

General Purpose Standing Committee No. 2

Bullying of children and young people

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Terms of reference

That General Purpose Standing Committee No 2 inquire into, and report on, best practice approaches to reduce bullying of children and young people, including:

1. The nature, level and impact of bullying among school age children and young people under the age of 18, including apprentices and trainees
2. Factors contributing to bullying
3. Prevention and early intervention approaches to address bullying, including 'cyber-bullying'
4. Co-ordination and co-operation between relevant government agencies to address bullying
5. The evidence-base for effective anti-bullying approaches
6. Approaches to address bullying in Australian and overseas jurisdictions
7. Any other relevant matter.

These terms of reference were self-referred by the Committee on 4 December 2008¹

¹ LC Minutes No. 83, 4 December 2008, Item 4, p 976

Committee membership

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The Hon Christine Robertson MLC	Australian Labor Party	<i>Deputy Chair</i>
The Hon Tony Catanzariti MLC	Australian Labor Party	
The Hon Greg Donnelly MLC	Australian Labor Party	
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** Dr Moyes was a member of the Christian Democratic Party until 5 May 2009 (LC Minutes No. 96, 5 May 2009, Item 20, p 1115) and an Independent from 5 May 2009 until 10 November 2009 (LC Minutes No. 125, 10 November 2009, Item 23, p 1487)

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Chair's foreword

Bullying can be a profoundly traumatic and damaging experience for all involved: targets and perpetrators, their families, their schools and the wider community. While bullying is often difficult to detect, it is a widespread behaviour that can have harmful and long-lasting effects on children and young people's self-esteem, mental health, school performance and wellbeing.

The Committee was alarmed by the growing prevalence of cyber-bullying. While both bullying and cyber-bullying are deeply negative experiences, cyber-bullying is more insidious by nature, having a heightened impact due to its ability to reach into the private domain of children and young people.

This Inquiry clearly demonstrates that the NSW Department of Education and Training needs to take action to address bullying and cyber-bullying across the education system. The need for concerted efforts to address bullying is particularly important given the potentially tragic consequences of bullying, which in the most extreme cases can result in the loss of young lives to suicide.

School communities must receive more support and guidance if schools are to develop and implement successful, evidence-based responses to bullying and cyber-bullying. The Committee has made a number of recommendations to support the achievement of this goal.

In order to give better assistance to schools in identifying evidence-based anti-bullying programs, the Committee has recommend that a blueprint program be established to provide schools with guidance on the research base and cost effectiveness of anti-bullying programs. The Committee also recommends that teachers receive better training to ensure that they are equipped with the knowledge and tools to prevent and intervene in incidents of bullying.

Schools need more assistance to be able to respond effectively to cyber-bullying. The Committee was concerned that the National Secondary Schools Computer Fund does not provide any support or professional development to schools on cyber-bullying. The Commonwealth Government must step up and properly support the roll out of this new technology to ensure that students are able to learn safely in the online environment.

The Committee does not believe that cyber-bullying is simply a technical issue, but is instead a reflection of the broader social behaviours apparent in all forms of bullying. To effectively address both bullying and cyber-bullying, schools should embed proactive anti-bullying education in all aspects of the school curriculum as part of a focus on overall student wellbeing.

Parents need to have more information about what schools are doing to address bullying. The Committee has made several recommendations to this end, including the need for anti-bullying policies to be published on school websites, and that the NSW Department of Education and Training develop protocols for schools to annually report on the effectiveness of their bullying prevention policies.

The Committee believes that a social awareness campaign is pivotal to focus the attention of schools, parents and the wider community on this critical issue. The Committee has therefore recommended that there be a community wide anti-bullying week focusing on schools and TAFE institutes.

Perhaps one of the Committee's most significant recommendations is that the NSW Department of Education and Training seek annual feedback from children and young people on anti-bullying initiatives that are implemented in their schools. This will ensure that anti-bullying initiatives are informed by, and respond to, the needs of children and young people.

On behalf of the Committee I would like to thank each Inquiry participant, particularly the hundreds of children and young people who gave evidence, for their thoughtful contributions to this Inquiry. The Committee hopes that our innovative use of online consultation processes will be used as a benchmark for future inquiries, particularly those that impact on the lives of children and young people.

I am also grateful to my Committee colleagues for their work on this Inquiry. On their behalf, I acknowledge the work of the Committee Secretariat: Beverly Duffy, Madeleine Foley, Cathryn Cummins and Kate Mihaljek.

I commend this report to the Government.



Hon Robyn Parker MLC

Summary of key issues

In December 2008 the General Purpose Standing Committee No. 2 initiated an inquiry into the bullying of children and young people. The Committee received 61 submissions and held three public hearings. The Committee consulted extensively with children and young people, including through an innovative online consultation to hear the views of children and young people from across New South Wales.

This summary provides a broad outline of the key issues raised during the Inquiry and discussed in this report.

Greater support for teachers and schools

The central theme that became apparent during this Inquiry is that the NSW Department of Education and Training needs to develop an effective approach to addressing bullying and cyber-bullying. School communities should receive more support and guidance from the Department if schools are to develop and implement successful, evidence-based responses to bullying and cyber-bullying.

Schools are overwhelmed by the sheer number of anti-bullying programs, some of which lack rigorous evaluation. A further concern is that individual school leadership teams are frequently the driving force for the identification of programs, which can affect implementation efforts if there are changes in the leadership team. While the Committee believes that schools should not be forced to implement a particular program, schools do need more support in identifying the most suitable anti-bullying program for their unique school environment. A blueprint program will provide school communities with information on the research base and cost effectiveness of anti-bullying programs, and enable schools to make evidence-based decisions about which programs to implement.

This report highlights the principles for success that optimise a school's ability to create a safe and supportive school environment. Perhaps the most important principle for success is the use of a 'whole of school' approach to addressing bullying. A 'whole of school' approach aims to positively influence the behaviours of all members of the school community, including students, teachers, parents and all others who interact with the school.

Although no one method of intervention is most effective for all incidences of bullying, each type of intervention can be appropriate at different times and in different circumstances. Teachers need to be aware of the different methods of intervention, and trained in how to identify and implement the most appropriate intervention in a particular situation. Bullying must therefore be addressed as a compulsory component of initial teacher education programs and included in the mandatory professional development programs for practising teachers.

The employment of additional school counsellors will provide further support to teachers and schools in addressing bullying. Counsellors can assist in the development and implementation of anti-bullying initiatives, advise on the most appropriate method of intervention and assist in the extremely difficult task of working with children and young people who habitually bully others. The recruitment of additional school counsellors will also provide targets of bullying with more support in the school environment.

Continuing the conversation with children and young people

Throughout the Inquiry, the Committee consulted extensively with children and young people to gain an insight into the problem of bullying, and the best means to address it. We strongly believe that in order for anti-bullying initiatives to be successful, the views of children and young people must be taken into account.

The Committee acknowledges the compelling and thought provoking statements made about the impact of bullying on the well being of children and young people, their mental health and their ability to learn. Many of these were made during an innovative online consultation process pioneered by the Committee. This process demonstrated to the Committee that future consultation processes should be conducted using communication methods, such as online forums, with which children and young people are most comfortable. The Department should use these mechanisms to seek annual feedback from children and young people on the effectiveness of anti-bullying initiatives that are implemented in their schools. This will allow anti-bullying initiatives to respond to the evolving needs of students.

Children and young people who experience bullying must have access to high quality counselling and support services. In addition to school counsellors, children and young people need access to external support services. The provision of confidential phone and online counselling services is particularly important as some children and young people will only seek assistance if their anonymity can be guaranteed.

The Committee notes the work of the Kids Helpline in providing high quality, anonymous support to children and young people. The Commonwealth, Queensland and Western Australian governments support this service, however nearly half of contacts to the Helpline are made by children and young people in New South Wales. Accordingly, we believe that the NSW Government should contribute recurrent financial support to the Kids Helpline.

More information for parents

The Committee believes that the Department should centrally collect information on the effectiveness of school anti-bullying policies. The collection of these policies would provide the accountability mechanism needed for the effective implementation of anti-bullying policies.

The publication of anti-bullying policies on school websites will allow parents and school communities to scrutinise a school's implementation of that policy and provide feedback on areas requiring improvement. It will also enable all members of the school community to understand what their responsibilities are when it comes to the school's approach to bullying.

The Minister for Education and Training should develop a protocol for schools to report on their policies on bullying prevention and response, and their effectiveness. Schools should be required to submit annual reports in accordance with this protocol, which should include mechanisms for reporting incidents of cyber-bullying and bullying that occurs off school premises, if these incidents impact on the school community.

The Committee believes that this recommendation should commence in the 2011 school year, with a system of random audits of schools' anti-bullying policies to be implemented by the Department. The Department should further institute a system of sample surveys of schools to assess the incidence, type and impact of bullying, and the effectiveness of anti-bullying policies.

During the course of the Inquiry, the Committee heard from some parents who described the distress and frustration that they had experienced in reporting incidents of bullying to their child's school. Schools and the Department must respond appropriately to all concerns or complaints from parents about the bullying of their child. Parents must be provided with regular updates about the progress of their complaints, and information on how to escalate their complaint if they are dissatisfied with a school's response.

If students transfer between schools in an attempt to escape ongoing problems with bullying, it will be beneficial for schools to have access to a student's history of either being the victim or instigator of bullying at any previous school that the student may have attended. The Committee recommends that the Department investigate the feasibility of this proposal.

Increasing community awareness of bullying and cyber-bullying

Bullying is an undesirable and hurtful behaviour, affecting children and young people, families, schools and communities. Many Inquiry participants suggested that one of the key challenges in addressing bullying is overcoming a commonly held attitude in the community that bullying is a rite of passage for children and young people.

The Committee firmly believes that bullying is neither a rite of passage nor simply an issue that only schools need to address. Bullying is an issue that impacts on the entire community and therefore requires a community wide response.

A community awareness campaign is pivotal for the development of community-wide efforts to address bullying. The Committee considers that there needs to be a strong New South Wales effort to focus attention on bullying in schools. The establishment of a community wide anti-bullying week, focusing on NSW schools and TAFE institutes, will concentrate the attention of schools, parents and the wider community on the critical issue of bullying.

Responding to the challenge of cyber-bullying

Students, parents and schools are struggling to respond to the challenge of cyber-bullying. While cyber-bullying is considered to be an extension of the behaviours exhibited in face-to-face bullying, it is more toxic by nature and has a heightened impact due to its ability to reach into the private domain of children or young people. The Committee believes that there should be a collaborative effort between young people, parents, schools and the Internet industry to address cyber-bullying.

Restricting access to technology does not prevent, nor is it a solution for, cyber-bullying. More cyber-safety education is needed as part of a proactive prevention and protection approach to reduce the possible damage resulting from cyber-bullying. Children, young people and parents also need strategies to address cyber-bullying after it has occurred. Anti-bullying education must be embedded in all aspects of learning as part of a broad focus on student wellbeing.

The Committee was concerned that the Commonwealth Department of Education, Training and Workplace Relations has not provided schools with cyber-bullying support as part of the National Secondary Schools Computer Fund. The Minister for Education and Training should ensure that this oversight is addressed.

This Inquiry highlighted the role that the Internet industry can play in addressing cyber-bullying. The Committee believes that the strengthening of user protections through voluntary agreements with Internet Services Providers is an important measure in protecting children and young people in the online environment. The Minister for Education and Training should request that the Commonwealth Consultative Working Group on Cyber-Safety develop a voluntary cooperative agreement to ensure that local Internet Service Providers conform with international best practice in regards to user protection from cyber-bullying.

Legal responses to bullying and cyber-bullying

Schools need greater clarity when it comes to their duty of care to address bullying and cyber-bullying. The NSW Department of Education and Training must provide schools with clear guidelines that outline their responsibilities to students and their families, particularly in regards to bullying and cyber-bullying that impacts on the school environment, but occurs out of school hours or on school owned property.

While legal remedies should be considered as a last resort when dealing with bullying, it is nonetheless important that a legal framework exists to provide protection to targets of bullying and their families. The NSW Attorney General should examine the adequacy of the existing legal framework for bullying related offences, and determine if any legislative changes are required to enhance the legal protection that is provided.

The School Liaison Police program seeks to educate children and young people on bullying, including the potential legal ramifications of bullying and cyber-bullying. The Minister for Police should employ additional School Liaison Police as a crucial element of school-based prevention and intervention efforts. In addition, all School Liaison officers should be provided with consistent training and guidelines to ensure that the best possible support and advice is given to targets of bullying and cyber-bullying, and their families. The School Liaison Police will also be a source of expertise for their police colleagues in regards to potential cyber-bullying related offences.

To highlight the potential legal ramifications of bullying and cyber-bullying, the NSW Department of Education and Training should ensure that government and non-government schools provide information on their own websites outlining the legal situation in regards to bullying and cyber-bullying. School websites should also provide contact information for the School Liaison Police and other support services such as the Kids Helpline.

The bullying of apprentices and trainees

The NSW Department of Education and Training and all registered training organisations have a duty of care to ensure that apprentices and trainees learn in an environment that is free from bullying. Accurate information on the level of bullying of apprentices and trainees will allow for the development of a comprehensive strategy to address bullying.

The Committee recommends that the NSW Department of Education and Training and registered training organisations annually collect data on the bullying of apprentices and trainees in New South Wales, and take action in response to any problems that are subsequently identified. This data should be subject to appropriate protections for the privacy of individuals, institutes, colleges and registered training organisations.

Co-ordination, co-operation and collaboration

Despite the abundance of research on the level and impacts of bullying, little research work has been undertaken to identify effective anti-bullying interventions. More research must be conducted to identify interventions that work best in the Australian cultural context. In addition, research into cyber-bullying is still in the embryonic stage. A greater research focus needs to be directed towards cyber-bullying to increase our understanding of the nature, causes and impact of cyber-bullying, and to identify the most effective means to address this emerging phenomenon.

The Committee considers that the development of strong collaborative relationships will facilitate the development of New South Wales as a centre of excellence in bullying research, and play a critical role in developing a concerted effort to address bullying in NSW schools.

It became evident during the Inquiry that there are a multitude of efforts to address bullying and cyber-bullying by governments, police forces, the community sector and Internet industry organisations. This duplication of efforts may dilute the impact of anti-bullying messages while inefficiently absorbing valuable resources. The Committee encourages the use of existing mechanisms, such as the Consultative Working Group on Cyber-Safety and the Reference Group to the Review of the National Safe Schools Framework, to ensure that greater co-ordination and co-operation is achieved in efforts to address bullying and cyber-bullying.

Summary of recommendations

- Recommendation 1** **8**
 That the Minister for Education and Training require the Department of Education and Training and all registered training organisations to annually collect data on the level of bullying among apprentices and trainees, and that this data be collated by the Department, with appropriate protections for the privacy of individuals, institutes, colleges and registered training organisations. Further, the Department should be required to take action in relation to any problems that are identified in the data.
- Recommendation 2** **32**
 That the Minister for Education and Training introduce a community-wide Anti-Bullying Week, which focuses on all schools and TAFE institutes, that highlights safe and friendly schools and raises awareness of the effect of bullying behaviours, and that this week should have a positive and friendly name that is chosen through consultation with children and young people. Further, that the Minister allocate adequate resources for the development and distribution of materials in all schools, TAFE institutes and the community.
- Recommendation 3** **33**
 That the Minister for Education and Training formally approach the Australian Press Council regarding the implementation of media guidelines on reporting instances of bullying of children and young people.
- Recommendation 4** **41**
 That the Minister for Education and Training ensure that the NSW Department of Education and Training work with the NSW Commission for Children and Young People, to seek annual feedback from children and young people on anti-bullying initiatives that are implemented in their schools. This consultation process should include use of the online environment to maximise the engagement of children and young people.
- Recommendation 5** **49**
 That the Minister for Education and Training require all NSW public schools to publish their anti-bullying policies on their school website, and introduce legislation to require all non-government schools to do the same.
- Recommendation 6** **54**
 That the Minister for Education and Training develop a protocol for schools to report on their policies on bullying prevention and response, and their effectiveness, and to require schools to submit annual reports on bullying in accordance with the protocol. This should include incidents of cyber-bullying and bullying that occurs off school premises, if these incidents impact on the school community.
 Reporting should commence in the 2011 school year.
- Recommendation 7** **54**
 That the Minister for Education and Training implement a system of random audits of schools' anti-bullying policies and reports.

