreciation of the behaviour of Aboriginal children and its management, and promote a whole-of-school approach to address bullying issues, which encourages both family and community participation. Aboriginal views must be listened to and respected.

4.2 Cyber bullying interventions in schools

DET advises that cyber bullying can be defined as an aggressive, intentional and repeated act carried out by a group or individual, using electronic forms of contact, with the intention of harming another person.

DET advises that while researchers note that cyber bullying usually occurs off school grounds, schools are experiencing its repercussions (Kimerley 2006). A significant amount of research has been undertaken over the last few years, and provides an evidence-base for effective approaches to address cyber bullying.

Researchers consider prevention can be targeted through school initiatives and recommend the following approaches:

- schools should develop acceptable use policies that address school and home online use and behaviour;
- students should have a voice in developing policy so it is consensual and not imposed;
- strategies should empower students who are bullied and modify students' computer behaviour;
- strategies should understand youth internet use and behaviours;
- standards of responsibility should be developed in schools;
- research should continue into the characteristics of cyber bullies, to help identify potential bullies;
- parents' lack of awareness of the problem should be considered;
- the effectiveness of strategies should be evaluated constantly; and
- teachers, parents and students should be made aware of the problem (Brown et al. 2006)

DET also notes that professional development for teachers is needed to explain what cyber bullying is and its consequences. Awareness-raising among teachers needs to be sustained, and is especially important when inducting teachers to a school (Campbell 2005; 2007).

Teachers and other staff need to be aware what services young people use on the internet and the ways that cyber bullying can occur. They should know what young people are talking about if they are approached for help (NetAlert 2007; Australian Communications and Media Authority 2008).

Parents also need to be made aware of cyber bullying methods, such as children texting on mobile phones under the bedcovers in the middle of the night and sending emails from the computer in their bedroom.

Parents and teachers need to discuss cyber bullying with students. Schools can include coverage of cyber bullying when conducting workshops to raise awareness of face-to-face bullying, or cyber bullying could be used as a new angle on the bullying phenomena in reviewing general awareness (Campbell 2005).

Given cyber bullying largely occurs outside the school environment, it is likely that parents have a greater role to play in supervision to prevent bullying by technology than other forms of bullying. This may present challenges for parents who are ill at ease with technology, and rely on their children to explain how to use it (Ribak 2001). At home, the location of the computer is an issue that parents need to consider carefully (Pew 2001).

Schools can assist in parent education to this end and encourage parents to talk to young people about the technology. In this way, young people are made aware that adults do know something about the technology and they can seek help from adults when they need to (Campbell 2005).

Finally, DET advises that peer helper programs, buddy programs and transition programs all support the ethos of a school to help one another. Curriculum programs incorporating the direct teaching of values education, empathy training and the use of stories and drama embedded in the curriculum, as well as direct teaching of 'netiquette', could all help to reduce cyber bullying (Campbell 2005).

4.3 Bullying interventions in workplaces

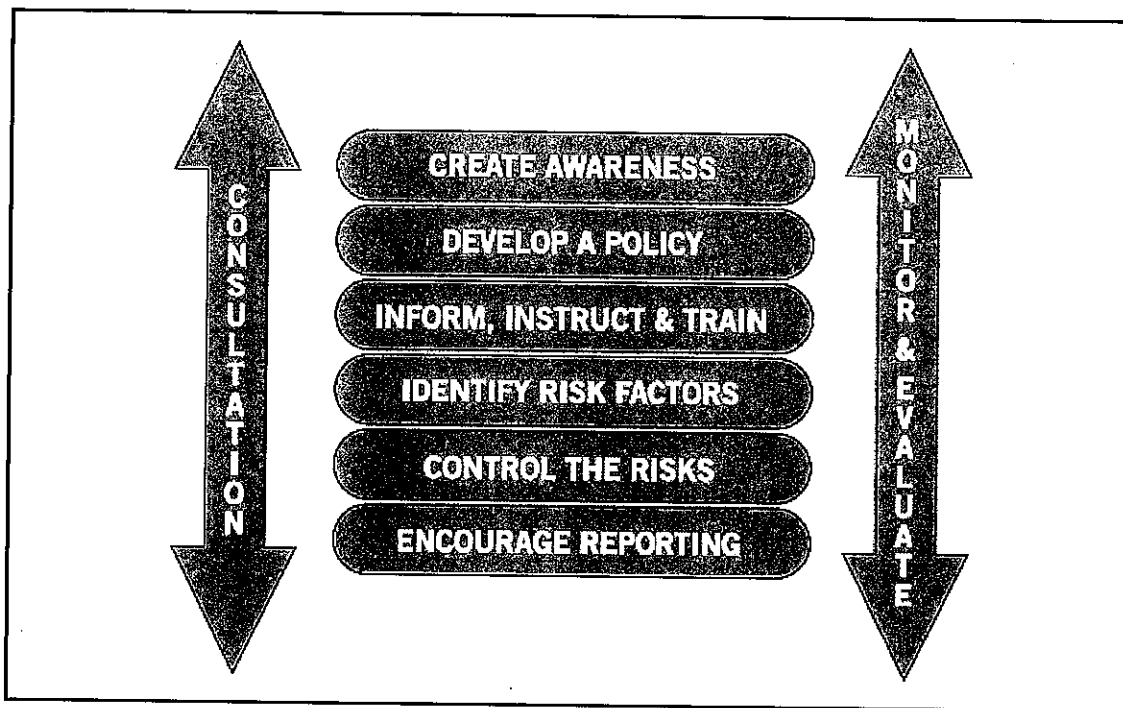
WorkCover NSW advises that bullying can happen in any workplace and is best dealt with by taking steps to prevent it before it becomes a risk to health and safety. Employers and managers are required to take a risk management approach to prevent workplace bullying.

WorkCover NSW also notes that employers must provide information and training about particular work hazards and safe work practices that give consideration to the age and experience of young workers. Employers should be aware that young workers may be particularly at risk of workplace bullying and should address this with appropriate controls.

The risk of bullying is minimised in workplaces where everybody treats their colleagues with dignity and respect, management leads by example and makes it clear that bullying will not be tolerated. Individuals should be encouraged to report incidents of bullying, knowing that they will be dealt with seriously, fairly and in a timely way.

If bullying does occur, early intervention will address issues that may evolve into potentially complex disputes and prevent a pattern of bullying becoming entrenched in the workplace. Appropriate policies and procedures that everyone in the workplace is aware of and able to use are crucial for effective early intervention.

The following series of practical steps represent a simple risk management approach designed to protect workplaces from the risk of bullying:



Carrying out each of the steps is essential – using only one or some of them will not adequately reduce the risk of bullying. The steps can be implemented in any order, to suit the size and circumstances of the workplace.