- Recommendation 8** **54**
That the Minister for Education and Training implement a system of sample surveys of schools to assess the incidence, type and impact of bullying, and the effectiveness of anti-bullying policies.
- Recommendation 9** **57**
That the NSW Department of Education and Training ensure that parents of students in public schools are provided with regular updates on the progress of their complaints about bullying, and that parents are made aware of the avenues for escalation if a school does not adequately address their concerns.
Further, that non-government schools introduce equivalent mechanisms.
- Recommendation 10** **57**
That the Minister for Education and Training require the NSW Department of Education and Training to investigate the feasibility of allowing schools access to a child or young person's history of either being the victim or instigator of bullying at any previous school that the child or young person may have attended.
- Recommendation 11** **63**
That the NSW Attorney General examine the adequacy of the existing legal framework for bullying related offences, and identify any legislative changes that could enhance the legal protection provided to victims of bullying and cyber-bullying.
- Recommendation 12** **63**
That the Minister for Police consider the employment of additional officers to work in the School Liaison Police program, taking into account the findings of the evaluation by Charles Sturt University.
- Recommendation 13** **63**
That the Minister for Police ensure that all School Liaison Police are provided with consistent training and guidelines to ensure that the best possible support and advice is provided to school students who are experiencing bullying or cyber-bullying, and their families.
- Recommendation 14** **64**
That the NSW Department of Education and Training require all NSW public and non-government schools to have information on their school websites that outlines the potential legal ramifications of bullying, and provides contact information for the School Liaison Police and support services such as Kids Helpline.
- Recommendation 15** **79**
That the Minister for Education and Training ensure that, as part of the Review of the National Safe Schools Framework, the Reference Group consider the introduction of a program that would provide schools with guidance on the research base and cost effectiveness of programs to address bullying, similar to the Blueprints for Violence Prevention Program operating in the United States of America.
- Recommendation 16** **94**
That the Minister for Education and Training require the NSW Institute of Teachers to review the current competencies for NSW teachers to ensure that bullying is covered, and to include bullying in the mandatory professional development programs for practising teachers.

- Recommendation 17** 99
That the Minister for Education and Training take immediate action to support the recruitment of additional school counsellors. Further, that the Minister consider adopting the model proposed by Public Schools Principals Forum, which would involve the recruitment of university graduates with social-work qualifications to undertake those functions of school counsellors that are not related to clinical assessment.
- Recommendation 18** 99
That the NSW Government provide recurrent financial support to the Kids Helpline service.
- Recommendation 19** 115
That the Minister for Education and Training develop guidelines for schools on their responsibility to address cyber-bullying, particularly that which occurs out of school hours.
- Recommendation 20** 115
That the Minister for Education and Training ensure that the Commonwealth Minister for Education provides schools with support and professional development on cyber-bullying as an integral component of the implementation of the National Secondary Schools Computer Fund.
- Recommendation 21** 115
That the Minister for Education and Training ensure that the Consultative Working Group on Cyber-Safety develops a voluntary cooperative agreement to ensure that local Internet service providers conform with international best practice in regards to user protection from cyber-bullying.
- Recommendation 22** 125
That the Minister for Education and Training ensure that schools implement a proactive prevention and protection approach to addressing bullying by embedding anti-bullying education in all aspects of learning as part of a broad focus on student well being.
- Recommendation 23** 130
That the Minister for Education and Training ensure that the NSW Department of Education and Training collaborates closely with the research community, both in New South Wales and across Australia.
- Recommendation 24** 132
That the Minister for Education and Training work towards greater co-ordination and co-operation between all levels of government, school systems, schools and the research community in efforts to address bullying, including that the:
- Reference Group to the Review of the National Safe Schools Framework consider the means to achieve greater co-ordination among bullying initiatives used in schools
 - Consultative Working Group on Cyber-Safety consider the means to achieve greater co-ordination among cyber-bullying initiatives.
- Recommendation 25** 133
That the Minister for Education and Training request that the Commonwealth Minister for Education consider the merits of permanently establishing the Reference Group to the Review of the National Safe Schools Framework to oversee the ongoing co-ordination of future efforts to address bullying.

Chapter 1 Introduction

This Chapter provides an overview of the Inquiry process, and explains why the focus of the Inquiry has been on bullying in schools. The Chapter concludes with an outline of the structure of the report.

Terms of reference

- 1.1 The Inquiry terms of reference were adopted on 4 December 2008 under the Committee's power to make a self-reference. The terms of reference are reproduced on page iv.
- 1.2 The terms of reference required the Committee to examine issues such as the nature, level, causes and impact of bullying, effective approaches to bullying prevention and intervention, and the evidence-base for these approaches.

Conduct of the Inquiry

Submissions

- 1.3 The Committee invited submissions through advertisements in *The Sydney Morning Herald* and *The Daily Telegraph* on 17 December 2008, and by writing to stakeholders.
- 1.4 The Committee received a total of 57 submissions as well as four supplementary submissions from a range of stakeholders, including the NSW Government and the Commonwealth Department of Education, Employment and Workplace Relations. The Committee also received submissions from a number of concerned parents.
- 1.5 A list of submissions is available at Appendix 1.

Hearings

- 1.6 The Committee held three public hearings at Parliament House on 6 April, 11 May and 22 June 2009. The Committee took evidence from a number of organisations including the National Centre Against Bullying, the Public Schools Principals Forum, Boystown and the Inspire Foundation. Prominent academics who gave evidence included Professor Donna Cross, Professor Ken Rigby and Dr Marilyn Campbell.
- 1.7 A list of witnesses is set out in Appendix 2 and transcripts are available on the Committee's website. The list of documents tabled at the public hearings is provided at Appendix 4.
- 1.8 The Committee would like to extend its thanks to the individuals and organisations that contributed to this Inquiry either by making a submission or by appearing at a hearing.

Visits to schools

- 1.9** The Committee conducted several site visits during the course of this Inquiry to observe first-hand some of the methods which schools use to address bullying.
- 1.10** On 2 July 2009, the Committee visited William Dean Public School, Dean Park to examine their experience of the Positive Behaviour for Learning program.
- 1.11** On 3 July 2009, the Committee visited Casimir Catholic College, Marrickville to discuss their faith-based approach to bullying prevention.
- 1.12** On 9 July 2009, the Committee visited Rozelle Public School, Rozelle to discuss and observe the use of restorative justice practices, including circle processes.
- 1.13** Further information on these site visits is available at Appendix 3.
- 1.14** The Committee thanks the NSW Department of Education and Training and the Catholic Education Commission NSW for facilitating the school visits. We especially thank the staff, students and parents of these schools, who made these visits such a success.

Consultations with children and young people

- 1.15** The Committee consulted with children and young people in a variety of forums. The Committee met with the Youth Advisory Council (YAC) on 24 May 2009. The YAC advises the NSW Government on issues of concern to young people aged 12-25 in New South Wales, including government policy and programs. During the consultation the Committee tested the evidence presented to the Inquiry against the Council's views on bullying of children and young people, and discussed the findings of the YAC's *Report to the Minister for Youth on Cyber-bullying*.
- 1.16** On 14 July 2009, the Committee met with the Minto Kids' Council, which comprises 15 children in Years 4, 5 and 6 from the Minto area. The Committee held a round-table discussion on the causes and impact of bullying, ways to address bullying, and views on cyber-bullying.
- 1.17** The Committee also initiated an innovative online approach to communicate with children and young people. In a first for a NSW parliamentary committee, the Committee engaged Westwood Spice, a consulting group with expertise in the community and public sectors, to conduct an online survey to canvass the view of children and young people on bullying. The survey was developed in collaboration with the Young People's Reference Group.
- 1.18** The online consultation was conducted from Friday 14 August to Monday 31 August 2009 and resulted in responses from 304 children and young people. Of the respondents, nearly 67 per cent identified themselves as school students and approximately 61 per cent were female. Responses were received from children and young people in both rural and metropolitan New South Wales.²

² WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, pp 6-7

- 1.19 It is important to note the positive feedback that the Committee received regarding the online consultation. Over 80 per cent of respondents thought that an online survey was a good way for the Committee to find out about the views of young people: 'I think that using the Internet to get people to take part in surveys is an excellent way to get in touch with society ... Congratulations for moving with technology'.³
- 1.20 Respondents were also positive about the acknowledgement of bullying as a problem that needs to be addressed: 'Great to see that people are making a real effort to overcome this problem ... Thanks heaps for taking a step on our behalf'.⁴
- 1.21 The results of the online consultation are discussed in Chapter 3 and throughout the report.
- 1.22 Further information on these consultations is available at Appendix 3.
- 1.23 The Committee would like to thank the NSW Commission for Children and Young People for assistance in arranging these consultations. In particular, we would like to thank the children and young people who participated in these consultations and whose views have informed this report.

Focus of the Inquiry

- 1.24 The Inquiry was conducted in an environment of growing community concern regarding the level of bullying of children and young people, and its harmful and far-reaching impacts.
- 1.25 During the course of the Inquiry, the Committee was alarmed by the number of media reports describing serious incidents of bullying and cyber-bullying in NSW schools.⁵ A number of high-profile cases of bullying and in-school violence, which are currently being investigated, highlight the critical importance of ensuring that schools and parents have the skills to prevent bullying and intervene early where it is identified.
- 1.26 In addition, the increasing incidence of cyber-bullying has resulted in both the New South Wales and Commonwealth Governments announcing that they will each hold conferences on cyber-bullying. The NSW conference, to be held on 4 November 2009, will discuss strategies to deal with cyber-bullying and student's perspectives on cyber-bullying. In addition to teachers and staff from the NSW Department of Education and Training, conference participants include Professor Donna Cross, Dr Marilyn Campbell and representatives from organisations such as Bebo, Telstra and ninemsn.⁶

³ WestwoodSpice, September 2009, p 25

⁴ WestwoodSpice, September 2009, p 24

⁵ See for example AAP, 'Bullying biggest fear among parents', 6 May 2009; Patty A, 'Cyber bullies run amok at top school', *The Sydney Morning Herald*, 8 May 2009; Narushima Y, 'Turning up heat on web harassment', *The Sydney Morning Herald*, 8 May 2009; Howden S 'Bullying killed my boy, mother told police', *The Sydney Morning Herald*, 20 October 2009; Howden S, 'Teen punched and threatened before suicide, inquest told', *The Sydney Morning Herald*, 21 October 2009

⁶ Email from Ms Victoria Nikulin, Corporate Communication, NSW Department of Education and Training, to Principal Council Officer, 3 November 2009; McDougall B, 'Dad threatened schoolgirl online to 'protect his daughter'', *The Daily Telegraph*, 21 September 2009

- 1.27** The Commonwealth conference, to be held in mid-November 2009, will involve 150 primary and secondary principals from across Australia. Topics for discussion include teacher training, school leadership and student wellbeing, including cyber-bullying.⁷
- 1.28** The potentially devastating consequences of bullying, together with the increasing prominence of cyber-bullying, demonstrate the need for the NSW Department of Education and Training to take action to ensure that NSW schools are safe and supportive environments for all children and young people across the education system.
- 1.29** The importance and potential influence of this Inquiry in achieving this aim was noted by the Hon Alastair Nicholson, Chair of the National Centre Against Bullying and former Chief Justice of the Family Court of Australia:

... this is probably the first time, I think, that any legislature has addressed this issue in Australia. That in a sense is an achievement on its own. What it does, and what your report does, will have an effect not just in New South Wales but throughout Australia.⁸

School-based bullying

- 1.30** This report focuses on the bullying of children and young people in schools, because the majority of evidence addressed this issue. Cyber-bullying is also examined as part of the consideration of school-based bullying, given the evidence that cyber-bullying is an extension of face-to-face bullying.
- 1.31** Despite the report's focus on school-based bullying, it is important to acknowledge that bullying can take place not only at school but in a myriad of other situations such as out of school care, sporting activities or the workplace. Children can be bullied by other children, including their siblings, or in some cases by an adult in a position of authority.
- 1.32** The following section will touch on some of the types of bullying covered by the terms of reference, but on which the Committee received insufficient evidence to comment.

Bullying in sport

- 1.33** Several Inquiry participants drew the Committee's attention to the issue of bullying in sport. Professor Donna Cross of the Child Health Promotion Research Centre at Edith Cowan University discussed the Centre's initiatives to address bullying in sport:

We have been working with coaching organisations because, obviously, a lot of bullying goes on with children's sport ...

⁷ Hon Julia Gillard MP, Deputy Prime Minister, Minister for Education, Minister for Employment and Minister for Social Inclusion, 'A national conversation with principals', Media Release, 25 October 2009; Peatling S, 'Principals to assemble over cyber bullies', *The Sun Herald*, 25 October 2009, p 26

⁸ The Hon Alastair Nicholson, Chair, The National Centre Against Bullying and former Chief Justice of the Family Court of Australia, Evidence, 6 April 2009, p 12

In a number of the coaching accreditation programs that are going on, we have asked that in addition to learning how to shoot a basketball correctly you should also be talking to children about the way they engage with conflict in the sporting environment and the way they should be behaving ... I think it is essential.⁹

1.34 Cyber-safety educator Ms Susan McLean noted that cyber-bullying extends to sporting activities: 'I know the Australian Sports Commission has had some fairly nasty situations where junior sporting teams have been involved in cyber-bullying.'¹⁰

1.35 Concerns were also raised by a father concerning the lack of complaint resolution mechanisms to deal with bullying of his son by the head of a sport's administrative body. He said:

My son has had to endure years of malicious and intentional bullying at the hands of the adult who holds the powerful and influential position as head of ... He is protected from scrutiny by the fact that firstly he *is* the boss and secondly because no significant government oversight exists. There are no clear laws available for police to undertake prosecutions or even investigations.¹¹

1.36 He described the profound impact on his son, not only in terms of impairing his sporting development, but also incidents of self-harm, suicidal tendencies, and poor performance and behaviour at school.¹²

Organisational approaches to bullying

1.37 The Committee received some evidence about the anti-bullying policies of organisations that provide programs for children and young people. These policies are an important means to complement the anti-bullying messages delivered in schools. For example, the Scouts advised that they have a strong organisational approach to addressing bullying.¹³ The Scouts organisation has '... a clearly-defined set of values' which promotes tolerance and teamwork. Scouting is believed to develop skills in social interaction, with Scouts receiving peer support across age groups. Scouting may also provide a channel for the release of controlled aggression that could otherwise turn into bullying.

1.38 Another organisation attempting to implement a respectful culture is the Australian Defence Force. The Defence Force sponsors the Australian Defence Force Cadets, a community-based youth development organisation involving over 20,000 young people aged from 12.5 to 20 years old.¹⁴ The Defence Force emphasised that cadets 'must work in an environment free from unacceptable behaviour such as bullying or any other form of harassment',¹⁵ and is developing programs to support cadets and staff to deal with bullying.

⁹ Professor Donna Cross, Children Health Promotion Research Centre, Edith Cowan University, Evidence, 11 May 2009, p 47

¹⁰ Ms Susan McLean, Cyber-safety advisor, Evidence, 22 June 2009, p 35

¹¹ Submission 7, Partially Confidential, p 4

¹² Submission 7, p 6

¹³ Submission 38, Scouts Australia – New South Wales

¹⁴ Submission 10, Australian Defence Organisation, pp 4-5

¹⁵ Submission 10, p 10

Apprentices and trainees

- 1.39** Bullying of apprentices and trainees is another issue that falls within the Inquiry terms of reference but is not considered in detail in the report, because of the limited evidence provided to the Committee.
- 1.40** In relation to the importance of addressing bullying of apprentices and trainees, the Commonwealth Department of Education, Employment and Workplace Relations noted that:
- ... in late 2008, the Department responded to an extreme case of workplace bullying in New South Wales (NSW), which led to the suicide of a young apprentice in October 2008. It is understood that this matter is now subject to a coronial investigation and the Commonwealth is undertaking discussions with state and territory governments to determine ways of responding to issues of bullying in the workplace relating to young apprentices and trainees.¹⁶
- 1.41** TAFE institutes are not required to survey their students in regard to their experience of bullying, according to Mr Peter Roberts, General Manager, TAFE Customer Support, NSW Department of Education and Training.¹⁷ In the absence of any other information, the Committee is unable to comment on the level of bullying among apprentices and trainees in New South Wales. From July 2010, the Australian Quality Training Framework 2007 will require TAFE institutes and other registered training organisations to conduct a 'learner engagement survey' of their students, but this will not include questions on bullying or harassment.¹⁸
- 1.42** Some guidance on the level of bullying among apprentices and trainees may be found in a 2007 survey of South Australian apprentices by the South Australian Department of Further Education, Employment, Science and Technology, in collaboration with the Australian Bureau of Statistics. The survey found that 23% of apprentices who had cancelled their apprenticeship, and 21% of apprentices who had considered cancelling their apprenticeship, had done so because of conflict or bullying in the workplace.¹⁹ As a consequence of these findings the South Australian Government has taken a number of steps to reduce conflict and bullying involving apprentices and trainees.²⁰
- 1.43** In New South Wales, WorkCover has addressed workplace bullying through the production of a number of publications and a website on the rights of young workers.²¹ WorkCover is also developing an e-learning tool for employers, educators, students and young workers on bullying and harassment in the workplace.

¹⁶ Submission 50, Commonwealth Department of Education, Employment and Workplace Relations, p 5

¹⁷ Mr Peter Roberts, General Manager, TAFE Customer Support, NSW Department of Education and Training, Evidence, 6 April 2009, p 21

¹⁸ Email from Ms Ann Topple, Professional Support Officer to the General Manager Customer Support, TAFE NSW, to Principal Council Officer, 9 September 2009

¹⁹ Submission 34, Ministerial Council for Vocational and Technical Education, National Senior Officials Committee, Attachment A, p1

²⁰ Submission 34, Attachment A, p 2

²¹ Submission 53, NSW Government p 31

1.44 Mr Roberts described response of TAFE NSW to bullying:

The students are aware that they have a responsibility not to bully and to report bullying if they see it occurring or if they are the victim of it, and also for our staff to identify that it may be occurring and then we have student discipline procedures that specifically identify bullying and what penalties or sanctions can occur. Also, we have a significant support structure within TAFE colleges including harassment coordinators in colleges, TAFE counsellors in colleges ...²²

1.45 In addition, the submission from the NSW Government advised that TAFE provides professional development for staff and senior managers on bullying.²³

1.46 Mr Phillip Moore, Commissioner for Vocational Training and Director, Apprenticeships and Traineeships, NSW Department of Education and Training, stated that apprentices and trainees are given information and training on their rights and responsibilities at the time they sign their contracts.²⁴

1.47 Mr Moore explained that workplace bullying can be reported by an apprentice, their parents, their employer or a trade union. Reports of bullying are investigated, and either resolved at the workplace level or formally through the Vocational Training Tribunal. Commenting on the Tribunal process, Mr Moore said:

Various measures can be put in place there, including the employer being declared as a prohibited employer. That, I suppose, is the ultimate sanction, which means that they can no longer employ apprentices and trainees and if it is a particularly serious issue, that apprentice or trainee can have their contract transferred to another organisation or can have their contract cancelled and recommence that contract with another employer.²⁵

Committee comment

1.48 The Committee did not receive sufficient evidence to comment on bullying in sport. However, the Committee is concerned by this issue and recognises the importance of addressing bullying across the range of activities and interactions experienced by children and young people. The Committee welcomes the efforts to address bullying and encourage respectful social interaction by organisations delivering services to children and young people.

1.49 The Committee received limited evidence on the bullying of apprentices and trainees. In the absence of evidence from trade unions, apprentices and trainees, and their employers, and with no data on the level of bullying among apprentices and trainees in New South Wales, the Committee can only make limited comment on this issue.

²² Mr Roberts, Evidence, 6 April 2009, p 17

²³ Submission 53, p 29

²⁴ Mr Phillip Moore, Apprenticeships and Traineeships, NSW Department of Education and Training, Commissioner for Vocational Training, Evidence, 6 April 2009, p 18

²⁵ Mr Moore, Evidence, 6 April 2009, p 19

- 1.50** The NSW Department of Education and Training and all registered training organisations have a duty of care to ensure that apprentices and trainees learn in an environment that is free from bullying. Accurate information on the level of bullying of apprentices and trainees will allow for the development of a comprehensive strategy to address bullying.
- 1.51** The Committee recommends that the NSW Department of Education and Training and registered training organisations be required to collect data annually on the bullying of apprentices and trainees in New South Wales. This data should be subject to appropriate protections for the privacy of individuals, institutes, colleges and registered training organisations. In addition, the Committee recommends that the NSW Department of Education and Training be required to take action in response to problems identified in the data.

Recommendation 1

That the Minister for Education and Training require the Department of Education and Training and all registered training organisations to annually collect data on the level of bullying among apprentices and trainees, and that this data be collated by the Department, with appropriate protections for the privacy of individuals, institutes, colleges and registered training organisations. Further, the Department should be required to take action in relation to any problems that are identified in the data.

Report structure

- 1.52** The next chapter, Chapter 2, provides an overview of the nature, prevalence, causes and impact of bullying.
- 1.53** Chapter 3 outlines what children and young people think about bullying, based on the views expressed during the Committee's extensive consultations. These views must be taken into account if anti-bullying initiatives are to be successful.
- 1.54** Chapter 4 describes the approach to bullying in NSW public schools, beginning with an introduction to the bullying policies in place at the national and State level. A key issue discussed in this Chapter is how to improve the implementation of anti-bullying policies, through increased accountability and transparency.
- 1.55** Chapter 5 concerns the effectiveness of school-based prevention and intervention programs. To date, many prevention and intervention programs have resulted in only modest reductions in levels of school bullying. This Chapter outlines the evidence base to support anti-bullying programs, and discusses how to assist schools to identify evidence-based practices that are effective in addressing bullying.
- 1.56** In Chapter 6, the Committee considers a range of additional supports for schools in addressing bullying: the need for a whole-school approach, the importance of well-trained teachers, sufficient numbers of school counsellors, and appropriate external counselling services for children who are bullied at school.

- 1.57** Chapter 7 focuses on the emerging problem of cyber-bullying. This is an issue of growing concern to parents, teachers and the community at large. The chapter begins with an outline of the regulatory framework for online content, followed by an overview of the debate about responsibility for addressing cyber-bullying. The effectiveness of approaches to cyber-bullying are discussed, in particular, the merits of restricting access to technology, and of a proactive prevention and protection approach based on improved education.
- 1.58** The final chapter, Chapter 8, is concerned with future directions, and the need for greater co-ordination of anti-bullying initiatives.

Chapter 2 Nature, prevalence, causes and impact of bullying

There is growing community awareness of the impact of bullying on children and young people. While bullying is often difficult to detect, it is a widespread behaviour that can have harmful and far-reaching effects. This chapter examines the nature, prevalence, causes and impact of bullying. It concludes by calling for a community-wide effort to address bullying.

What is bullying?

2.1 There is no universally agreed definition of bullying. However, the National Centre Against Bullying suggested that:

Bullying occurs when a student (or group) with more power repeatedly and intentionally uses negative words and/or actions against another student/s that cause distress and create a risk to wellbeing. Bullying can be physical, social, verbal, electronic or reputational.²⁶

2.2 Despite the lack of a universally accepted definition, there are three critical features that appear in most definitions. These features are:

- repetition – repeated hurtful behaviour
- intent to harm – intention to cause physical, psychological and/or emotional harm
- power imbalance between the perpetrator(s) and the victim(s) – through differences such as physical size and strength, age or status within a peer group.²⁷

2.3 While bullying is ‘a combination of behaviours, which aims to intimidate, harass, or cause fear or exclusion among children and young people’, it is not explicitly defined as a criminal offence.²⁸ However, in some instances, bullying may result in criminal charges.

2.4 The various definitions of bullying cause considerable difficulties with building understanding of what constitutes bullying. Professor Helen McGrath, Executive Member, National Centre Against Bullying, highlighted that without a clear definition, ‘there is a danger of over inclusion’ of behaviours.²⁹

²⁶ Submission 30, National Centre Against Bullying, p 2

²⁷ See for example Submission 53, NSW Government, p 4; Submission 31, Child Health Promotion Research Centre, Edith Cowan University, p 4 and Ms Gillian Calvert, Commissioner, NSW Commission for Children and Young People, Evidence, 11 May 2009, p 35. This three-element definition is also used in the National Safe Schools Framework.

²⁸ Superintendent Adam Whyte, Commander of Policy and Programs, NSW Police Force, Evidence, 22 June 2009, p 1

²⁹ Professor Helen McGrath, Executive Member, National Centre Against Bullying, Evidence, 6 April 2009, p 3

2.5 According to Dr Toni Noble, Member, National Centre Against Bullying, the potential over-inclusion of behaviours has created ‘an enormous amount of confusion in the community about what bullying is or what bullying is not’.³⁰ For example, the NSW Commission for Children and Young People observed that:

Bullying is often confused with peer violence. Community understanding of bullying may be influenced by media representations of peer violence as ‘bullying’ and coverage of violent reprisals by reported victims of bullying.³¹

2.6 In addition, the lack of an agreed definition makes it particularly challenging to determine the prevalence of bullying, as discussed later in this Chapter.

2.7 Inquiry participants noted the emergence of cyber-bullying as a new form of bullying. Superintendent Adam Whyte, Commander of Policy and Programs, NSW Police Force, remarked that ‘bullying has entered a new phase with the increase in cyber-style bullying due to the ease with which children and young people have adopted the computerised medium’.³²

2.8 As with face-to-face bullying, there is no standard definition of cyber-bullying. The National Centre Against Bullying stated that:

... there is no commonly agreed usage of the term ‘cyber-bullying’. Many websites refer to any negative online behaviour in this way, without stressing its repeated nature. A tentative definition of cyber-bullying could be that it ‘involves repeated threats, attacks, insults or impersonations via email, text and/or attachments’.³³

2.9 As with face-to-face bullying, the lack of an agreed definition can lead to a misconception of what constitutes cyber-bullying. Dr Marilyn Campbell, School of Learning and Professional Studies, Queensland University of Technology, indicated that cyber-bullying should be considered as an extension of face-to-face bullying, rather than as a separate type of anti-social behaviour:

... cyber bullying is bullying through technology. You can say either that it is a different form of bullying or it is a different medium of bullying with all the forms. I would tend to say that it is more a different medium that people use ...³⁴

2.10 Professor Donna Cross, Director, Child Health Promotion Research Centre, Edith Cowan University, advised that while cyber-bullying tends to have a ‘toxic nature’,³⁵ it is considered to be bullying but delivered through a different medium:

³⁰ Dr Toni Noble, Member, National Centre Against Bullying, Evidence, 6 April 2009, p 6

³¹ Submission 44, NSW Commission for Children and Young People, p 4

³² Superintendent Whyte, Evidence, 22 June 2009, p 1

³³ Submission 30, p 3 citing McGrath 2009.

³⁴ Dr Marilyn Campbell, School of Learning and Professional Studies, Queensland University of Technology, Evidence, 6 April 2009, p 33

³⁵ Professor Donna Cross, Child Health Promotion Research Centre, Edith Cowan University, Evidence, 11 May 2009, p 45

Clearly, cyber bullying is largely the exact same behaviours you see in face-to-face bullying, just being delivered through information technology, but it is the information technology aspect that changes what this bullying is doing ...³⁶

- 2.11** Mr John Dalgleish, Manager, Strategy and Research, Boystown, also believes that cyber-bullying is an extension of face-to-face bullying. Mr Dalgleish indicated that surveys conducted by Kids Helpline showed that in:

... nearly 50 per cent of cyber bullying instances, it is really a continuation of the face-to-face bullying. The children know who the bully is and they have been bullied by this person in a face-to-face situation and that is now being extended online.³⁷

- 2.12** Professor Cross noted that ‘most children who bully face-to-face also bully by cyber means’,³⁸ although there is also a small percentage of children who do not engage in face-to-face bullying but do engage in cyber-bullying, possibly in retaliation for having ‘been victimised at school’.³⁹

Prevalence of bullying

- 2.13** The earliest study into the prevalence of bullying in Australian schools was conducted by Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia. The study, conducted in the 1990s, surveyed 38,000 Australian students and ‘estimated that about one child in six was being bullied on a weekly basis’.⁴⁰ Other findings of the study included that there was a notable increase in bullying during the first year of secondary school and that the most commonly reported form of bullying was verbal harassment, such as teasing and name-calling.⁴¹

- 2.14** The Child Health Promotion Research Centre at Edith Cowan University has since conducted a number of research studies that have explored the issue of bullying. These studies found that:

... approximately one in four Australian children report being bullied every few weeks or more often. Moreover, 10% of students report they deliberately bullied another student at school on two or more occasions ...⁴²

- 2.15** The Commonwealth Department of Education, Employment and Workplace Relations commissioned two nation-wide studies to examine the impact and prevalence of covert

³⁶ Professor Cross, Evidence, 11 May 2009, pp 44-45

³⁷ Mr John Dalgleish, Manager, Strategy and Research, Boystown, Evidence, 6 April 2009, p 30

³⁸ Professor Cross, Evidence, 11 May 2009, p 45

³⁹ Professor Cross, Evidence, 11 May 2009, p 45

⁴⁰ Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia, Evidence, 6 April 2009, p 41

⁴¹ Professor Ken Rigby, *Bullying in schools and what to do about it* < <http://www.kenrigby.net/>> (accessed 12 June 2009)

⁴² Submission 31, p 4

bullying in Australian schools.⁴³ Covert bullying includes any form of bullying that ‘remains either unwitnessed, or unaddressed, by an adult’.⁴⁴

2.16 The first research report, entitled *Behind the Scenes: Insights into the Human Dimension of Covert Bullying*, explores the impact of bullying by discussing the real life experiences of people who have experienced covert bullying.