Some workplaces may, in consultation with workers, make their first step the writing of a 'no bullying' policy and then use the policy to raise awareness more widely in the workplace. Others may carry out a risk assessment, in consultation with workers, to help them write a policy that is relevant to their workplace.

Workers must be consulted at every step. Once every step is completed, the measures that have been put in place should be regularly monitored and reviewed to ensure they are effective. Further practical detail on prevention and early intervention of workplace bullying can be found in the WorkCover NSW guide *Preventing and Dealing with Workplace Bullying*.

5. Prevention and early intervention approaches to address bullying, including 'cyber bullying'

The NSW Government is working in NSW schools, TAFEs and workplaces to deliver evidence-based, multi-faceted prevention and early intervention strategies.

5.1 Bullying in schools

Anti-bullying policies

As previously noted, an anti bullying policy is the single most effective action a school can take to deal with bullying (Smith and Sharp 1994). DET has implemented the following school policies:

- *Student Discipline in Government Schools (2005)*
The policy specifies a set of core school rules which each school must include in their discipline code. Each school's discipline code must set out clear expectations for student behaviour and the consequences of unacceptable behaviour.
- *The Anti-bullying Plan for Schools (2005)*
As part of the *Student Discipline in Government Schools Policy (2005)*, the Anti-bullying Plan for Schools sets out the requirements for dealing with bullying behaviour in NSW government schools. It includes operational guidelines and a framework for schools to use to develop and implement a school Anti-bullying Plan with specific strategies for identifying, reporting and dealing with bullying behaviours. The school Anti-bullying Plan is a key part of every school's planning for student wellbeing and effective learning. It complements each school's Student Welfare and Discipline Policies.

The Anti-bullying Plan for Schools clearly defines bullying as:

- intentional, repeated behaviour by an individual or group of individuals that causes distress, hurt or undue pressure;
- involving the abuse of power in relationships. Bullying can involve all forms of harassment (including sex, race, disability, homosexuality or transgender), humiliation, domination, intimidation and victimisation of others; and
- behaviour that can be verbal, physical, social and psychological

The Anti-bullying Plan for Schools states that students, teachers, parents, caregivers and members of the wider school community have a shared responsibility to create a safe and happy environment, free from all forms of bullying. Each group within the school community has a specific role in preventing and dealing with bullying. The Anti-Bullying Plan for Schools describes what each group can expect and what each has a responsibility for.

The Anti-bullying Plan for Schools identifies that all schools must have strategies in place to prevent and deal with bullying. Such strategies must effectively teach skills and understandings across key learning areas that are consistently reinforced through school practices that promote respectful relationships. The strategies outlined are consistent with research identifying the necessity for schools to be able to respond to bullying in the most appropriate way.

The Anti-bullying Plan for Schools outlines that:

- schools must deal with bullying quickly and effectively;
- strategies for dealing with bullying must be described clearly in the school Anti-bullying Plan and implemented consistently by school staff;
- strategies for dealing with bullying must be linked to the School Discipline Policy and encompass the range of options available to deal with unacceptable behaviours, including suspension and expulsion;
- in dealing with bullying behaviour, schools need to recognise the repeated and recurring nature of bullying and have mechanisms in place to identify patterns of repeated offending; and
- students, their parents and caregivers must be encouraged to be proactive in dealing with bullying, so that appropriate support can be provided to those students involved in any incident

School anti-bullying plans must include specific strategies for:

- reporting (by students, parents, caregivers and teachers);
- intervening (by students, parents, caregivers, teachers and other school staff);
- accessing help and support (by students, parents and caregivers);
- communicating Departmental appeal procedures (for students, parents and caregivers); and
- professional learning (for teachers and other school staff).

Strategies to review the school anti-bullying plan include:

- gathering and analysing all relevant information on the nature and extent of bullying, harassment and victimisation, including data that highlights patterns and trends, such as suspension data;
- evaluating the extent to which the school Anti-bullying Plan has been effective in addressing bullying, harassment and victimisation and promoting a safe and secure environment;
- developing and implementing a revised school Anti-bullying plan, if necessary, following a review; and
- continuing to monitor and evaluate the implementation of the school Anti-bullying Plan on an ongoing basis.

A copy of the Anti-bullying Plan for Schools (2005) is attached at **TAB B**.

Empowering principals

School principals have the power to impose strong sanctions to counter bullying. Principals are able to place students on suspension for up to 20 days for behaviour that threatens the safety and well-being of other students or staff, including behaviour linked to bullying. Suspension enables the schools to plan for the student's successful return to school via putting in place strategies to address the behaviour and circumstances leading to the suspension.

Anti-bullying strategies in curriculum links – Some examples

- *Personal Development, Health and Physical Education (PDHPE)*

This learning area is mandatory for students in Kindergarten to Year 10. As part of this subject, students learn about recognising bullying and harassment; the effects of bullying and harassment; reducing the risk; and personal safety strategies.

- *Child Protection Education*

These materials support the PDHPE curriculum. They focus on recognising and responding to unsafe situations; seeking assistance effectively; establishing and maintaining non-coercive relationships; and strengthening attitudes and values related to equality, respect and responsibility.

Mentoring and transition programs – Some examples

As children and young people progress through their education, there are certain critical transition points which can present new challenges and be particularly stressful. The following mentoring programs provide support for children and young people at times of transition:

- *Beginning Well (BW)*

This is an early intervention program which supports children from three and a half to five years of age in prior-to-school settings and as they transition to Kindergarten.

- *Learning Assistance Mentoring Program (LAMP)*

LAMP supports children at risk of not making a successful transition from Year Two to Year Three at school.

- *Law Firms Encouraging and Assisting Promising Students (LEAPS)*

LEAPS is a workplace mentoring program for Year Nine students at risk of leaving school early. Students are paired with a mentor (a lawyer) and meet at the law firm for one hour each fortnight, to work through materials that develop the student's confidence, learning skills and vision for the future.

Peer support and buddy programs

Peer support programs have been implemented in primary schools, and offer opportunities for students from Kindergarten to Year 6 to jointly participate in activities such as sport, art and cooking. This encourages positive peer relations across the school. DET also encourages 'buddy' programs, which pair Kindergarten students with older students for support from their first day of school.

Peer mediation programs

The *Peer Mediation Training Package* is a secondary school-based conflict resolution program.

An independent evaluation of the program in 2003 found that among the schools in the evaluation (five primary and 10 secondary schools):

- most cases were successfully mediated;
- peer mediators gained life skills and self-esteem which translated into benefits both at school and in their personal lives; and
- all schools regarded their initiatives as successful, with the school environment more harmonious and teachers having to deal with fewer minor incidents.