2.17 The second research report, the *Australian Covert Bullying Prevalence Study*, was conducted by the Child Health Promotion Research Centre and outlines the prevalence and impact of covert bullying in Australian schools. Students from 106 schools from across Australia participated in the study, including 7,500 students from 22 NSW schools.⁴⁵ The study found that approximately one in four Australian students in Year 4 to Year 9 were bullied every few weeks or more. The most prevalent type of bullying was hurtful teasing, ‘followed by having hurtful lies told about them’.⁴⁶

2.18 Referring to the results of the *Australian Covert Bullying Prevalence Study*, Ms Christine Lucas, Director, Student Engagement Section, Commonwealth Department of Education, Employment and Workplace Relations reported that:

The New South Wales rates were slightly higher than the Australian average in all forms of bullying, be that overt, covert and cyber collectively, particularly in senior primary years. In the single category of bullying via technology, that is, cyber-bullying, New South Wales showed a slightly lower rate of bullying and being bullied than the Australian average ...⁴⁷

2.19 Giving evidence before the release of the data, Professor Cross commented on the results of the *Australian Covert Bullying Prevalence Study*:

... this study that we did with 7,500 children obviously had a huge sample from New South Wales. The New South Wales data – while I cannot tell you what it was – was very different to the rest of Australia and the issues around bullying.⁴⁸

2.20 For a more detailed breakdown of the results of the *Australian Covert Bullying Prevalence Study*, see Appendix 5.

⁴³ Department of Education, Employment and Workplace Relations, *Covert Bullying Research Projects*, < <http://www.deewr.gov.au/Schooling/NationalSafeSchools/Pages/research.aspx> > (accessed 12 June 2009)

⁴⁴ Child Health Promotion Research Centre, *Australian Covert Bullying Prevalence Study*, Edith Cowan University, Perth, March 2009, p 165; Professor Cross, Evidence, 11 May 2009, p 5

⁴⁵ Child Health Promotion Research Centre, March 2009, p 165; Professor Cross, Evidence, 11 May 2009, p 51

⁴⁶ Child Health Promotion Research Centre, March 2009, p xxi

⁴⁷ Ms Christine Lucas, Director, Student Engagement Section, NSW Department of Education, Employment and Workplace Relations, Evidence, 22 June 2009, p 23

⁴⁸ Professor Cross, Evidence, 11 May 2009, p 51

- 2.21** There is no research to suggest that levels of bullying have increased significantly. However, there seems to be a perception in the community and in media reporting, that bullying is becoming increasingly common.⁴⁹
- 2.22** The Public Schools Principals Forum, which is an organisation representing primary school principals, surveyed their members about the level of bullying in schools, and advised that 40 per cent of respondents ‘reported that they believe the level of bullying to be on the increase’.⁵⁰ However, many respondents felt that bullying was more of a problem at schools other than their own.⁵¹
- 2.23** The Public Schools Principals Forum noted that the most common forms of bullying in primary schools are ‘teasing, name-calling, exclusion, intimidation’.⁵² They said that primary principals were ‘seeing the beginnings of the cyber stuff in the abuse of mobile phones and personal computers’.⁵³
- 2.24** According to the Public Schools Principals Forum, ‘many principals blamed excessive and deliberately dramatic media reporting for the possible perception that the level of bullying in schools is on the increase.’⁵⁴
- 2.25** The Commonwealth Department of Education, Employment and Workplace Relations also pointed to the role of media reporting of bullying:
- While the incidents appear to be increasing due to wide media coverage on the issue, this is not necessarily the case. The scope of bullying has widened due to the emergence of technology allowing new forms of bullying to develop in cyber-space.⁵⁵
- 2.26** The Committee heard that there are two main stages in childhood and adolescence where bullying behaviours tend to peak. The first phase occurs around the age of 10-11 years in years five to six, with the second phase occurring during the transition period into secondary school.⁵⁶
- 2.27** Professor Cross explained the reasons why bullying tends to peak at these times. The first peak ‘... is related to a sociological change that young people go through. It is nothing to do

⁴⁹ See for example AAP, ‘Bullying biggest fear among parents’, 6 May 2009; Patty A, ‘Cyber bullies run amok at top school’, *The Sydney Morning Herald*, 8 May 2009; Narushima Y, ‘Turning up heat on web harassment’, *The Sydney Morning Herald*, 8 May 2009; Howden S ‘Bullying killed my boy, mother told police’, *The Sydney Morning Herald*, 20 October 2009; Howden S, ‘Teen punched and threatened before suicide, inquest told’, *The Sydney Morning Herald*, 21 October 2009

⁵⁰ Mr Brian Chudleigh, Deputy Chair, Public Schools Principals Forum, Evidence, 11 May 2009, p 54, The

⁵¹ Mr Chudleigh, Evidence, 11 May 2009, p 54

⁵² Mr Chudleigh, Evidence, 11 May 2009, p 54

⁵³ Mr Chudleigh, Evidence, 11 May 2009, p 54

⁵⁴ Mr Chudleigh, Evidence, 11 May 2009, p 54

⁵⁵ Submission 50, Department of Education, Employment and Workplace Relations, p 5

⁵⁶ Professor Cross, Evidence, 11 May 2009, p 41

with the school; it is simply the way the children are developing and recognising the power of the peer group'.⁵⁷

2.28 According to Professor Cross, the second peak occurs during the transition from primary to high school:

Transition is different from the earlier peak in that it is purely about children shifting schools. Each time schools bring in a new or large group of children, so bullying will increase in that environment ... That is because kids have nice, settled social groups and then all of a sudden a large group of children comes in and mucks it all up. It takes a while for the children to work out the hierarchy again. In doing so they need to assert their negative and positive behaviours a little more than they would otherwise.⁵⁸

2.29 A number of other Inquiry participants noted that the transition phase from primary into secondary schools often results in an increase in the level of bullying.⁵⁹

2.30 However, Professor Cross explained that cyber-bullying does not exhibit the two peaks in upper primary and early secondary school that are usually associated with face-to-face bullying. Instead it seems that cyber-bullying:

... follows age and increases accordingly. We monitored an increase of about 2 per cent a year in a recent large study. We do not believe it is necessarily age related; we think it relates to access to technology. Obviously, as children get older they have increased access.⁶⁰

2.31 While cyber-bullying tends to increase with age, Dr Campbell noted that, as with face-to-face bullying, the level of cyber-bullying then decreases in the last two years of high school: 'What happens is, therefore, in grades 7, 8 and 9 you get a peak of both cyber bullying and face-to-face bullying. This trails off in years 11 and 12'.⁶¹

Committee comment

2.32 The Committee believes that the results of the *Australian Covert Bullying Prevalence Study* demonstrate that there needs to be a sustained effort to address the levels of bullying in NSW schools. The Minister for Education and Training should ensure that the prevention of bullying is accorded a high priority by the NSW Department of Education and Training.

⁵⁷ Professor Cross, Evidence, 11 May 2009, pp 41-42

⁵⁸ Professor Cross, Evidence, 11 May 2009, pp 41-42

⁵⁹ See for example Professor McGrath, Evidence, 6 April 2009, p 5; Professor Rigby, Evidence, 6 April 2009, pp 46-47; Ms Christine Mason, Secondary Principals' Council of NSW, Evidence, 6 April 2009, p 53; and Ms Sharlene Chadwick, Training and Development Manager, Peer Support Australia, Evidence, 11 May 2009, p 6

⁶⁰ Professor Cross, Evidence, 11 May 2009, p 42

⁶¹ Dr Campbell, Evidence, 6 April 2009, p 36

Causes of bullying

2.33 There are ‘many varying factors’⁶² that influence the likelihood of a child or young person engaging in or being the victim of bullying. These factors can relate to the disposition of the individual child, the family environment and the school environment. It has also been suggested that popular culture may influence a child’s behaviour.

Disposition of the child

2.34 The Commonwealth Department of Education, Employment and Workplace Relations identified a number of personal characteristics that can heighten the risk of a young person being the victim of bullying. These characteristics include:

- their development of proactive and adaptive coping skills
- their health status, age and sex
- any educational problems or developmental delays
- number of friends and their place in the social hierarchy of peer relationships
- the home environment, such as number of siblings.⁶³

2.35 The NSW Government suggested that other characteristics that may increase the risk of a child being bullied include low self-esteem, low levels of socially-skilled behaviours and experiencing anxiety and depression.⁶⁴

2.36 Professor Rigby noted that ‘through some predisposition, some children are very timid and anxious and they are more likely to be bullied; they are born that way’.⁶⁵

2.37 Children who exhibit a ‘difference’⁶⁶ from other children may also be more prone to being a victim of bullying. For instance, Indigenous children, lesbian, gay, bisexual and transgender young people, or children in out of home or foster care tend to have a heightened risk of experiencing bullying.⁶⁷

2.38 The role of difference in increasing the likelihood of being the victim of bullying was explained by Dr Campbell:

People are picked on because they are vulnerable. You cannot help it if you are homosexual. There is a huge amount of bullying about homosexuality; there is a huge

⁶² Submission 50, p 6

⁶³ Submission 50, p 6

⁶⁴ Submission 53, p 9

⁶⁵ Professor Rigby, Evidence, 6 April 2009, p 44

⁶⁶ Submission 36, Barnardos Australia, p 2

⁶⁷ See Submission 56, NSW Aboriginal Education Consultative Group Inc, p 2; Submission 30, p 4 and Submission 40, Association of Childrens Welfare Agencies, p 3

amount of racial bullying; and there is a huge amount of bullying of kids with mental health problems, obese kids, and kids with red hair. It is not the victim's fault.⁶⁸

2.39 Mr Dalglish emphasised the importance of teaching children that they should not feel that they have to renounce or modify their individual characteristics in order to avoid being the victim of bullying:

... we do not believe that a child should change or can change their behaviour, appearance, culture or the things that may provoke bullying behaviour towards a child. A child should not feel that they need to deny their self, deny their culture or change their behaviour to stop bullying.⁶⁹

2.40 In regards to children who are likely to be the perpetrator of bullying behaviours, the NSW Government identified the following traits:

- lack of enjoyment of school or poorer academic ability
- lower levels of empathy
- anxious, depressed, aggressive, hostile or domineering
- conflict within friendships.⁷⁰

2.41 In addition, the Child Health Promotion Research Centre noted that 'the individual characteristics of the child that have been identified as contributing to bullying are difficult temperament, attention problems and hyperactivity'.⁷¹

2.42 Ms Gillian Calvert, the former NSW Commissioner for Children and Young People, advised that aggressive behaviour is a normal aspect of human development, with such behaviour exhibited by most children at some stage during their development. However, Ms Calvert continued to say that it is important to understand that 'as we get older we learn to curtail our physical aggression and regulate our emotions. That is what growing up is about: teaching children not to be aggressive and hostile'.⁷²

2.43 The National Centre Against Bullying further observed that some children and young people engage in bullying because 'they are too young to understand that what they are doing is wrong – their moral development is not yet complete'.⁷³ The Centre noted that children who don't bully others tend to:

... have more advanced empathic or moral development, are more socially skilled, feel more connected to school, bullying is inconsistent with their self-image and often these students have greater resilience. They may understand the possible negative

⁶⁸ Dr Campbell, Evidence, 6 April 2009, p 34

⁶⁹ Mr Dalglish, Evidence, 6 April 2009, p 27

⁷⁰ Submission 53, p 9

⁷¹ Submission 31, p 8

⁷² Ms Calvert, Evidence, 11 May 2009, pp 35-36

⁷³ Submission 30, p 4

consequences of bullying or identify with same-age or older students and caring adults such as parents and teachers who accept and value individual differences.⁷⁴

- 2.44** In addition, Ms Susan McLean, a cyber-safety advisor, commented that adolescents might be prone to engage in risky behaviours such as bullying because their emotional intelligence and brain development does not mature at the same rate as their physical appearance. This means that ‘adolescents in general and male adolescents in particular, are developmentally less able to make informed safety decisions about personal safety and security than are adults’⁷⁵ and are less likely to understand the potential consequences of their actions.

The family environment

- 2.45** The NSW Government indicated that there is a range of family risk factors that may influence the propensity of a child to engage in bullying including:

- maternal depression
- domestic violence
- low parental supervision
- parenting that is authoritarian and punitive and/or permissive of aggression.⁷⁶

- 2.46** Professor Rigby advised that:

... where you have heavy, cold authoritarian forms of parenting you are likely to produce a bully. Some children are more inclined to bully; some children are more predisposed to act aggressively, and especially they are at risk if there is this cold, authoritarian way.⁷⁷

- 2.47** The Child Health Promotion Research Centre highlighted that ‘incidences of aggression within the home, ineffective or inconsistent parenting strategies and high family stress have all been identified as strong family factors associated with bullying’.⁷⁸

- 2.48** Parents can play a positive role in minimising the risk of bullying by modelling appropriate social behaviours, as explained by Ms Calvert: ‘As adults we have a responsibility to model appropriate behaviours and ways of interacting with one another, as well as providing safe environments that allow for children and young people to grow and develop to reach their full potential’.⁷⁹

- 2.49** The NSW Government also noted that there are a number of family risk factors that may lead to a child being the victim of bullying. These factors are:

⁷⁴ Submission 30, p 5

⁷⁵ Submission 55, Ms Susan McLean, p 6

⁷⁶ Submission 53, p 9

⁷⁷ Professor Rigby, Evidence, 6 April 2009, p 44

⁷⁸ Submission 31, p 8

⁷⁹ Ms Calvert, Evidence, 11 May 2009, p 35

- insecure attachment to parents or primary caregivers
- family conflict
- a history of child abuse
- overprotective parenting.⁸⁰

2.50 Professor Rigby drew attention to the role that an overprotective parenting style can play in leaving a child ill-equipped to respond appropriately to other children, stating that:

... there are some parents who are over-controlling; they do not allow the child to have a range of experiences that are necessary: to meet other kids, meet other families, and develop the necessary social skills. There is overprotection, or spoiling as we used to call it ...⁸¹

2.51 It was observed that this overprotection from parents may lead to ‘a decrease in resilience’ of children, leaving the child unprepared to ‘cope with daily life in a high school’.⁸²

2.52 Ms Calvert acknowledged the ‘growing body of evidence’ that supports the importance of a stable relationship between an infant and their primary caregiver:

The strength of the bond, the attachment, between babies and their mothers can have important consequences for the subsequent behaviour of a child. There is evidence to suggest that a child who lacks secure attachment to a caregiver in the early years is likely to experience difficulties in relating to others at school and to become involved in bully/victim problems ...⁸³

The school environment

2.53 The NSW Government advised that schools with high conflict and poor student/teacher morale tend to report higher levels of bullying.⁸⁴ The Child Health Promotion Research Centre also highlighted a number of school-based factors that are associated with higher levels of bullying in schools: ‘Among the most salient are ignoring antisocial behaviour, inconsistent consequences for rule-breaking behaviour and student-teachers interactions that are alienating in nature (i.e., lacking in open and two-way communication)’.⁸⁵

2.54 The Child Health Promotion Research Centre further indicated that a child’s school peer groups could also influence the propensity to bully others, identifying factors such as ‘association with aggressive peers, peer group rejection and social marginalisation’ as increasing the likelihood of bullying.

⁸⁰ Submission 53, p 9

⁸¹ Professor Rigby, Evidence, 6 April 2009, p 44

⁸² Submission 35, Name suppressed, p 2

⁸³ Submission 44, p 9

⁸⁴ Submission 53, p 10

⁸⁵ Submission 31, p 8

2.55 Conversely, the NSW Government advised that bullying tends to be 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
- staff model appropriate behaviour.⁸⁶

2.56 The Western Australian Department of Education and Training concurred that the school environment can make a positive contribution to reducing bullying behaviours. The Department said that:

... where there is effective classroom management that develops a positive classroom climate, where the work is interesting and rewarding and where students feel respected and confident there is less likelihood of students engaging in bullying. There is also a considerable body of evidence that suggests there is less chance of bullying behaviour occurring in schools where bullying is actively discouraged, where an inclusive and caring community is developed and where the whole school community is well informed of bullying and how to deal with it.⁸⁷

2.57 The Public Schools Principals Forum highlighted the critical importance of the school leadership team in reducing instances of bullying in a school environment. Mr Brian Chudleigh, Deputy Chair, stated that:

All the time we are on about leadership, not just the principals but the significance of the leadership team in a school. If you want to change a school you do not do it by pouring ever-increasing buckets of money—albeit that can be great. You do it first and foremost by changing the nature and quality of the leadership in a school.⁸⁸

2.58 The importance of the school leadership team in creating a positive school environment was also emphasised by Professor McGrath:

... schools have their own flavour. It is more than just the population of families that they are drawing from. It is a question of what the leadership team is doing, in particular. We know that effective leadership and a strong belief in this kind of positive, respectable relationship building culture is a core part...⁸⁹

Popular culture

2.59 Several Inquiry participants expressed the opinion that popular culture influences the likelihood of a child or young person engaging in bullying. For example, Professor McGrath

⁸⁶ Submission 53, p 10

⁸⁷ Submission 27, Government of Western Australia, Department of Education and Training, p 3

⁸⁸ Mr Chudleigh, Evidence, 11 May 2009, p 57

⁸⁹ Professor McGrath, Evidence, 6 April 2009, p 5

suggested that reality television may negatively influence a child's perception of what is appropriate behaviour:

... some of the reality TV shows that are around may have made cruelty to others as entertainment viable. If you look at some of the TV shows and see that you can watch the pain of someone being rejected and told how lacking they are, if you can watch those and think that is normal then it seems perfectly reasonable if you are watching the same thing in the playground when someone else is on the receiving end. So we think that reality TV reduces children's capacity in that way ...⁹⁰

2.60 Ms Maggie Hamilton, author of 'What's Happening to Our Girls', a recent publication on trends in popular culture, also commented on the potential negative effect of reality television but noted that 'it is not just reality television. If we look at magazines and other forms of media, everything is about that minute kind of taking apart of a person, whether it is a celebrity's make-up or their skin or choice of accessories'.⁹¹

2.61 The National Centre Against Bullying advised that in respect of violent media content, there is evidence that it 'increases the likelihood of aggressive and violent behaviour'.⁹²

2.62 Professor Rigby identified additional areas of popular culture that may influence a child's understanding of what constitutes appropriate behaviours:

But it is not just violence; it is watching films in which people are manipulating and upsetting and putting other people down, which is important. If I may say so, I think one of the unfortunate things that does happen—dare I say this—that looking at parliamentary procedures or business on the television, I must say a great deal of bullying is being modelled at that stage.⁹³

2.63 The Public Schools Principals Forum concurred that 'increasing levels of aggression and violence in society', as reflected through 'television programming and media reporting' were placing pressure on schools to deal with bullying behaviours.⁹⁴

Influence of various factors

2.64 Inquiry participants held differing views on the relative influence of the various factors in determining a child's inclination to engage in bullying behaviour. For example, Professor McGrath suggested that, while parental influence is a factor, the school may be the 'stronger breeding ground':

The evidence that the home is where it germinates is not particularly strong. There is certainly a little bit of evidence that says that attitudes at home make a difference ... However, it seems that schools are the stronger breeding ground for bullying and that sometimes kids who still have those messages coming from home about how they

⁹⁰ Professor McGrath, Evidence, 6 April 2009, p 10

⁹¹ Ms Maggie Hamilton, Author, Evidence, 22 June 2009, p 48

⁹² Submission 30, p 12

⁹³ Professor Rigby, Evidence, 6 April 2009, p 47

⁹⁴ Mr Chudleigh, Evidence, 11 May 2009, p 54

should not be doing this will still engage in what is really a jockeying for social power. It is about a misuse of social power that children aspire to ... As I read it, most of the research would suggest that the school is the stronger breeding ground, not the school per se but what happens in the school and the way the school communicates those messages.⁹⁵

- 2.65** However, most Inquiry participants did not identify a single environment as having the greater influence, instead suggesting that multiple factors have a bearing on a child's behaviour. Ms Calvert, former NSW Commissioner for Children and Young People said that:

I think I would probably have to say it depends on what point you are talking about. If you are looking at the point at which you are trying to promote healthy development in children as a way of preventing bullying down the track, then quite clearly the home environment is what is critical. Because it is the home environment that teaches you how to regulate your feelings and helps you stop being that aggressive two-year-old and become a somewhat more socialised and self-regulated four and five-year-old ... However, if you are looking at a particular bullying incident in a school setting, then what the school does and how the school responds to that is critical ...