The evaluation recommended that DET develop a Peer Mediation Program specifically for use in primary schools. A draft program has been developed over the past three years and will be trialled during 2009. An information sheet for parents and community members is attached at **TAB C**.

Skills training and education programs for students – Some examples

- *A Partnership Encouraging Effective Learning (APEEL)*

APEEL focuses on helping students acquire interpersonal skills in their early years of schooling. It consists of a teacher training module, student lesson module and parent module. The parent module provides a series of workshops for parents of students from Kindergarten to Year 2. Parents are trained in the program in Term One, while their children work through the student APEEL lessons.

An independent evaluation of the APEEL Program in 2002 found that:

- it is highly regarded in schools;
- social skills development in the early years is a high priority for teachers and principals; and
- APEEL is sufficiently flexible for teachers and principals to tailor it to individual school and classroom contexts.

- *Taking Action, Keeping Safe: A Resource for Student Leaders to Counter Bullying*

This resource is aimed at students in Year 5 – Year 8. Activities increase students' knowledge and understanding of bullying, and assist student leaders to implement anti-bullying strategies and positively impact the school climate. Activities can be conducted by teachers with student leaders or by student leaders with other students. DET also supports Student Representative Councils, as they assist students to develop leadership skills and self-esteem, and encourage effective social supports within schools. For more information on the resource, see **TAB D**.

- *Leading the Way in School and Classroom Practice*

This is a support document to the Boys' and Girls' Education Strategy, which promotes respectful relationships. Some of the related activities promote the position 'that schools develop a culture that rejects all forms of bullying, including sex-based harassment and homophobia'. Links are provided to a number of anti-bullying resources, including the *Bullying. No Way!* website (information about the *Bullying. No Way!* website is provided in section 6.2).

The following cross-agency programs are described in more detail in section 6.3:

- *Love Bites*

This sexual assault and domestic violence education program is for students in Year 9 and 10.

- *Y-ise Up About Relationships*

The program is delivered to students in Years 7, 9, 10 and 11 and aims to increase students' social, communication and interpersonal skills.

- *Crime Prevention Workshops*

These workshops are held for primary and secondary school students, and teach young people about the consequences of involvement in anti-social and criminal behaviour.

- *Positive Choices Conferencing Model (PCCM)*

A pilot program designed to be held in conjunction with Crime Prevention Workshops.

Training and support for educators – Some examples

- *NonViolent Crisis Intervention (NCI) training*

This training provides school staff with skills to manage particularly aggressive and assaultive behaviours. DET has over 100 accredited *NonViolent Crisis Intervention* instructors. Of these instructors, some are accredited to teach the advanced Autism Spectrum Disorders course, and some are accredited to teach the advanced Enhancing Verbal Skills course. Since 2001, over 14,000 school and regional staff have been trained in the program. The program is a registered professional learning program with the NSW Institute of Teachers. More information can be found at the website www.crisisprevention.org

- *Supporting the National Safe Schools Framework*

The *Framework* was developed collaboratively with the Commonwealth and state and territory governments through the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA). It outlines guiding principles for schools to ensure teachers have appropriate training in student management, and emphasises the need for schools to respond proactively to all incidents of victimisation. A range of resources are available to schools to support best-practice prevention and early intervention strategies.

Information is displayed on DET's Intranet website showcasing how school communities are implementing the National Safe Schools Framework. This information enhances student, parent and wider community awareness of the importance of safe schools and whole school approaches to student welfare. An outline of material on the website is provided at **TAB E**.

- *The School Libraries and Information Literacy site*

This site provides information and support for teacher-librarians, principals, school assistants, and those interested in collaborative teaching. The site provides a Resource Review Program, which assists schools in selecting resources. Resources are selected for review based on Departmental priorities and the appropriateness of the resources to the curriculum. Resource reviews are provided for teachers to support their teaching and learning programs.

A number of print and Internet resources have a focus on anti-bullying. These can be employed to support teaching across all Key Learning Areas of the NSW Curriculum. Some examples are included at **TAB F**.

The following cross-agency initiatives are described in more detail in section 6.2:

- *Australian Government Quality Teaching Programme's Safe Schools: Making the Links project.*

In this project teachers develop collegial networks that extend and support their knowledge and skills. They also gain an increased capacity to interact with students in ways that create safe, supportive and respectful learning environments.

- *MindMatters, CommunityMatters and KidsMatter*

NSW Government schools implement these programs as whole school approaches to mental health promotion for primary and secondary schools.

- *The Behaviour, Learning and Teaching Program*
This is a professional development program registered with the NSW Institute of Teachers.

Partnership with parents

- *Consultation with parents*
DET consults with parents in the development of school anti-bullying policies and procedures, such as the *Anti-bullying Plan for Schools*. A copy of the Plan is available at **TAB B**.
- *Collaboration with parents*
DET liaises with the Federation of Parents and Citizens Associations of New South Wales to publish relevant articles for their journal. Such articles provide information on the types of strategies schools employ to counter bullying, examples of good practice schools and information on how parents can help. A copy of a 2008 article is attached at **TAB G**.
- *Information and advice for parents*
DET provides and promotes the following information for parents:
 - Information on bullying, cyber bullying and bystander behaviour is available on the Department's Internet site (for example, see: www.schools.nsw.edu.au/studentsupport/behaviourpgrms/antibullying/index.php)
 - *Bullying. No Way!* website (www.bullyingnoway.com.au) (in collaboration with State, Territory and Commonwealth government education departments, and Catholic and independent education sectors)
 - *Anti-bullying Information for Parents*, a resource available in 24 languages (**TAB H**)
 - *Bullying Among Children – A Guide for Parents*, a booklet produced by the Attorney General's Crime Prevention Division
 - *Anti-bullying – How to Encourage Your Child to be an Effective Bystander* – a handout for parents (**TAB I**)

Support personnel

- *School based personnel*
 - Schools have learning support teams or student welfare teams who implement and review student welfare strategies. A key member of the team is the school counsellor who provides expertise in the assessment of students, and supports teachers with classroom/ playground management strategies.
 - Student welfare committees usually include school counsellors, head welfare teachers, year co-ordinators and specialist teachers such as learning support teachers. The committees provide additional support to students in need and help plan, implement, monitor and evaluate plans and strategies, as consistent with school Welfare and Discipline Policies and the Anti-bullying Plan.
 - Student representative councils and student anti-bullying committees encourage students to become actively involved in their school, holding regular meetings to discuss issues and find solutions.
- *Region based personnel*
 - Specialist behaviour teachers are deployed across the state to assist local schools. Specialist behaviour teachers work to:

- support teachers and schools to develop and implement behaviour support plans, such as social skills programs;
 - assist students to manage their own behaviour; and
 - support early intervention and transition initiatives for students displaying behaviour difficulties.
- Targeted funding provides school learning support officers to assist teachers in the implementation of behaviour support plans to manage students.
 - Home school liaison officers assist teachers to help forge closer links between home and school to improve student attendance.
 - Disabilities consultants and other special education staff provide of a range of services to schools and teachers including placing students in special programs/settings and support for management of students with disabilities in mainstream classrooms.
 - Out-of-home care teachers assist schools supporting students placed in statutory out-of-home care. Out-of-home care teachers support and assist school learning support teams to develop, review and evaluate student learning plans, help with early intervention and transition initiatives for students, and provide a liaison with carers and designated agencies. The teachers assist schools applying for short term, flexible, emergency out-of-home care funding support for eligible students.
 - Student welfare consultants are trained and resourced to support Government schools in the development and maintenance of anti-violence programs and initiatives. Regional officers such as student welfare consultants and school staff receive regular updates of the latest anti-bullying resources and research via the monthly *Bullying. No Way!* e-bulletin.

DET is represented on the *Safe and Supportive School Communities* project, a collaborative initiative of the Commonwealth, States and Territories which oversees the *Bullying. No Way!* website (www.bullyingnoway.com.au).

In support of this initiative:

- regional offices are provided with a range of anti-bullying materials to distribute to schools; and
- regional officers receive regular updates via an electronic e-bulletin.

Whole school approaches

- *MindMatters, CommunityMatters and KidsMatter*

NSW Government schools implement *MindMatters*, a whole school approach to mental health promotion for secondary schools. *MindMatters* includes modules to foster the development of social and emotional skills and encourage effective home, school and community partnerships. For more information about *MindMatters*, see **TAB J**.

CommunityMatters was developed to strengthen the Aboriginal focus of *MindMatters*. *CommunityMatters* includes material that addresses the intersection between bullying and racism directed towards Aboriginal children and young people. For more information, see:

http://www.mindmatters.edu.au/resources_and_downloads/community_matters/communitymatters_landing.html

KidsMatter is the first national mental health promotion, prevention and early intervention initiative specifically developed for primary schools. The *KidsMatter* initiative aims to improve the mental health and wellbeing of primary school students:

reduce mental health problems amongst students and achieve greater support for students at risk of experiencing mental health problems. *KidsMatter* commenced in 2006 with a national two year trial involving 100 schools from all sectors, states and territories. Within NSW, 11 government primary schools participated in the pilot. For more information see **TAB J**.

Strategies embedded within whole school approaches include strategies for primary schools such as NO GO TELL, which promotes a culture of creating a “telling” school. Strategies for high school students such as TRUST, TALK, TAKE CONTROL - emphasises that older students are more likely to talk to their friends.

- *Friendly Schools and Families Program*

40 schools are implementing this program as part of the Making the Links project. The program comprises whole-school (including family) learning and teaching strategies, resources and case studies from Australian schools. It is based on six years of research involving over 6,000 school students, their parents and teachers. This evidence-based program has been rigorously evaluated and found to improve young people’s social skills and to reduce bullying behaviour.

In 2009, 39 primary and secondary schools are working in local community clusters on strategies promoting student safety and wellbeing in Years 5 - 8.

For further information on the program see: www.friendlyschools.com.au

- *Restorative practices*

Restorative practices are essentially about relationships and interactions, and aim to promote a sense of connectedness within schools and their communities. A great deal of variability between schools in the application of the principles and processes is expected. This makes it difficult to evaluate across settings. However, if implemented correctly, it may improve the school environment and enhance the learning and development of young people (Youth Justice Board for England & Wales, 2004, p 65).

The Department of Aboriginal Affairs also notes that restorative practices may be an effective mechanism to counter bullying. This approach concentrates on promoting values likely to lead to responsible citizenship, such as pride in one’s school and an obligation to help others. Addressing the problems of bullying is seen as requiring confrontations with the person bullying, the deliberate inducement in them of appropriate shame, and action undertaken by them to restore positive relations with the person being bullied.

DET supports restorative practices and they are used in a number of NSW public schools in ways that meet the particular needs of that school community. One example is Rozelle Public School, which had a Student Welfare Policy based on reward and punishment rather than acknowledgement and accountability for choices made. As a result of whole-school reflection on this, all stakeholders (staff, students and parents) agreed to be trained in the philosophy of restorative practice, and in creative conflict processes and preventative programs. The result was a marked positive culture change. More information on this and other examples of best practice case studies are provided at **TAB K**.

There is Australian data that indicates there is a decrease in suspension rates through the application of restorative conferencing in schools, along with high rates of

participant satisfaction (eg person harmed, parents and wrongdoer) and high rates of compliance with agreement (above 90%). Also see the website:

<http://cri.anu.edu.au/menus/PDFs/pubs.bm.rcp.pdf>

- *Engaging in culturally significant events*

DAA notes that it is important to engage children and young people in NSW schools, as well as observers and the broader community in events celebrating Aboriginal culture, as these events symbolise the values of Aboriginal people and the way Aboriginal people envision themselves.

Additionally, DAA advises that by incorporating Aboriginal cultural practices/ceremonies into official events children and young people and the broader community are able to:

- recognise and pay respect to Aboriginal culture and heritage;
- communicate Aboriginal cultural practices to the broader community to promote respect and understanding;
- demonstrate that Aboriginal cultures are living through maintenance and practice of ceremonies and protocols; and
- demonstrate recognition of Aboriginal people's unique position which can assist in building relationships and partnerships.

DAA advises that Aboriginal events include: the Yabun festival, National Sorry Day and National Reconciliation Week.

5.2 Cyber bullying in schools

In regards to cyber bullying, it should be noted that the regulation of telecommunications is primarily a Commonwealth responsibility. The authority of the NSW Government in this area is limited.

Guidelines

- *Advice to school communities about the use of mobile phones at school*

DET recognises that there are times when it is appropriate and beneficial for students to have access to a mobile phone. For example, students may need to contact parents in an emergency or confirm a collection time.

However, the Department provides the following clear advice to schools:

- students should be encouraged to use their mobile phones in a way which reflects the core values being taught in schools, including respect, responsibility, care and fairness;
- the use of a mobile phone in class is disruptive to the learning environment and in the playground there is potential for them to be used in ways that can be harmful or distressing to others; and
- in all cases of inappropriate mobile phone use the disciplinary provisions available to Government schools, including suspension, will be applied.

These procedures also apply to the inappropriate use of portable computer games, iPods and similar devices.