- 2.66** Ms Calvert concluded by saying that 'I do not know that a lot is gained by saying that one is more important or less important than the other. I suspect both have their role to play and both are critical'.⁹⁶

- 2.67** Dr Campbell concurred that both the school and home environments play a role in shaping a child's perception of behaviour:

It depends on the dynamics of the family. It also depends on the kind of school environment into which they go. They might go into a school environment where the school is perpetuating a bullying culture from the principal down.⁹⁷

- 2.68** The Western Australian Department of Education and Training emphasised that there are many contributing factors that lead to a child either exhibiting or being a victim of bullying behaviour: 'These factors seem to act in conjunction with each other, rather than bullying being the direct result of one or the other. It is this complexity that makes bullying so difficult to address'.⁹⁸

- 2.69** Ms Sharlene Chadwick, Training and Development Manager, Peer Support Australia suggested that for primary age children, the home environment is the most influential environment. However, 'as students develop and move through adolescence their peers become far more influential to them'.⁹⁹

⁹⁵ Professor McGrath, Evidence, 6 April 2009, p 12

⁹⁶ Ms Calvert, Evidence, 11 May 2009, p 37

⁹⁷ Dr Campbell, Evidence, 6 April 2009, p 35

⁹⁸ Submission 27, p 3

⁹⁹ Ms Chadwick, Evidence, 11 May 2009, p 3

- 2.70** Ms Sharon Johnston, Publicity Officer, Federation of Parents and Citizens Associations of NSW, suggested that the family, the school community and society each have a role to play in influencing the role of bullying behaviour:

The balance of power would be equal. As first educators parents have a great responsibility to their children. They are there in the formative early years ... There is also the greater aspect of social community and then the school steppingstone. School and educational settings would be the third factor in a child's life ... The home is certainly a very important factor, but it is not the only factor.¹⁰⁰

- 2.71** Mr Ian Baker, Director of Policy and Programs, the Catholic Education Commission NSW also acknowledged the role that society as a whole plays in influencing a child's behaviour: 'Schools very largely reflect their society. If there are problems in schools, very largely there is a problem in society ... It is about media images, parenting practices - all of that - if you are really serious about addressing bullying'.¹⁰¹

Impact of bullying

- 2.72** Bullying can be a profoundly traumatic and damaging experience for all involved: victims and perpetrators, their families, their schools and the wider community. The NSW Commission for Children and Young People advised that:

In our research on well-being, bullying was found to be the most consistently negative and singularly most powerful experience at school that undermines well-being. Children describe its impacts as being severe on their self-esteem, morale, quality of life, school performance and general happiness and feeling of well-being.¹⁰²

The impact on the victim

- 2.73** The Child Health Promotion Research Centre outlined the potential ramifications for victims of bullying:

This form of intentional harm can have significant long term effects on individuals, resulting in social, emotional and physical injury. Evidence from longitudinal data indicates that bullying has a tendency to result in increasing social maladjustment and withdrawal from society in adolescence, including depression, anxiety and suicidal ideation.¹⁰³

- 2.74** Mr Dalglish noted that being the victim of bullying can result in the 'loss of self-esteem and confidence. It has an enormous impact on school attendance and school performance'.¹⁰⁴

¹⁰⁰ Mrs Sharon Johnson, Publicity Officer, Federation of Parents and Citizens Associations of NSW, Evidence, 11 May 2009, p 19

¹⁰¹ Mr Ian Baker, Director of Policy and Programs, Catholic Education Commission, NSW, Evidence, 11 May 2009, p 15

¹⁰² Submission 44, p 5

¹⁰³ Submission 31, p 4

¹⁰⁴ Mr Dalglish, Evidence, 6 April 2009, p 25

2.75 According to the Centre for Educational Research at the University of Western Sydney, ‘in its most severe case, bullying can lead to bullycide (bullying related suicide or even homicide)’.¹⁰⁵ As acknowledged by the Commonwealth Department of Education, Employment and Workplace Relation, these ‘problems including self-esteem issues and suicidal ideation can and do have severe consequences for the young person, their family, and for society’.¹⁰⁶

2.76 The National Centre Against Bullying identified that ‘lesbian, gay and bisexual young people tend to be disproportionately victimised relative to their heterosexual peers’.¹⁰⁷ In regards to the impact of this victimisation, the Centre noted that:

Lesbian or bisexual adults who were bullied at school have identified very negative mental health outcomes from those experiences; in the short term, alcohol abuse and drug use self-harm, and in the longer term, high rates of suicide and suicidal thinking.¹⁰⁸

2.77 Indigenous children have also been identified as being ‘more vulnerable than most because of their lack of access to resources and power bases in wider society’.¹⁰⁹ This increased vulnerability can result in poor academic performance and serious ‘psychological and emotional harm that leads to mental health issues’.¹¹⁰

2.78 Bullying can have a ‘profound impact’ on children from a culturally and linguistically diverse background. Immigrant Women Speakout Association NSW Inc explained the impact that racially motivated bullying can have, particularly on ‘Muslim and Arab children’:

It reinforces their feelings of insecurity and creates feelings of disconnection from their wider community. Many feel isolated and confused about their own identity and this sometimes results in rejections of their culture and values in an attempt to fit into the western Anglo-Saxon culture.¹¹¹

The impact on the perpetrator

2.79 In terms of the impact upon the perpetrator of bullying, the NSW Commission for Children and Young People observed that ‘it also seems from the research into children who repeatedly bully that being a bully is not conducive to wellbeing’.¹¹² The Child Health Promotion Research Centre indicated that:

... bullying often predicts subsequent anti-social behaviour, with children who bully others at the age of 14 years, likely to still engage in harassment, violence and other

¹⁰⁵ Submission 21, Centre for Educational Research, pp 2-3

¹⁰⁶ Submission 50, p 6

¹⁰⁷ Submission 30, p 4

¹⁰⁸ Submission 30, p 4

¹⁰⁹ Submission 56, p 2

¹¹⁰ Submission 56, pp 4-5

¹¹¹ Submission 33, Immigrant Women Speakout Association NSW Inc, p 4

¹¹² Ms Calvert, Evidence, 11 May 2009, p 35

forms of risky behaviour at the age of 32 years, and to have children who themselves engage in bullying and violence. Persistent victimisation is also predictive of substantial use of government support and health services by age 28 years.¹¹³

2.80 In addition, Mr Dagleish informed the Committee that unless the bullying behaviour is properly addressed, bullies will:

... continue to have antisocial behaviour, are more likely to engage in criminal acts with other children and young adults and also, in time, many will translate that bullying behaviour into relationships with partners. So the cycle continues and that is a significant economic and social cost for our community.¹¹⁴

2.81 The National Youth Mental Health Foundation, headspace, emphasised the connection between being a bullying and mental health outcomes, noting that:

... being a bully is associated with a higher risk of the development of psychotic symptoms in adolescence and an increase of other mental health disorders such as oppositional defiant disorder and conduct disorder.¹¹⁵

2.82 Professor McGrath advised that children who repeatedly engage in bullying behaviours have a much higher likelihood 'of becoming workplace bullies and themselves of becoming depressed'.¹¹⁶

2.83 The Centre for Educational Research observed that bullying can also impact on the wider school community:

Moreover, bullying has ripple effects throughout school communities, leading to; unsafe schools, alienation from the school community; distrust amongst students; formation of formal and informal gangs as a means to instigate bullying or to gain protection from being bullied; low staff morale; higher occupational stress; and a poor educational climate.¹¹⁷

2.84 It should be noted that, according to the submission from the NSW Government, children who are both bullies and victims of bullying have the 'worst outcomes'.¹¹⁸

The impact on families

2.85 The Australian Institute of Family Studies noted the effect that bullying can have on families, observing that 'parents of children who are bullied may feel angry, powerless and guilty about their inability to protect their child'.¹¹⁹ The Institute further noted that the siblings of children who are bullied also experience stress.¹²⁰

¹¹³ Submission 31, p 4

¹¹⁴ Mr Dagleish, Evidence, 6 April 2009, p 25

¹¹⁵ Submission 39, Headspace: The National Youth Mental Health Foundation, p 6

¹¹⁶ Professor McGrath, Evidence, 6 April 2009, p 6

¹¹⁷ Submission 21, p 3

¹¹⁸ Submission 53, p 7

¹¹⁹ Submission 20, Australian Institute of Family Studies, p 4 citing Humphrey and Crisp 2008

- 2.86** One Inquiry participant, whose children had been bullied, observed that ‘our family has been through a lot in the last two years.’¹²¹ Another Inquiry participant expressed frustration at her inability to help her daughter deal with a traumatic situation:

I am now “over it” but in the past 2 years I feel that I have exhausted all ways to help my daughter with the bullying at school ... I tried helping my daughter by giving her ideas to help with the threats but I feel that I made no difference at all.¹²²

- 2.87** Mrs Sharon Johnson, Publicity Officer, Federation of Parents and Citizens Associations of NSW acknowledged the impact the bullying can have on both the victim of bullying and their families, explaining that ‘it impacts on their entire life and can derail their plans and aspirations and hold them ransom as a family outside the school community’.¹²³

The intensified impact of cyber-bullying

- 2.88** It has been suggested that the effects of cyber-bullying may be amplified compared to those of face-to-face bullying. According to the Cyber Bullying Project at the Centre for Child Health Promotion Research Centre: ‘No longitudinal studies have yet been published describing the effects of cyber-bullying, but researchers believe that the longer-term effects of cyber bullying may be more serious than those of face-to-face bullying.’¹²⁴

- 2.89** The National Centre Against Bullying advised that cyber-bullying ‘mirrors and magnifies’ traditional bullying with often severe effects to the mental, social and academic wellbeing of the young people concerned.¹²⁵

- 2.90** The Centre explained that there are several reasons as to why the effects of cyber-bullying can be intensified:

... it can happen at any time, anywhere; and there is no escape behind doors. Audiences can be huge and reached quickly. Power is allocated differently, and bullying can be inter-generational. Perpetrators can have at least an illusion of anonymity and their behaviour can be disinhibited because of this; empathy is also reduced because the victim’s reaction is not seen. Hence, the effect of the bullying may also be intensified.¹²⁶

- 2.91** Mr Dagleish gave three reasons as to why the impact of cyber-bullying tends to be magnified:

¹²⁰ Submission 20, p 4 citing Humphrey and Crisp 2008

¹²¹ Submission 43a, Name suppressed, p 2

¹²² Submission 48, Name suppressed, p 1

¹²³ Mrs Sharon Johnson, Publicity Officer, Federation of Parents and Citizens Associations of New South Wales, Evidence, 11 May 2009, p 19

¹²⁴ Child Health Promotion Research Centre, Edith Cowan University, *The Cyber Bullying Project: How cyber technology is affecting relational aggression and teenage health*, April 2009, p 22, citing Kowalski 2008, Patchin & Hinduja 2006

¹²⁵ Submission 30, p 4

¹²⁶ Submission 30, p 3

The audience for the humiliation that the child experiences is bigger ... The second thing which may also worsen that impact is that there are no checks and balances because cyber bullying is virtual - it is in a virtual world - and the bully cannot see the impact he or she is having on the child so there are fewer controls on that behaviour and the behaviour tends to escalate more quickly than in a face-to-face situation. The third issue is privacy. Bullying can occur in a school ground and be location-specific. A child can be bullied by cyber bullying in the privacy of their home through the Internet or mobile phone. There are no safeguards for privacy, so the bullying behaviour can reach into the innermost private realms of a child or young person ...¹²⁷

2.92 A Canadian authority on cyber-bullying, Dr Shaheen Shariff, has identified the unique characteristics that distinguish cyber-bullying from face-to-face bullying and heighten its impact. These characteristics are:

- anonymity – it is often difficult to detect the perpetrator, which can increase the victim’s fear and distress and lead to paranoia. In addition, anonymity can embolden the perpetrator and increase the ferociousness of their behaviour
- infinite audience – the bullying behaviour may be shared with a vast audience, with viewers perceived to be actively condoning the behaviour
- permanence of expression – first, widespread access to mobile phones and computers gives the perpetrator constant access to the victim. Second, it is difficult to erase defamatory content or photographs from the Internet, and emails or mobile phone messages can be stored and viewed repeatedly
- prevalent homophobic and sexual harassment – a significant amount of cyber-bullying involves sexual and homophobic content.¹²⁸

2.93 Mr Dalglish suggested that case studies from the Kids Helpline service indicate that because of the greater emotional impact of cyber-bullying, ‘there is a stronger correlation between cyber bullying and suicide ideation than between face-to-face bullying and suicide ideation’.¹²⁹

2.94 The National Centre Against Bullying also noted the ‘viciousness’ of cyber-bullying, observing that the impact on children and young people is heightened because ‘no one seems to be available to help them, and they are worried that their parents/teachers will find out, adding to the public humiliation but also because of the possible ramification that their access to technology will be removed’.¹³⁰

2.95 However, Ms Joanne Degney, Program Manager, Inspire Foundation suggested that the feedback they had received from focus groups was that even though cyber-bullying tended to be more pervasive than face-to-face bullying:

¹²⁷ Mr Dalglish, Evidence, 6 April 2009, p 26

¹²⁸ Shariff S, *Confronting Cyber-Bullying – what schools need to know to control misconduct and avoid legal consequences*, Cambridge University Press, New York, 2009, pp 44-45

¹²⁹ Mr Dalglish, Evidence, 6 April 2009, p 26

¹³⁰ Submission 30, p 4

... the impact from the young people we spoke to - I'm not saying more generally but the young people we spoke to in the focus groups - was that their experience of the impact of bullying face-to-face and the impact of bullying online was similar.¹³¹

2.96 Young people's views on the impact of cyber-bullying are discussed in the next chapter.

Shifting perceptions of bullying

2.97 Inquiry participants told the Committee that societal views of bullying have changed significantly in recent years. According to Dr Campbell:

In the 1950s bullying was character building: it is good for you, it is a rite of childhood passage, everybody goes through it – “It made me tough, look what I am today. I would not have been like this without being bullied at school.” That kind of public perception, even though there are some people who still think like that, has mainly passed.¹³²

2.98 Reflecting contemporary attitudes to bullying, Ms Chadwick said: ‘It is not a rite of passage, it is not character building and it is not just part of growing up.’¹³³ Bullying is now seen as a manifestation of a wider social problem, according to Professor McGrath:

An important change from 15 years ago is that we now see bullying ... as a social issue and not a personal predicament. Up until then it was something that people assumed would happen and it was unfortunate for the poor person who was on the receiving end but it was not necessarily broader than that. We now see it as a social issue ...¹³⁴

2.99 Schools are now eager to address bullying, as they recognise that a child's social and emotional well-being is closely linked to their learning ability, and behaviour in the classroom. Mr Dalgeish suggested that the implementation of school-based programs to address bullying would:

... actually help educators achieve their outcomes for children and young people. Because at the current time one of the adverse effects of bullying is that children and young people do not want to go to school and if they do want to go to school they are so distracted by “When is the harassment going to happen today?” that they do not focus on learning.¹³⁵

2.100 There is no evidence that today's concern about schoolyard bullying is linked to increased levels of bullying over time. Rather, according to the National Centre Against Bullying:

There is a growing awareness within Australia and other parts of the world of the level and impact of bullying in society. This has generated a rising concern about the

¹³¹ Ms Joanne Degney, Program Manager, Inspire Foundation, Evidence, 11 May 2009, p 28

¹³² Dr Campbell, Evidence, 6 April 2009, p 37

¹³³ Ms Chadwick, Evidence, 11 May 2009, p 2

¹³⁴ Professor McGrath, Evidence, 6 April 2009, p 3

¹³⁵ Mr Dalgeish, Evidence, 6 April 2009, p 29

prevalence, seriousness and negative effects of bullying, and has encouraged schools and other settings to begin to address it. This awareness has also generated more intense media focus on bullying.¹³⁶

- 2.101** It appears that shifting perceptions of bullying have been driven by a number of factors, including growing recognition of its devastating immediate and long-term impact. Aside from the impact on the individuals concerned, and their families, it is clear that bullying results in a substantial economic and social cost.

Community-wide effort to address bullying

- 2.102** There is broad agreement that bullying is an entrenched and undesirable social problem, permeating human interaction from the family to the workplace. However, there are divergent views on whether bullying is an inevitable feature of human relationships.
- 2.103** Some people believe that while bullying is undesirable, and efforts should be made to address it, bullying is impossible to eradicate. Others argue that while the difficulty of addressing bullying cannot be underestimated, it can be done. They emphasise that it is important to differentiate between bullying and other types of aggressive behaviour: bullying involves repeated actions, with an intention to hurt, where there is an imbalance of power between the person doing the bullying and the person being bullied. It does not cover one-off acts of aggression, nastiness or meanness. While it is impossible to remove conflict from human relationships, they believe that it is possible to address bullying which is a specific subset of this behaviour.
- 2.104** According to the evidence the Committee received, bullying requires a community-wide response. Mr Baker observed that: ‘Bullying is not just a school issue. In fact, it is probably not even principally a school issue. It is a community issue; it is a values issues ... To address a problem like bullying requires a community response’.¹³⁷
- 2.105** Professor Cross explained that ‘one of our greatest challenges is that adults perceive that bullying is a natural passage of youth; that it makes kids tougher and as a result they will be better adults if they are bullied. We have to shift that attitude’.¹³⁸
- 2.106** Inquiry participants argued that a community awareness campaign is needed, similar to the campaigns on critical public health issues such as smoking. According to Professor McGrath:

I draw comparison with smoking on aeroplanes. It used to be possible to decide when you got onto an aeroplane from Melbourne to Sydney whether you wanted to sit in the smoking or non-smoking area ... Now, we are in horror of the thought ... We are hopeful that in 10 or 15 years time we will look back on this and say, “Why did we not tackle this before?”¹³⁹

¹³⁶ Submission 30, p 3

¹³⁷ Mr Baker, Evidence, 11 May 2009, p 15

¹³⁸ Professor Cross, Evidence, 11 May 2009, p 45

¹³⁹ Professor McGrath, Evidence, 6 April 2009, p 3

- 2.107** Professor Cross also supported an awareness-raising campaign similar to the societal marketing campaigns that have changed beliefs around smoking and domestic violence. She said that an awareness-raising campaign would help to ‘shift the norm around bullying’.¹⁴⁰
- 2.108** Professor Cross cited the Mandurah Bullying Prevention Project as an example of a ‘community-based, mass media social marketing campaign’ that was designed to change community attitudes to bullying.¹⁴¹ The Project aimed to provide parents with strategies to prevent the development of bullying behaviour before children went to school.¹⁴² An independent review of the project found that it had been successful in ‘raising the salience of bullying as an issue in the Mandurah community, and in persuading the people of Mandurah that such behaviour has the potential to involve long-term consequences’.¹⁴³
- 2.109** A community awareness campaign is currently being developed as part of the Alannah and Madeline Foundation’s cyber-safety and wellbeing initiative. The initiative is a ‘multi layered cultural change program’ modelled on the Sunsmart campaign.¹⁴⁴ It is intended that the social campaign will involve ‘television ads and social marketing, if you like, around the concept of cyber safety in general in regards to children’s appropriate use of technology, but also obviously cyber bullying and bullying in general’.¹⁴⁵
- 2.110** In relation to cyber-bullying, the Child Health Promotion Research Centre found that social marketing could play a useful role in equipping children and young people to deal with this form of bullying:
- Most of the students in the study had learned about cyber bullying from sensationalised media stories about young people who had suicided as a consequence of cyber bullying. This indicates a need for the development of more appropriate, evidence based social marketing messages to counter sensational media stories and inform young people of appropriate ways to deal with cyber bullying.¹⁴⁶
- 2.111** Professor McGrath expressed optimism that ‘over time that constant message of treating each other with respect, how bullying is basically cruelty and how you need to use the technology in a safe, respectful, resourceful and responsible way’ will embed a belief within the entire community that bullying is inappropriate.¹⁴⁷
- 2.112** The Committee is aware that several overseas jurisdictions have initiated campaigns to increase community awareness of bullying and its consequences. For example, The Anti-Bullying Alliance in the United Kingdom holds an annual Anti-Bullying Week to send ‘... a

¹⁴⁰ Professor Cross, Evidence, 11 May 2009, p 45; Submission 27, p 7

¹⁴¹ Answers to questions on notice taken during evidence 11 May 2009, Professor Donna Cross, Child Health Promotion Research Centre, Edith Cowan University, p 1

¹⁴² Answers to questions on notice taken during evidence 11 May 2009, Professor Cross, p 1

¹⁴³ Answers to questions on notice taken during evidence 11 May 2009, Professor Cross, p 4

¹⁴⁴ Ms Sandra Craig, Manager, National Centre Against Bullying, Evidence, 6 April 2009, p 4

¹⁴⁵ Professor McGrath, Evidence, 6 April 2009, p 6

¹⁴⁶ Child Health Promotion Research Centre, Edith Cowan University, *The Cyber Bullying Project: How cyber technology is affecting relational aggression and teenage health*, April 2009, p 45

¹⁴⁷ Professor McGrath, Evidence, 6 April 2009, p 11

clear and positive message that it [bullying] is neither acceptable or inevitable in our schools and communities'.¹⁴⁸ The week, which is supported by the Department for Children, Schools and Families, focuses on a specific type of bullying each year. The 2009 theme is cyber-bullying.¹⁴⁹

Committee comment

- 2.113** Bullying has a profound and long-lasting impact not only on those directly involved in the bullying situation, namely the victim and the perpetrator, but also their families, schools and the community. The Committee believes that the severity of these impacts justifies a strong community and government effort to address bullying.
- 2.114** A crucial way for the community and governments to address bullying is to ensure that parents and schools are equipped to teach children how to behave appropriately in different social contexts. It is particularly important to capture and engage parents when children are young and therefore more responsive to guidance.
- 2.115** By intervening early to build a sound behavioural foundation, parents, teachers and the wider community can minimise the potential escalation of anti-social behaviour, and ensure that the behaviour is not perpetuated into adulthood.
- 2.116** The Committee believes that a social awareness campaign is pivotal for the development of a community-wide understanding of what constitutes bullying behaviour and how to reduce it. The Committee supports the social awareness campaign to be undertaken as part of the Alannah and Madeline Foundation's Cybersafety and Wellbeing Initiative, but also believes that there needs to be a strong New South Wales effort to focus attention on bullying in schools.
- 2.117** Therefore, to increase community awareness of bullying, the Committee calls on the NSW Department of Education and Training to institute an Anti-Bullying Week in NSW public schools, in order to focus the attention of schools, parents and the wider community on the critical issue of bullying.

Recommendation 2

That the Minister for Education and Training introduce a community-wide Anti-Bullying Week, which focuses on all schools and TAFE institutes, that highlights safe and friendly schools and raises awareness of the effect of bullying behaviours, and that this week should have a positive and friendly name that is chosen through consultation with children and young people.

Further, that the Minister allocate adequate resources for the development and distribution of materials in all schools, TAFE institutes and the community.

¹⁴⁸ Anti-Bullying Alliance, *Anti-Bullying Week 2009* <http://www.anti-bullyingalliance.org.uk/get_involved/anti-bullying_week_2009.aspx> (accessed 29 October 2009)

¹⁴⁹ Anti-Bullying Alliance, *Anti-Bullying Week 2009*

- 2.118** In regards to the role of the media in reporting on incidents of bullying and cyber-bullying, the Committee believes that guidelines should be developed to ensure that such incidents are reported sensitively and accurately.
- 2.119** The Committee notes the role of the Australian Press Council in issuing voluntary guidelines on how the media should report certain issues, such as the suppression of the names of persons involved in court proceedings and the reporting of suicide. The Committee recommends that the Minister for Education and Training formally approach the Australian Press Council regarding the implementation of media guidelines on reporting instances of bullying of children and young people.

Recommendation 3

That the Minister for Education and Training formally approach the Australian Press Council regarding the implementation of media guidelines on reporting instances of bullying of children and young people.

Chapter 3 What children and young people think about bullying

It is essential that children and young people are involved in shaping workable solutions to bullying. The Committee consulted extensively with children and young people throughout the course of this Inquiry, both face-to-face and online. This Chapter outlines what children and young people told the Committee about bullying during these consultations.

Views of children and young people

- 3.1** The Committee believes that the views of children and young people should be at the heart of approaches to addressing bullying. In the words of the Centre for Children and Young People:

... it is critically important that policy and program responses align very closely with children's lived experience of being bullied, being bullies and/or being witnesses to bullying. *It is our submission, then, that children and young people should be closely consulted about what works, what doesn't, and why, since they are not only reliable and worthy commentators on their own lives but also deeply implicated in the project of reducing bullying and its effects.*¹⁵⁰

- 3.2** This view has underpinned the Committee's approach to this Inquiry, and the extensive consultation process undertaken with children and young people.

Face-to-face consultations

- 3.3** During face-to-face consultations, the Committee heard that school welfare policies, such as designating a contact person for reporting bullying or providing a bullying book for recording incidents, are often not fully utilised by students. For instance, the student nominated to be the 'go to' person for reporting bullying may be the President of the Student Representative Council, who is likely to be a popular student who may not understand what it is like to be bullied.
- 3.4** Children are often reluctant to go to a school counsellor for help, as it can be perceived as a sign of weakness. There is also a perception that intervention by an adult, such as a parent, teacher or school counsellor, may exacerbate the bullying and lead to worse physical or cyber-bullying attacks. Children and young people are therefore reluctant to tell their parents or teachers about being bullied, and said that they are more likely to tell their friends. The Committee was told that children and young people become more reluctant to report bullying to adults as they get older.
- 3.5** When it comes to cyber-bullying, young people are aware of preventative solutions, such as blocking phone numbers or emails, but have little awareness about how to report cyber-bullying if it has already happened.

¹⁵⁰ Submission 26, Centre for Children and Young People, p 2, emphasis as per original

- 3.6** Children and young people emphasised the strong link between face-to-face bullying and cyber-bullying. Cyber-bullying can be motivated by retaliation for face-to-face bullying, as a way to allow a victim with no social power to fight back. Alternatively, cyber-bullying can be a way to escalate face-to-face bullying, particularly if there is no reaction from the person being bullied.
- 3.7** Cyber-bullying was seen by some as more malicious than face-to-face bullying, largely due to the anonymity of the online environment, and the 24-hour access that the bully has to their victim through technology. Cyber-bullying can be a prolonged negative experience with the repeated distribution of a comment or photo. Girls were described as being more 'verbally vicious' than boys, with boys more likely to film fights and post them on the Internet.
- 3.8** Children and young people felt that cyber bullying had not increased dramatically, but that it had an increasing media profile. Cyber-bullying has also gained prominence as new communications methods such as MSN have become mainstream and access to mobile phones has increased.
- 3.9** It was clear throughout the consultation process that children and young people fear that their access to the Internet or mobile phones will be restricted if they tell their parents about incidences of cyber-bullying. Restricting access to technology is often seen as worse than the bullying itself, as it leads to social exclusion. Restrictions may also have the unintended consequence of removing a child's access to their online support network.
- 3.10** It was widely agreed that Internet filters, such as NetNanny, are not a successful method of protecting children and young people from cyber-bullying. In practice, Internet filters can prevent access to sites that children use for legitimate research purposes. Tech-savvy young people are also adept at finding ways around such filters.
- 3.11** Children and young people said that cyber-bullying will not be solved through technological solutions. Instead, parents need to provide moral education to give their children an ethical foundation on which to make safe and well-informed decisions about their online behaviour. Children also felt that education about cyber-bullying is better when it comes from someone with whom they have an emotional connection, such as an older sibling or a technically aware parent.
- 3.12** During the consultation with the Youth Advisory Council, one member mentioned a successful program at his school, where the school encouraged respected senior students to hang out in a classroom at lunch, so if the younger boys were having problems they could go to the classroom and hang out with the older boys. This often led to the younger boys being acknowledged on the playground by these respected older students, which increased their social prestige. A similar program was mentioned by students at Casimir Catholic College, Marrickville, where senior students link with younger students to provide a support network.
- 3.13** Children and young people suggested that a community awareness campaign be undertaken to communicate the fact that bullying is an unacceptable type of behaviour. A community awareness campaign could make it easier for children to discuss bullying, and to help adults to understand what can be done about bullying.
- 3.14** The Committee notes the statement from the consultants who conducted the online consultation with children and young people, that some caution should be used in interpreting

results as the anonymous nature of online methods gives no guarantee of the veracity of the input.¹⁵¹ However, the Committee believes it very important that these views are reflected in this report.

Online consultation

3.15 The overwhelming majority of respondents to the Committee's online consultation – 85 per cent – indicated that they had experienced bullying.¹⁵² These children and young people made powerful and moving statements about the impact of bullying on their lives.

3.16 When asked to describe how bullying made people feel, the majority of respondents expressed feelings of fear, isolation and helplessness:

It makes them feel small, frightened and that life really isn't worth all the pain that you endure everyday. You feel like a prisoner in your school or workplace and feel like there is no way out.¹⁵³

3.17 Respondents also acknowledged the far-reaching impact of bullying: 'It is horrible. It has lasting effects. Do not let anyone try and say it is ok or a natural part of growing up. It doesn't have to happen and it is very unfair'.¹⁵⁴

3.18 The negative effect that bullying has on self-esteem was emphasised, with respondents stating that 'it makes you feel worthless' and that a victim of bullying feels '... unloved, like nobody in the world could possibly like you. Its like someone bullying you is ruining all of your self-esteem'.¹⁵⁵

3.19 One respondent drew attention to the detrimental impact that bullying can have on both the victim and their family:

It isn't fair that somebody who has done nothing has to go through the emotional scarring that bullying brings up ... It destroy's lives and the social effects last forever. It also doesn't just hurt one person, it hurts entire families when even one of their own is bullied, the effects are depressing seeing somebody you are close to going through something that they don't need when things are going on at home and they can end up feeling so bad that they commit suicide.¹⁵⁶

3.20 The majority of respondents (87.5 %) believed that face-to-face and cyber-bullying have a differing impact, finding that cyber-bullying was either easier or more difficult to deal with. Cyber-bullying was perceived by some as being harder to deal with '[b]ecause it is in black and

¹⁵¹ WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, p 5

¹⁵² WestwoodSpice, September 2009, p 8

¹⁵³ WestwoodSpice, September 2009, pp 9-10

¹⁵⁴ WestwoodSpice, September 2009, p 23

¹⁵⁵ WestwoodSpice, September 2009, p 10. Spelling and grammar have not been corrected for any of the quotations taken from the WestwoodSpice report.