- *Online bulletins for schools*

Schools have access to online bulletins to ensure they are aware of, and able to comply with, legal obligations with regards to cyber bullying. Past Legal Issues Bulletins have included:

- *The Use of Mobile 'Phones, Portable Computer Games, Tape Recorders and Cameras In Schools and TAFE NSW Institutes (Bulletin Number 35)*
- *Legal Issues Arising for Staff Subject to Cyber Bullying and Related Behaviour (Bulletin Number 42)*

Filter systems

Filters are always used when students are browsing the web from Departmental sites. All emails sent through the Department's email system are protected through the Department's filtering service. Emails containing inappropriate text are blocked from being despatched. All free, unauthenticated email services are blocked for all students.

A new Internet filtering system "SmartFilter" was introduced to all schools in 2007. The "SmartFilter" system operates by categorising web sites and then blocking or allowing them for different scholastic year groups. Additionally, the Department has now put in place the Google "SafeSearch" strict filter to help to block web pages containing both explicit text and explicit images.

Partnership with parents

A strong partnership between schools and parents is encouraged to address the issue of cyber bullying in a manner that meets local circumstances. For example, based on consultation with parents, the mobile phone policy implemented by one high school allows students to bring mobile phones to school but requires them to be switched off during school hours. Another high school confiscates mobile phones which are switched on during class time and contacts parents to collect the confiscated mobile phone from the school.

To assist parents to help counter cyber bullying, DET provides the following information:

- Handout titled *Cyber Bullying and the Protection of Students (TAB L)*
- *Click – A Technology Guide for Parents* which aims to raise awareness of issues, and promote the safe use of technology. *Click* is an online magazine which provides information for teachers and parents about how to use the internet as a research tool; how to keep children safe when they use the Internet and mobile phones; explanations of new technology and jargon, and emerging trends in communication. See the website at: <http://www.schools.nsw.edu.au/news/technology/index.php>. An overview of key pages is provided at (TAB M)

Promotion of cyber safety resources

DET is promoting new cyber safety resources aimed at educating teachers, students and parents. An example is *CyberSafety Outreach – Professional Development for Educators*, developed by the Australian Communications and Media Authority. This free resource provides professional development for educators via a one day workshop and associated resources for schools.

DET officers and NSW government schools attended Safer Internet Day 2009. This event, co-ordinated by the Australian Communications and Media Authority, aimed to raise

awareness about the safe and responsible use of new technologies especially among children and young people. A new resource, *Cybersmart Detectives*, was launched on the day.

During Term 4, 2008 and Term 1, 2009 a small number of schools are assessing the value of an online social networking tool for classroom learning and cyber safety awareness, *SuperClubsPLUS Australia*. SuperClubsPLUS is a protected social networking site open to students aged six to 12. Senior officers from DET directorates, including Student Welfare and Information Technology, are overseeing the schools using SuperClubsPLUS. It is anticipated that information from focus groups with principals, teachers, students and the parents of students using SuperClubsPLUS Australia in the schools will be completed by early term 2, 2009. The aim is to provide principals with more information about benefits/issues associated with such resources. An overview of SuperClubsPLUS is provided at **TAB N**.

5.3 Bullying of apprentices and trainees under 18 years of age

TAFE policies and procedures:

- *Student Discipline Policy - TAFE NSW*
This policy deals with the conduct of a student that impairs the reasonable freedom of any person to pursue his or her studies, research, work or activities, or the conduct of a student prejudicial to the management of the TAFE Commission or any part of it.
- *The Student Discipline Mandatory Procedures - TAFE NSW*
This sets out the procedures to be followed in implementing the *Student Discipline Policy - TAFE NSW*. Instances of bullying, including writing or sending harassing SMS messages, are dealt with under this policy and procedures.
- *Code of Conduct Policy – TAFE NSW*
This policy clarifies the standards of behaviour that are expected of DET staff in the performance of their duties. It gives guidance in areas where staff members need to make personal and ethical decisions.
- *The Prevention of Bullying Procedures & Guidelines*
Describes the Department's commitment to ensuring appropriate behaviours and the provision of information to prevent and respond to bullying in the workplace.
- *Internet and Email Services Acceptable Usage Policy - TAFE NSW*.
The Policy defines the standards for the acceptable use of TAFE NSW internet and email services by TAFE NSW staff, students and users who may be authorised to use these services.
- *TAFE NSW Internet and Email Services Code of Expected User Behaviour*
This states explicitly that users will never send or publish:
 - unacceptable or unlawful material or remarks, including offensive, abusive or discriminatory comments, or
 - material that is threatening, bullying or harassing to another person, or makes excessive or unreasonable demands upon another person.

- *The Complaints handling and guidelines*
These provide policy and guidelines for handling complaints. While most complaints should be resolved informally with the relevant employee, there are provisions for the use of formal procedures depending on the nature and seriousness of the complaint.

TAFE strategies to prevent and address bullying:

- raising awareness of students' rights and responsibilities at enrolment and through Student Handbooks;
- ensuring that student rights and responsibilities are discussed and an anti-harassment video is viewed at orientation;
- appointing Institute Harassment Contact Officers as points of contact for students who are experiencing bullying and harassment;
- utilising Institute Multicultural Education Coordinators, Aboriginal Development Managers and Aboriginal Coordinators, Women's Strategy Officers and Teacher/Consultants for students with disabilities to promote inclusive and harmonious learning environments;
- providing counselling services to students who are experiencing bullying including assisting apprentices;
- offering workshops on bullying for more vulnerable groups of students; and
- providing professional development for staff and senior managers on bullying and harassment, complaints handling policy and procedures.

State Training Services within DET monitors the contracts of all apprentices and trainees who are under 18 years of age.

State Training Services' relevant legislation

- *Apprenticeship and Traineeship Act 2001*

A person who employs an apprentice or a trainee must comply with the terms of the Act. This includes providing appropriate levels of supervision, and meeting all legal requirements, including occupational health and safety and anti-discrimination legislation.

State Training Services' strategies to prevent and address bullying:

- *Rights and responsibilities information*

All employers, apprentices and trainees are informed of their rights and responsibilities at the time of signing the training contract. Employers are informed of their responsibility to provide a work environment conducive to training and free of any harassment.

- *Training for field staff*

State Training Services field staff have been trained to identify bullying behaviour and have received accredited training in mediation and dispute resolution. Field staff receive printed material regarding roles and responsibilities in respect to occupational health and safety and child protection issues in the workplace.

- *Workshops and resources*

In 2008, workshops were conducted for supervisors of apprentices and trainees in metropolitan and regional NSW. The workshops included material on identifying and preventing bullying in the workplace. At the end of 2008, State Training Services sent a kit

entitled *Supervising Your Apprentice or Trainee* to all employers of apprentices and trainees. The kit included a booklet, CD and DVD.

- *Addressing claims of harassment*

When disputes that include claims by an apprentice or trainee of harassment in the workplace are reported to State Training Services, the regional office will investigate immediately. If the matter cannot be resolved at that level it is referred to the Vocational Training Tribunal, which has been established under the *Apprenticeship and Trainee Act 2001*. The Tribunal has representation from industry and training organisations and is chaired by the Commissioner for Vocational Training (or delegate).

If an investigating field officer considers it appropriate, an apprenticeship may be suspended to immediately remove the young person from a potentially unsuitable environment.

If the Tribunal considers the issues raised are grave enough, it is empowered to:

- deem the employer to be high-risk, requiring any future applications to be screened before being approved and any future apprenticeships to be closely monitored; or
- issue the employer with a prohibited employer order which prohibits them from entering into apprenticeships and traineeships under the Act.

5.4 Bullying in workplaces

Legislation

- *Occupational Health and Safety Act 2000*

The Act specifies that an employer or manager has a legal duty to protect the health, safety and welfare of their employees and of other people in the workplace whose health and safety may be affected by the work undertaken. This duty includes risks arising from workplace bullying.

The Act also requires employers to consult their employees when considering decisions that may affect their health and safety. Therefore employees must be involved in the development of any procedures for the prevention of workplace bullying.

- *Occupational Health and Safety Regulation 2001*

Employers have obligations under the Regulation to assess the risks to their employees and to take appropriate measures to prevent or reduce the risk. This could include the need to protect employees from exposure to reasonably foreseeable bullying. Additionally, the duties in the Regulation specify that the age, competence and experience of workers must be taken into account when undertaking a risk assessment and determining the appropriate level of supervision and training for workers.

The Act and Regulation also require employees to contribute to workplace health and safety by not putting others at risk, cooperating with any health and safety requirements of the employer and informing the employer of any workplace hazards of which they are aware. Therefore, employees are required to comply with any bullying prevention procedures that are implemented in the workplace.

WorkCover NSW resources

Relevant publications and services are described briefly below but can be accessed through the WorkCover website - www.workcover.nsw.gov.au.

- *Preventing and Dealing with Workplace Bullying*
This guide describes workplace bullying, outlines employer and employee responsibilities, and provides information on what to do and who young people can turn to for help when bullying occurs. The guide provides a sample of a 'no bullying' policy, a checklist of control measures, and contacts for further information and assistance specifically for young workers. A fact sheet and brochure have been created to support the guide.
- *Workplace Safety Essentials - Workplace Bullying*
This publication is targeted at managers and employers, to provide guidance and information for preventing and dealing with workplace bullying.
- *Starting Work Know Your Legal Rights*
This resource is designed for young people starting work and specifically includes information about how to deal with workplace bullying.
- *Protecting Young Workers From Workplace Hazards.*
This publication provides guidance for managers dealing with young workers.
- *Website for young workers*
WorkCover has developed a website specifically for young workers. The site includes links to workplace safety publications that are most relevant to them, links to other relevant government departments, and links to online training and safety games. The website can be viewed at www.youngworkers.com.au.
- *Learning tools for employers, educators, students and young workers*
WorkCover is developing an accessible e-learning tool specifically aimed at employers, educators, students and young workers. The resource is due for release in June 2009. The tool will be available online and on CD-ROM and will cover issues of bullying and harassment in the workplace. The bullying content specifically deals with how to recognise and handle co-worker and management bullying, how to approach management, where to get assistance and the potential dangers of ignoring bullying.

5.5 Criminal offences relating to bullying

The NSW Attorney General's Department advises that although bullying is not typically dealt with as a criminal offence, it should be noted that bullying conduct – particularly more serious cases – may fall within a number of existing criminal offences such as common assault or assault under the *Crimes Act 1900*, or stalking or intimidation with intent to cause fear or physical or mental harm under the *Crimes (Domestic and Personal Violence) Act 2007*.

The Attorney General's Department also advises that in 2002, a new offence dealing with assaults occurring at schools was inserted into the *Crimes Act 1900*. In particular, s 60E provides that "a person who assaults, stalks, harasses or intimidates any school student or member of staff of a school while the student or member of staff is attending a school, although no actual bodily harm is occasioned, is liable to imprisonment for 5 years". The

penalty is increased to 7 years imprisonment if the assault occasions actual bodily harm. While the offence was primarily intended to target outsiders entering school premises, it would also appear to apply to serious examples of bullying among students.

New South Wales does not have any specific offence in relation to cyber bullying as it has generally been considered that existing stalking and intimidation offences (which cover approaches made through electronic means), and the Commonwealth offence of using a carriage service to menace, harass or cause offence (s 474.17 of the *Criminal Code 1995 (Cth)*) would adequately cover most situations.

6. Co-ordination and co-operation between relevant government agencies to address bullying

6.1 NSW Government Inter-agency co-operation

The Department of Education and Training (DET) works with agencies including NSW Police Force, the Attorney General's Department, NSW Health, Department of Ageing, Disability and Home Care, Department of Community Services, Department of Juvenile Justice, the Office for Industrial Relations and WorkCover to ensure that response to bullying are comprehensive and relevant. This section outlines some examples of interagency cooperation.

- *Targeted cross-agency interventions*

When bullying of an individual has been identified as severe in schools or the workplace, DET refers individuals for cross-agency interventions, potentially involving a number of agencies in various roles. For example:

- Department of Community Services may provide case planning and individual and/or family support;
- NSW Health psychologists and youth health workers may provide counselling where the effects of bullying have impacted significantly on an individual's mental health or daily functioning; and
- The Department of Juvenile Justice and NSW Police may be involved in criminal proceedings.

- *School Safety and Response Unit*

In 2002, the NSW Police Force and DET jointly established the School Safety and Response Unit to reduce and prevent crime in schools. In 2003, a Memorandum of Understanding regarding the exchange of information on the safety and welfare of students was signed by the NSW Police Force, DET, the Catholic Education Commission and the Association of Independent Schools.

The School Safety and Response Unit:

- provide principals with 24 hour access to telephone advice to assist with managing serious incidents in schools;
- assist Youth Liaison Officers and School Liaison Police to provide support for violence or criminal activity related to schools

- *Training for police*

Training in the nature and impact of bullying is provided for specialist police officers, including Gay and Lesbian Liaison Officers, Student Liaison Police Officers and Youth Liaison Officers. These officers are available to conduct presentations, sit on panels and run workshops in schools to combat bullying.