¹⁵⁶ WestwoodSpice, September 2009, p 22

white and concrete. It is something that can be read over and over and publicised'.¹⁵⁷ One respondent suggested that online and phone bullying '... hurts a little bit more mentally because when your home and safe, to have bullying invade your home is a sickening feeling'.¹⁵⁸

- 3.21** Other respondents thought that whilst the impact was the same, there was a difference in the way that the bullying behaviour evolves: '... all bullying has negative effects. But I feel online and phone bullying can escalate and become serious quicker than traditional bullying'.¹⁵⁹
- 3.22** Several respondents noted that cyber-bullying can be easier to deal with because 'you can just delete it or report it if you want'.¹⁶⁰
- 3.23** In regards to online and phone bullies, respondents identified that the most common forms of behaviours were insults and teasing, threats and harassment and spreading rumours about people. Respondents highlighted that often people are emboldened by the anonymity of online or phone bullying, leading the bully to say '... really nasty things people would never say to your face, because they're sitting behind a computer and somehow they think they're stronger'.¹⁶¹
- 3.24** In addition, online bullying can result not just in a larger audience than face-to-face bullying – '... it's online so everybody can see it ...'.¹⁶² – but also in a higher number of people engaging in the bullying behaviour: 'The internet has the ability to engage more than one person so this also can be quite damaging to people who are being bullied'.¹⁶³
- 3.25** In regards to what children and young people thought schools and workplaces should do to address bullying, over half of respondents (59%) said that schools should enforce their existing policies relating to bullying.¹⁶⁴ Respondents also emphasised the need to ensure that those people who report acts of bullying are believed: 'Look out for it more. Believe people when they say it, don't just not believe it because you may not know this person'.¹⁶⁵
- 3.26** A surprising number of respondents (37%) advocated for stricter punishments and consequences for people who bully others.¹⁶⁶ Respondents said that 'teachers need to be much harsher and stick to their words!'.¹⁶⁷ One respondent highlighted the ineffectiveness of multiple warnings in ensuring that '... you actually deal with the bullies': 'Stop giving them

¹⁵⁷ WestwoodSpice, September 2009, p 12

¹⁵⁸ WestwoodSpice, September 2009, p 11

¹⁵⁹ WestwoodSpice, September 2009, p 11

¹⁶⁰ WestwoodSpice, September 2009, p 11

¹⁶¹ WestwoodSpice, September 2009, p 13

¹⁶² WestwoodSpice, September 2009, p 13

¹⁶³ WestwoodSpice, September 2009, p 14

¹⁶⁴ WestwoodSpice, September 2009, p 17

¹⁶⁵ WestwoodSpice, September 2009, p 17

¹⁶⁶ WestwoodSpice, September 2009, p 18

¹⁶⁷ WestwoodSpice, September 2009, p 17

warnings. warning 1. warning 2. warning 3. I mean comon ... they are just going to push their luck as far as they can'.¹⁶⁸

3.27 Respondents also identified the need to have consistent application of punishments: 'My school doesn't have very consistent punishment, I think that could make a huge difference'.¹⁶⁹

3.28 This emphasis on punishment by a large number of respondents was at odds with the evidence received throughout the Inquiry, which suggested that children and young people tend to be more supportive of non-punitive responses to bullying (see Chapter 5).

3.29 Respondents noted that people are often deterred from reporting bullying to parents or teachers because this can lead to a worsening of the situation for the victim:

I would report a bully at school, (because my friend is being bullied on his first day of my school), if i could fully-trust a teacher not to tell anyone that i told them, and they wouldnt tell the bullies that they were bullying just my friend because then they would try and get my friend back by bullying even more ...¹⁷⁰

3.30 One respondent observed that peer-led interventions are often more successful at stopping bullying than interventions that involve parents or teachers: 'It shouldn't be up to teachers or higher authorities to restrict these types of behaviour. It is hard and ineffective. Peers are better suited to stop forms of bullying.'¹⁷¹ The important role that peers can play in addressing bullying is discussed in Chapter 5.

3.31 It was also proposed that anti-bullying programs would have greater effect if they were '... conducted by younger people. School aged kids find it easier to connect with people closer to their age'.¹⁷²

3.32 Over half of respondents (54%) indicated that they had attended anti-bullying programs at school.¹⁷³ However, when questioned about the usefulness of school-based anti-bullying programs, the majority of respondents (67%) said that the programs had made no or little difference.¹⁷⁴ One respondents suggested that anti-bullying programs could actually exacerbate bullying:

The program at school attempt to reach children by being "hip or cool" but all it really does is provoke a cynical response from teenage audiences, and can sometimes worsen the problem.¹⁷⁵

¹⁶⁸ WestwoodSpice, September 2009, p 19

¹⁶⁹ WestwoodSpice, September 2009, p 18

¹⁷⁰ WestwoodSpice, September 2009, p 16

¹⁷¹ WestwoodSpice, September 2009, p 19

¹⁷² WestwoodSpice, September 2009, p 18

¹⁷³ WestwoodSpice, September 2009, p 15

¹⁷⁴ WestwoodSpice, September 2009, p 15

¹⁷⁵ WestwoodSpice, September 2009, p 15

- 3.33** Respondents were also critical of the content of delivered during the programs: ‘There were anti-bullying workshops at school which addressed the basics but didn’t really go into the online issues’.¹⁷⁶
- 3.34** Perhaps most alarmingly, some respondents commented that even though schools had required students to attend anti-bullying programs, ‘[t]he schools don’t enforce the programs’¹⁷⁷ or ‘[s]chool seem to put the problem under the rug’.¹⁷⁸
- 3.35** Some respondents suggested that teachers, parents and carers could benefit from attending anti-bullying workshops ‘to help them understand what actually goes on, and that teaches them ways to resolve it’.¹⁷⁹ One respondent suggested that such training should be compulsory:
- I think that parents should attend compulsory training at schools about how to stop their kid being a bully and their kid can’t go to school until their mum or their dad has done the training.¹⁸⁰
- 3.36** The impact of anti-bullying programs could also be improved by including ‘... people who have been through the experience of being bullied, and dealt with it in an effective way in order for programs to work’.¹⁸¹
- 3.37** It was further suggested that victims of bullying need to be provided with ongoing support: ‘Better support for kids experiencing bullying. Better funding for counseling services. Not have a half hearted attempt at stamping out bullies. It needs to be consistent and continuing’.¹⁸²

Committee comment

- 3.38** The views of children and young people gave the Committee a powerful insight into the problem of bullying, and the best means to address it. The Committee acknowledges the compelling statements made about the impact of bullying on young peoples’ lives, their self-esteem and their ability to learn. The Committee was deeply saddened to read that some victims of bullying contemplate taking their own life.
- 3.39** The Committee was impressed by the thoughtfulness of responses from the children and young people who participated in our face-to-face consultations and our online survey. The Committee strongly believes that in order for anti-bullying initiatives to be successful, the views of children and young people must be taken into account.

¹⁷⁶ WestwoodSpice, September 2009, p 15

¹⁷⁷ WestwoodSpice, September 2009, p 16

¹⁷⁸ WestwoodSpice, September 2009, p 16

¹⁷⁹ WestwoodSpice, September 2009, p 19

¹⁸⁰ WestwoodSpice, September 2009, p 23

¹⁸¹ WestwoodSpice, September 2009, p 18

¹⁸² WestwoodSpice, September 2009, p 19

- 3.40** The Committee believes that there is a need for a continued conversation with children and young people, using the communication technologies with which they are most comfortable. The Committee's innovative online consultation, which was developed with the assistance of the Young People's Reference Group from the NSW Commission for Children and Young People, provides a benchmark for future consultation processes.
- 3.41** The Committee recommends that the NSW Department of Education and Training seek annual feedback from children and young people on the anti-bullying initiatives that are implemented in their schools. This consultation process should include the use of the online environment and be developed with the assistance of the NSW Commission for Children and Young People.

Recommendation 4

That the Minister for Education and Training ensure that the NSW Department of Education and Training work with the NSW Commission for Children and Young People, to seek annual feedback from children and young people on anti-bullying initiatives that are implemented in their schools. This consultation process should include use of the online environment to maximise the engagement of children and young people.

Chapter 4 Approach to bullying in New South Wales schools

This Chapter begins by outlining the policy frameworks to address bullying in New South Wales and the national initiatives that overlay the New South Wales approach. It then examines a number of issues relating to the approach taken to bullying in NSW schools. Inquiry participants suggested that greater transparency and accountability is needed in the implementation of anti-bullying policies, and that this could be achieved through two key measures: first, publishing school anti-bullying policies, and second, collating data on the prevalence of school bullying. Parents also raised concerns about how schools and the NSW Department of Education and Training had responded to their complaints of bullying. The Chapter concludes by examining how police respond when schools are no longer able to deal with the more extreme cases of bullying.

National policy framework

- 4.1 The Australian Government has developed two national frameworks that direct efforts to address school bullying across Australia: the National Safe Schools Framework, and the National Framework for Values Education.

National Safe Schools Framework

- 4.2 Government and non-government schools in New South Wales adhere to the requirements of the National Safe Schools Framework.¹⁸³ The National Safe Schools Framework is a set of nationally agreed principles for creating safe and supportive school environments and includes information on appropriate school responses to issues of bullying, violence and harassment.¹⁸⁴
- 4.3 The Framework was developed in 2003 by the Ministerial Council on Education, Employment, Training and Youth Affairs, in collaboration with stakeholders including the Australian Government, State and Territory governments, and non-government school authorities.
- 4.4 The Framework encourages all members of the school community to value diversity; contribute positively to the safety and wellbeing of themselves and others; and be involved in the implementation of appropriate strategies that create and maintain a safe and supportive learning environment.
- 4.5 The National Safe Schools Framework is currently being reviewed to:
- encompass strategies to address cyber-bullying
 - incorporate recent changes to legislation regarding online crimes

¹⁸³ Submission 53, New South Wales Government, p 22; Submission 51, Catholic Education Commission NSW, p 8

¹⁸⁴ Department of Education, Employment and Workplace Relations, *National Safe Schools Framework*, <http://www.dest.gov.au/sectors/school_education/publications_resources/profiles/national_safe_schools_framework.htm> (accessed 12 June 2009)

- ensure the currency of the existing material.¹⁸⁵

4.6 A Reference Group has been established to provide advice to the Government on the review process, with two meetings held to date. The Reference Group includes representatives from each State and Territory education departments, non-government education authorities, the Australian Federal Police, the University of South Australia and the Alannah and Madeline Foundation.¹⁸⁶ The review is expected to be completed midway through 2010.¹⁸⁷

National Framework for Values Education

4.7 The National Framework for Values Education recognises the values education policies and programs already in place in Australian schools and sets out guidelines for improving and implementing values education. Under the framework, individual schools develop their own approaches to values education in partnership with their local school communities.¹⁸⁸

4.8 The Framework was agreed to and endorsed by all State and Territory Ministers for Education in 2005.

New South Wales policy framework

4.9 The NSW Department of Education and Training has its own policy framework in place to address bullying, including how to respond to complaints about bullying. There was debate among Inquiry participants about two central aspects of the policy framework: first, whether schools should be required to publish their anti-bullying policies; and second, whether schools should be required to collect standardised data on bullying for submission to the Department.

Public schools

4.10 The NSW Department of Education and Training does not recommend any specific anti-bullying programs for use in public schools. However, all public schools in New South Wales

¹⁸⁵ Department of Education, Employment and Workplace Relations, The National Safe Schools Framework Review Project
< <http://www.deewr.gov.au/Schooling/NationalSafeSchools/Pages/Frameworkreview.aspx>> (accessed 29 July 2009)

¹⁸⁶ Email from Ms Leonie Quartermaine, Assistant Director, Student Engagement Section, Inclusive Education Branch, Lifting Educational Outcomes Group, Commonwealth Department of Education, Employment and Workplace Relations, to Principal Council Officer, 13 October 2009; Email from Ms Leonie Quartermaine, Assistant Director, Student Engagement Section, Inclusive Education Branch, Lifting Educational Outcomes Group, Commonwealth Department of Education, Employment and Workplace Relations, to Principal Council Officer, 27 October 2009

¹⁸⁷ Department of Education, Employment and Workplace Relations, The National Safe Schools Framework Review Project

¹⁸⁸ Department of Education, Science and Training, *National Framework for Values Education in Australian Schools*, 2005, p 4
< http://valueseducation.edu.au/verve/_resources/Framework_PDF_version_for_the_web.pdf> (accessed 21 October 2009)

are required to develop and implement their own anti-bullying programs, with the Department encouraging 'schools to develop ownership of locally based strategies that are informed by research and implemented within a whole school plan developed by the school community'.¹⁸⁹

- 4.11** The NSW Department of Education and Training discipline and behaviours policies apply to all New South Wales government schools.¹⁹⁰ As a requirement of registration, all non-government schools must provide a safe and supportive school environment that includes policies and procedures that support the welfare of students and are based on the principles of procedural fairness.¹⁹¹ Both government and non-government schools have committed to the implementation of the National Safe Schools Framework.
- 4.12** In order to assist schools to develop their anti-bullying programs, the NSW Department of Education and Training has implemented two policies, *Student Discipline in Government Schools* and the *Anti-bullying Plan for Schools*, which provide an overarching framework. Both of these policies state that schools and their communities must work to provide a quality learning environment that is inclusive, secure and free from bullying, harassment, intimidation and victimisation.¹⁹²
- 4.13** *Student Discipline in Government Schools* states that a schools' discipline policy must contain four components:
- the Discipline Code or School Rules
 - strategies and practices to promote positive student behaviour, including specific strategies to maintain a climate of respect
 - strategies and practices to recognise and reinforce student achievement
 - strategies and practices to manage inappropriate student behaviour.¹⁹³
- 4.14** The policy defines the responsibilities of teachers, students and staff, and encourages collaboration between all members of the school community in order to 'develop socially responsible young people who are capable of making informed decisions'.¹⁹⁴
- 4.15** The *Anti-bullying Plan for Schools* outlines the requirements for dealing with bullying behaviour and includes guidelines and a framework 'for schools to use to develop and implement an Anti-bullying Plan with specific strategies for identifying, reporting and dealing with bullying behaviours'.¹⁹⁵

¹⁸⁹ NSW Department of Education and Training, *Introduction to effective anti-bullying programs in NSW schools* <<https://www.det.nsw.edu.au/antibullying/introduction.html>> (accessed 29 January 2009)

¹⁹⁰ NSW Department of Education and Training, Policies and Procedures <<https://www.det.nsw.edu.au/policies/index.shtml>> (accessed 27 August 2009)

¹⁹¹ *Education Act 1990* s 47 (g) and (h)

¹⁹² NSW Department of Education and Training, Student Services Directorate, *Discipline in Government Schools*, PD/2006/0316/V02, paragraph 3.1 and Submission 53, Appendix B, *DET Anti Bullying Plan for Schools*, PD 2006/0316, p 4

¹⁹³ *Discipline in Government Schools*, PD/2006/0316/V02, paragraph 1.1

¹⁹⁴ *Discipline in Government Schools*, PD/2006/0316/V02, paragraph 3.4

¹⁹⁵ Submission 53, Appendix B, p 4

- 4.16** The plan emphasises that ‘[s]tudents, 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’¹⁹⁶, and describes the role that each of these stakeholders can play in preventing bullying.

Non-government schools

- 4.17** Catholic schools in New South Wales pursue a comprehensive, faith-based approach to bullying. This approach emphasises dignity and respect as being the fundamental principles that guide all human interaction:

For Catholic schools there is, and has always been, a moral and ethical imperative to act towards others in such a way that their dignity is respected and upheld. Bullying violates the fundamental principles of human dignity and ethical behaviour.¹⁹⁷

- 4.18** Using this principle as the basis for their approach ‘schools have developed their pastoral care programs and discipline policies’¹⁹⁸ and are individually responsible for the oversight and implementation of these policies.¹⁹⁹

- 4.19** The Catholic Education Commission NSW believes that, in conjunction with the faith-based approach, schools can best address bullying and provide a safe and supportive learning environment by:

- responding to students’ needs
- building positive relationships, including fostering family and community linkages
- promoting student well-being.²⁰⁰

- 4.20** The Catholic Education Commission NSW provides guidance to schools by ensuring that ‘the people who are managing our schools are aware of the latest developments and trends’.²⁰¹

- 4.21** The Committee cannot comment on the anti-bullying policies of Independent schools as no evidence was received from Independent schools or their representative bodies, either through submissions or oral evidence.