- *Crime Prevention Workshops*

These workshops are held for primary and secondary school students, and are delivered jointly by a classroom teacher and a NSW School Liaison Police (SLP) officer or Police Youth Liaison Officer. The workshops teach young people about the consequences of involvement in anti-social and criminal behaviour. SLP officers also conduct face to face meetings with students, parents and school staff to address anti-social behaviour which may include harassment and assault behaviours or cyber-crime.

- *Positive Choices Conferencing Model (PCCM)*

This six-month pilot program developed by the NSW Police Force is proposed to begin in May 2009. This program will address bullying and anti-social behaviour within schools in conjunction with the SLP Program. The PCCM seeks to provide young people with the opportunity to participate in a conference rather than being subject to criminal proceedings. The commencement of the PCCM is subject to DET's approval.

- *Community Justice Centres (CJCs)*

The NSW Attorney General's Department advises that Community Justice Centres have developed, in partnership with DET and local schools, a peer mediation program for resolving conflicts between students. The peer mediation program was first initiated in 1994 as an early intervention strategy that offered an effective method to deal with and resolve some student disputes. In 2004, Warilla High School sought CJCs to introduce a peer mediation program to address issues of school bullying, harassment and conflict. The training programs were conducted with Years 8, 9 and 10, and resulted in 40 peer mediators being accredited within the school. After the peer mediation program was successfully introduced into target regions, it was subsequently taken up by school communities across the state.

- *Better Futures*

The Department of Community Services and DET work in partnership to deliver Better Futures, a prevention and early support strategy for children and young people. It aims to improve outcomes for children by encouraging their development, improving family and community support and getting them involved in the community.

Many of the services Better Futures provides have an anti-bullying component. Examples include:

- Transition to High School projects in Northern NSW which include anti-bullying material;
- Midnight Basketball, through Eastern Access Community Health Inc, engages participants in workshops relating to respectful relationships, anger management and team building;
- Reconnect Rock and Water run through the Northern Rivers Social Development Council identifies young people at risk of becoming involved in anti-social behaviour, and involves them in a volunteer-run program to build self-confidence and develop communication and boundary-setting skills;
- Positive Connections for Kids Central West and Riverina and Health Relationships in Bathurst, as well as the Domestic Violence project Healthy Relationships in Cobar and Bourke, deal with bullying through helping children and young people identify and avoid unhealthy relationships, identify and foster healthy relationships, and build self esteem; and,
- SPACE projects in six Hunter region locations have specific activities that deal with anger management, bullying and cyber bullying. The project also provides support for individual students who are experiencing or are more vulnerable to experiencing bullying.

- *Helping Troubled Kids Initiative*

As part of a NSW Government's 2007 election commitment, \$6.8 million was allocated over four years for this initiative. The Department of Ageing, Disability and Home Care and DET are working together in recognition of the need for students with Autism Spectrum Disorder and/or an intellectual disability and serious behaviour problem to remain engaged in education to support their longer term outcomes.

- *Young People and Work Survey*

The Office of Industrial Relations and WorkCover NSW jointly commissioned the Young People and Work Survey research in 2005 to build a stronger understanding of young people's experience of work, including workplace bullying.

- *Better Together: A new direction to make NSW Government services work better for people with a disability and their families 2007 – 2011*

Better Together provides direction for improved cross-agency collaboration, planning and service delivery across NSW Government agencies and funded services. This initiative embeds into government services the principle of inclusion for people with a disability.

- *NSW Anti-Homophobia Interagency*

The NSW Attorney General's Department and DET advise that the current membership of this interagency includes representatives from key government and non-government agencies, including:

- The NSW Department of Education and Training;
- NSW Police Force;
- NSW Attorney General's Department;
- The Lesbian and Gay Anti Violence Project (AIDS Council of NSW);
- Family Planning NSW;
- Twenty10 GLBT Youth Support;
- NSW Federation of Parents & Citizens Associations of NSW;
- North Sydney Central Coast Area Health Service; and
- The NSW Teachers Federation.

Since 2001, Anti-Homophobia Interagency has met regularly to develop strategies that address homophobia in educational settings, including homophobic bullying. The Anti-Homophobia Interagency has worked to build capacity among key service providers through roundtable discussions and conferences.

The work of the Anti-Homophobia Interagency aligns with the priority areas of the *Strategic Framework 2007-2012 Working Together: Preventing violence against gay, lesbian, bisexual and transgender young people*. The three government agencies on the Anti-Homophobia Interagency are among the 19 government agencies committed to the framework, which focuses on key sites of hostility and violence, particularly educational and workplace environments, and developing prevention and early intervention strategies.

6.2 NSW Government and other Government co-operation

- *Supporting the National Safe Schools Framework*

As previously noted, Supporting the National Safe Schools Framework was developed collaboratively with the Commonwealth and state and territory governments through the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA). The Framework is underpinned by a set of guiding principles and related approaches that schools can utilise to provide a safe and supportive learning environment.

- *Australian Government Quality Teaching Programme's Safe Schools: Making the Links*

The emphasis of this project is on building the capacity of students, teachers and the community to support a positive school culture. Attention is given to establishing baselines against which progress can be measured. Since 2004, 107 government primary and secondary schools in NSW have participated in this project. These schools have reported significant reductions in bullying behaviours and improvements in student engagement and school culture.

This initiative uses action learning to help teachers better understand the links between interpersonal relationships and personal safety within the school setting. Emphasis is on identifying local needs and strategies for improving student safety and wellbeing in the school environment. Teachers have opportunities to participate in collegial professional development to design and implement school based initiatives. Students are actively engaged in peer-support and student leadership activities, and are encouraged to take an active role in 'positive bystander' strategies that discourage bullying behaviours.

- *Behaviour, Learning and Teaching Program*

The Behaviour, Learning and Teaching Program is a registered professional development program with the NSW Institute of Teachers. The Program's development was funded through the *Australian Government Quality Teacher Programme* during 2005-2006.

The Program of 10 modules is based on Lewis and Sugai's School-Wide Behaviour Support model, which is a framework of positive behaviour support to enhance the capacity of schools to facilitate effective teaching and learning. The majority of modules in the program address the primary prevention section of the model. Selected modules are designed to provide intensive or targeted intervention to support students who are at risk of serious disruptive and challenging behaviours. The program includes a module titled Bullying.

- *Values Education*

The NSW Government aims to strengthen relationships within school communities through values education. On 25 March 2004, the NSW Government released a statement on Values in NSW public schools. NSW public schools have always taught the values that are the basis of law, customs and care for others in our society. Values are taught explicitly in classrooms and through the activities and relationships of the school and its community. Core values influence how people in schools communicate, work together and make decisions, and are reflected in the policies and procedures of schools and the Department of Education and Training.

Over 250,000 students, teachers and parents from NSW public schools participated in the Commonwealth Government's 2004 – 2008 school values education forums. Reports from the forums indicate that they were used to complement and extend the work in values education that was already occurring in schools. Reports also indicate that schools recognise that values education can transform school culture.

- *Acting Against Bullying Program*

This is an evidence-based, anti-bullying program developed by Griffith University over ten years in partnership with DET and Education Queensland. It is a whole school program which aims to:

- equip school students with strategies to prevent or address bullying through knowledge and practical skills;
- provide teachers with the professional development necessary to support students;
- investigate ways of utilising school policy and administrative structures to help support the process; and
- begin to change the cultures of schools by helping the teachers and students to recognise and reduce the power imbalances that provoke or provide an environment for bullying.

- *Cyber-safety Plan*

The Commonwealth Government has provided \$125.8 million over four years for the Cyber-safety Plan. The main co-ordination activity is for a Consultative Working Group chaired by the Department of Broadband, Communications and the Digital Economy to seek input from the States/Territories, industry and non-government organisations on how best to address the issue. The NSW Department of Education and Training represents NSW on the group.

- *Youth Advisory Group on Cyber-Safety*

The Commonwealth Government has announced that the Youth Advisory Group on Cyber-Safety will begin in the first half of 2009 with the participation of students from 15 schools across Australia. The group will consider and communicate to Government, cyber-safety risks faced by Australian children and young people and how best to address these. Monaro High School and Cabramatta High School will represent New South Wales.

- *Safe and Supportive School Communities (SSSC): Finding Workable Solutions for Countering Bullying, Harassment and Violence in Schools (including the Bullying. No Way! website)*

This is a collaborative project involving the Commonwealth, State and Territory Governments and Catholic and Independent education authorities. The project provides a collaborative platform for jurisdictions to share policies, programs and practices which help create safe and supportive schools.

The *Bullying. No Way!* website is a resource for schools and their communities to help address issues of bullying, violence and harassment. In conjunction with National Safe Schools Week in 2006, the Department of Education, Science and Training (DEST) funded a trial distribution and evaluation of the *Bullying. No Way!* student pocket card across all states and territories. The cards provided students with suggestions to counter bullying behaviours, and links to other resources including the *Bullying. No Way!* website, Kids Helpline and Net Alert.

Feedback from the distribution was very positive from school staff and students. As a result, 2.5 million cards were printed for distribution to students in Years 6 -10 in Australian schools during 2007 and 2008. A similar distribution is planned for 2009. An information sheet for schools that accompanies the distribution of the cards is included at **TAB O**.

- *Cybersafety Outreach – Professional Development for Educators*

DET has been supporting the roll out of the Cybersafety Outreach – Professional Development for Educators program. The program was developed by the Australian Media and Communications Authority and is designed for primary and secondary educators. The one-day workshop includes topics on digital literacy, cyber bullying,

identity protection and the legal responsibility of schools to minimise risk. Resources are also provided to help schools establish effective cyber safety programs. The program is endorsed as a registered professional learning program with the NSW Institute of Teachers.

- *Cybersmart Detectives*

On 10 February 2009, the DET supported Safer Internet Day 2009 by participating in the launch of the Cybersmart Detectives resource to all schools in New South Wales. Cybersmart Detectives is an hour long activity designed for children in the last year of primary school, aged around 11 to 12 years. The activity is accompanied by support material including lesson plans and instructions.

- *Liaison*

Senior officers in DET liaise with the Australian Communications and Media Authority regarding the implementation of key initiatives and plans for 2009 and beyond, including cyber safety outreach and programs.

6.3 NSW Government co-operation with non-government and other organisations

- *Sport Rage Prevention Kit*

This initiative was developed by the NSW Department of Arts, Sport and Recreation. The Kit is designed to assist volunteer administrators in sporting organisations to be proactive in the prevention and management of sport rage, including bullying. The kit includes a planning guide which sets out the essential sport rage prevention steps for all clubs, and refers to a range of resources that are available to clubs at no charge.

An evaluation of the of the Sport Rage Prevention Kit found that 87% of sporting organisations which had received the kit found it useful, and more than half reported improved behaviours by players, spectators and officials.

- *ThinkUKnow Program*

ThinkUKnow is a joint initiative between the Australian Federal Police, Microsoft, Youth Global Taskforce and the Australian Communications and Media Authority. This is a new Internet safety and security program to be piloted in NSW government schools during Term 1, 2009. The Program aims to raise awareness amongst parents, carers and teachers of the online safety issues facing children.

- *Love Bites*

The Love Bites program is co-ordinated by the National Association for Prevention of Child Abuse and Neglect (NAPCAN), and educates young people about sexual assault and domestic violence. Over 9,000 high school students have participated in this interactive and innovative program, aimed at Year 9 and 10 students. Over 300 service providers and teachers have been trained to facilitate the program on the NSW Mid North Coast, and over 150 workers have been trained in other areas of the State. In 2008, the NSW Government provided funding to expand the program across NSW.

- *Y-ise Up About Relationships*

This is an abuse prevention education program co-ordinated by YWCA. The program is delivered to students in Years 7, 9, 10 and 11, and aims to increase students' social, communication and interpersonal skills, and provide information to help them make informed decisions about relationships. Over 34,000 young people have now

participated in the program, and in 2008 the NSW Government provided funding to expand the program across the State.

- *Preventing and Dealing with Workplace Bullying*

This program was developed by WorkCover NSW in consultation with industry and union representatives. A public comment period provided an opportunity for further input from the wider community.

- *Circle Time Solutions through a Community Service Initiative*

In 2008, a joint research grant between the University of Western Sydney and DET commenced. The research program, titled Circle Time Solutions through a Community Service Initiative, aims to improve the learning environment of schools by bettering the social behaviour, emotional literacy and wellbeing of students and teachers.

Circle Time is a framework for group interaction that is applicable to all ages, developed from several research sources in both the United States and the United Kingdom. The framework emphasises respect, inclusion, democracy, safety and enjoyment. The initiative is being implemented in eight schools in the greater Western Sydney area supported by 18 University of Western Sydney students.

- *Liaison*

The staff of DET's State Training Services has developed a close network of contacts within the Office of Industrial Relations, WorkCover, state and private schools, vocational education and training coordinators and registered training organisations in order to combat bullying of young people.

DET liaises with other education sectors within NSW. Senior officers of DET meet regularly with senior personnel from the Association of Independent Schools and Catholic Education Commission to share resources and strategies and plan activities to reduce bullying.

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