Implementation of school bullying policies

- 4.22** All NSW schools are required to have an anti-bullying policy. However some Inquiry participants, such as Professor Donna Cross, Child Health Promotion Research Centre, Edith

¹⁹⁶ Submission 53, Appendix B, p 6

¹⁹⁷ Submission 51, p 2

¹⁹⁸ Submission 51, p 2

¹⁹⁹ Mr Ian Baker, Director Policy and Programs, Catholic Education Commission, NSW, Evidence, 11 May 2009, p 12

²⁰⁰ Submission 51, p 2

²⁰¹ Mr Ian Baker, Evidence, 11 May 2009, p 12

Cowan University, were concerned that schools may not be doing enough to implement these policies: 'We often see that there are huge levels of implementation failure – a terrific policy but no-one knows it'.²⁰²

- 4.23** This assertion was supported by respondents to the online consultation, with many young people suggesting that in order to reduce bullying, schools must consistently enforce existing policies and promote more awareness by teachers.²⁰³ One respondent said that it was important to get '... schools to actually follow the policies ...'²⁰⁴, whilst another said that teachers need to '... stick to their words!'.²⁰⁵
- 4.24** Inquiry participants in part linked problems with implementation to what they saw as insufficient oversight by the NSW Department of Education and Training, and suggested that as a first step to encouraging schools to take greater action on bullying, schools should be required to publish their anti-bullying policies.

How can schools be encouraged to implement anti-bullying policies?

- 4.25** Although all public schools are required to develop an anti-bullying policy, schools are not required to submit these policies to the NSW Department of Education and Training for approval. Rather, the School Education Director for the region meets with the principal of each school in their region 'at least once a term' and discusses 'what is happening in relation to key policies in the school and to establish what evidence there is to show that those policies are working'.²⁰⁶
- 4.26** Ms Christine Mason, Executive Member, Secondary Principals' Council of NSW, commented on the role of School Education Directors in overseeing the implementation of anti-bullying policies:
- ... there is a great deal of focus put on regions managing their own area, and I think that is because of the size of the organisation when there are more than 2,000 schools ... As a principal I know I have been asked to submit my school's discipline policy and also an anti-bullying plan. I believe that all principals would have been asked for that by their SEDs [School Education Directors].²⁰⁷
- 4.27** Mr David McKie, Director, Student Welfare (Office of Schools Practice), NSW Department of Education and Training, explained that: 'we do not collect all of the 2,200 [anti-bullying

²⁰² Professor Donna Cross, Children Health Promotion Research Centre, Edith Cowan University Evidence, 11 May 2009, p 50

²⁰³ WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, pp 16-18

²⁰⁴ WestwoodSpice, September 2009, p 20

²⁰⁵ WestwoodSpice, September 2009, p 17

²⁰⁶ Ms Deonne Smith, General Manager, Access and Equity (Office of Schools), Department of Education and Training, Evidence, 6 April 2009, p 15

²⁰⁷ Ms Christine Mason, Secondary Principals Council of NSW, Evidence, 6 April 2009, p 49

policies] centrally but we certainly seek to get copies and work through the regions for ones that the regions want to put forward to us to look at'.²⁰⁸

4.28 The Catholic Education Commission NSW takes a similar approach. Mr Ian Baker, Director Policy and Programs, Catholic Education Commission NSW, explained that 'when it comes to oversight of policies that is a matter for the local school managers'.²⁰⁹

4.29 Inquiry participants expressed concern that while schools are required to have an anti-bullying policy, they may not be doing enough to implement it. According to Mrs Sharon Austin, General Manager, Peer Support Australia:

... yes, of course it is of concern that some schools develop a policy and think they can tick the box and do not do anything else about it. So, I think we do believe that the Government should do something about making sure that those policies are followed through with.²¹⁰

4.30 Rather than subjecting school anti-bullying policies to centralised oversight, several Inquiry participants suggested that schools should be required to publish their anti-bullying policies as an accountability measure. Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia, said that every school should be:

... expected or required to indicate on the web, through their school site, what they are actually doing about bullying. I do not think this means a massive increase in resources because many schools are doing it already but some schools are not.²¹¹

4.31 Professor Rigby added that a benefit of this approach would be to reassure parents and the community that schools are committed to addressing bullying. It would also provide a measure of accountability because 'once you make a statement as to what you are actually doing there is a greater likelihood to do it'.²¹²

4.32 One Inquiry participant, the mother of children who have experienced bullying, believed that publishing school anti-bullying policies would enable parents to know 'what to expect in terms of disciplinary procedures to be implemented at schools and out-of-official-school-hours care'.²¹³ She felt that this 'public scrutiny'²¹⁴ would allow feedback from parents about how schools approach bullying.

4.33 Commenting on the disclosure of anti-bullying policies and programs, Professor Rigby said that any requirement to disclose information must:

²⁰⁸ Mr David McKie, Director, Student Welfare (Office of Schools Practice), Department of Education and Training, Evidence, 6 April 2009, p 24

²⁰⁹ Mr Ian Baker, Evidence, 11 May 2009, p 12

²¹⁰ Mrs Sharon Austin, General Manager, Peer Support Australia, Evidence, 11 May 2009, p 3

²¹¹ Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia, Evidence, 6 April 2009, p 47

²¹² Professor Rigby, Evidence, 6 April 2009, p 47

²¹³ Submission 43, Name suppressed, p 3

²¹⁴ Submission 43b, p 2

... be realistic and therefore I am saying one realistic step in the right direction is to get schools far more public about what they are actually doing maybe along the line it becomes possible to monitor them in a more minute, detailed way.²¹⁵

4.34 The issue of data collection is discussed in the following section.

4.35 At least one other jurisdiction requires schools to publish their anti-bullying policies. The Queensland Department of Education and Training requires that all schools publish their Safe and Supportive Schools policy on their websites.²¹⁶ Queensland schools are also required to give the parents of each newly enrolled student a copy of the *Responsible Behaviour Plan for Students* which outlines the school's approach to behaviour and learning, and the responses to and consequences of unacceptable behaviour.²¹⁷

Committee comment

4.36 The Committee is not convinced that the approach currently pursued by the NSW Department of Education and Training provides parents and students with sufficient information on a school's approach to bullying. The Committee believes that the publication of a school's anti-bullying policy, including on their website, is an important first step to strengthen the accountability of schools, and to involve the school community in the implementation of that policy. The publication of anti-bullying policies will allow parents and other members of the school community to:

- scrutinise a school's implementation of the anti-bullying policy
- understand their responsibilities as members of the school community
- provide feedback on areas requiring improvement.

4.37 The Committee recommends that all schools be required to publish their anti-bullying policies on their websites.

Recommendation 5

That the Minister for Education and Training require all NSW public schools to publish their anti-bullying policies on their school website, and introduce legislation to require all non-government schools to do the same.

²¹⁵ Professor Rigby, Evidence, 6 April 2009, p 48

²¹⁶ Correspondence from Ms Tina Connor, Project Officer, Student Engagement Section, Inclusive Education Strategies Branch, Commonwealth Department of Education, Employment and Workplace Relations, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, to Director, 30 June 2009, p 7

²¹⁷ Queensland Department of Education and Training, Responsible Behaviour Plan for Students < <http://education.qld.gov.au/studentservices/behaviour/bm-plans.html> > (accessed 22 July 2009)

Centralised data collection

4.38 The NSW Department of Education and Training does not have its own statistics on the level of school bullying in New South Wales, because NSW schools are not required to submit data to educational authorities on the level of school bullying. Some Inquiry participants argued that schools should be required to submit data on the levels of bullying, while others opposed the centralisation of data collection.

Policy on centralised data collection

4.39 The NSW Department of Education and Training does not collect ‘centralised data’²¹⁸ on the prevalence of bullying in public schools. The Department therefore has limited information on the level of bullying in NSW public and non-government schools, and whether bullying is increasing or decreasing. The focus of centralised data collection should be to identify the effectiveness of anti-bullying strategies in reducing incidences of bullying.

4.40 Instead of requiring schools to submit data to the Department, the *Anti-Bullying Plan for Schools* places the onus on schools by requiring them to regularly review their plans by ‘gathering and analysing all relevant information on the nature and extent of bullying and harassment, including data that highlights patterns and trends, such as suspension data.’²¹⁹ This information is then reviewed at the regional level by the School Education Director, but is not collected by the Department at a State-wide level. While the *Anti-Bullying Plan for Schools* requires schools to collect data on the level of bullying in their school, and trends in that data, the policy is silent on the method for collecting data (such as through surveys of students, parents and teachers) and the frequency of data collection. The policy does not require schools to use a uniform definition of bullying.

4.41 The Catholic education system pursues a similar approach, placing the impetus on schools to ‘record and track the bullying behaviours’.²²⁰

4.42 Although the public and Catholic school systems do not collect data on the level of bullying, indicative information on the level of bullying in NSW schools is available through the *Australian Covert Bullying Prevalence Study*, which examined the level of school bullying in each State and Territory.

Requirement to submit statistics on bullying

4.43 A number of Inquiry participants suggested that it would be constructive for the NSW Department of Education and Training to require both government and non-government schools to collect and share standardised data on the prevalence of bullying.

4.44 Professor Cross said that ‘you need to have ongoing data collection so you have some understanding of what is happening across the State that you could break up by sector, age

²¹⁸ Mr McKie, Evidence, 6 April 2009, p 14

²¹⁹ Submission 53, Appendix B, p 10

²²⁰ Mr Steven Lemos, Principal, St Marys, Georges Hall, Evidence, 11 May 2009, p 11

and so on'.²²¹ Professor Cross cautioned that it would be 'very destructive' to have such information identifiable by school name.²²²

- 4.45** Mr Steven Lemos, Principal of St Marys, a Catholic primary school at Georges Hall, also suggested that it would be useful for the information gathered by schools in implementing their anti-bullying programs to be centrally collected and examined:

The nth question is: What happens with all of that? A suggestion would be to look at collecting some of that data and interpreting that perhaps as a system, as part of the Catholic education system. I think it is a very critical way of looking at it. It probably needs to be done either as a system or as a whole at the State level.²²³

- 4.46** Ms Gillian Calvert, former Commissioner, NSW Commission for Children and Young People, recognised the importance of collecting information from across the entire education system, not just from public schools:

If we were to do that properly, there would need to be a way to incorporate non-government schools as well, both the Catholic education system and the independent schools, because one-third of our children do not attend Department of Education and Training schools. So if we were to look at data collection, it would need to cover all schools, not just the Department of Education and Training schools.²²⁴

- 4.47** However, there are a number of barriers to collecting data on bullying in schools. As Professor Cross noted, there are concerns that schools may be unfairly stigmatised if data was publicly identified by school name. Professor McGrath from the National Centre Against Bullying explained:

The obvious barrier is that schools still feel that, for example, if they collect information about how much bullying is going on that there is a danger that, (a) in doing so, and (b) in the figures they get, that they will look like a school with a problem with bullying. The reality is that every school has some problem with bullying and every school always will, because it is one of those moral development issues that their children go through.²²⁵

- 4.48** Ms Sandra Craig, Manager, National Centre Against Bullying put forward an additional argument against collecting information from schools:

... schools are now survey-intensive zones. A school might receive any number of surveys during a week. Recently, when we sent out a survey, we found that schools had been surveyed twice or more in the previous six months. They are reluctant to fill out another.²²⁶

²²¹ Professor Cross, Evidence, 11 May 2009, p 52

²²² Professor Cross, Evidence, 11 May 2009, p 52

²²³ Mr Lemos, Evidence, 11 May 2009, pp 11-12

²²⁴ Ms Gillian Calvert, Commissioner, NSW Commission for Children and Young People, Evidence, 11 May 2009, p 36

²²⁵ Professor Helen McGrath, Executive Member, National Centre Against Bullying, Evidence, 6 April 2009, p 7

²²⁶ Ms Sandra Craig, Manager, National Centre Against Bullying, Evidence, 6 April 2009, p 7

4.49 Another barrier to the collection of statistical information is the need to have a consistent methodological approach regarding the data collected. According to Ms Calvert: ‘you would want your data to be comparable between the various school systems’.²²⁷ At present, there is ‘no apparent consistency to the type of data states and territories collect in relation to school bullying’.²²⁸

4.50 Mr McKie said that the NSW Department of Education and Training currently collects information relating to ‘attendance, retention and suspensions.’ If information specific to bullying were to be collected in a similar, centralised way the Department would ‘have to have a clear idea about what we collect and what we do not collect, and we have to ensure that the information is consistent’.²²⁹

4.51 One of the most pressing methodological issues is the absence of a universally agreed definition of bullying (as discussed in Chapter 2). The Centre for Educational Research at the University of Western Sydney said:

Gaining an insight into bullying is meaningless without a clear indication of what bullying actually is. How bullying is defined in research has implications for: (a) how bullying is understood; (b) how bullying is measured and analysed; and (c) the ways in which bullying is prevented in schools and through government policy.²³⁰

4.52 Without a standard definition of bullying that is used by all schools, it would be impossible to compare results because, as Mr Baker said, ‘we will all be comparing the proverbial apples and oranges’.²³¹

4.53 While she acknowledged the barriers to the collection of data on bullying, Professor McGrath observed that data collection is easier if it is undertaken on behalf of the government:

We find that we get far more information from schools when we are supported by government. For example, the Victorian Government study that we did opened doors for us. That took down some of the barriers so that effectively we were given far more access to what was happening in schools than we could achieve perhaps from a university or a national centre base.²³²

4.54 If the barriers to data collection were addressed, some Inquiry participants were still opposed to centralised data collection. According to Mr Brian Chudleigh, Deputy Chair, Public Schools Principals Forum:

... the effectiveness of such policies, like all policies, should be monitored in the first instance through the school education director. The evaluation of those policies needs

²²⁷ Ms Calvert, Evidence, 11 May 2009, p 36

²²⁸ Submission 50, Commonwealth Department of Education, Employment and Workplace Relations, p 5

²²⁹ Mr McKie, Evidence, 6 April 2009, p 15

²³⁰ Submission 21, Centre for Educational Research, University of Western Sydney, p 8

²³¹ Mr Baker, Evidence, 11 May 2009, p 12

²³² Professor McGrath, Evidence, 6 April 2009, p 7

to be anecdotal. If we ask people to note and count incidents of bullying that will cause problems.²³³

- 4.55** Ms Cheryl McBride, Chair of the Public Schools Principals Forum, supported a focus on the trends in the broader school environment, rather than the specific collection of data on instances of bullying:

But it is such a part of the culture of the school and there are obvious symptoms where bullying is becoming a problem in a school. You see it in suspension data and you will see it in your other data ... That should be reported on in some way, shape or form – not the number, but questions should be asked about how it is going within a school; absolutely.²³⁴

- 4.56** Ms Christine Lucas, Director, Student Engagement Section, Commonwealth Department of Education, Employment and Workplace Relations informed the Committee that ‘the Commonwealth does not collect data about bullying from the States and Territories. This is an issue for State and Territory education authorities’.²³⁵ However, Ms Lucas suggested that the issue of data collection could be considered during the current review of the National Safe Schools Framework (discussed earlier in this Chapter).²³⁶

Committee comment

- 4.57** The Committee acknowledges the inherent barriers to centralised data collection on the level of school bullying in New South Wales. These difficulties include the methodological concerns surrounding the collection of consistent and comparable data, the survey-intensive nature of the modern school environment, and the danger of unfairly stigmatising schools as having a ‘bullying problem’.
- 4.58** However, the Committee believes that the NSW Department of Education and Training should improve accountability mechanisms to ensure that schools are implementing effective anti-bullying initiatives, and regularly reviewing the success of those initiatives.
- 4.59** The NSW Department of Education and Training should develop a protocol for schools to report on their policies on bullying prevention and response. This should cover information on incidents of cyber-bullying and bullying that occur off school premises but impact on the school community. Schools should be required to submit these reports annually, with reporting to commence in the 2011 school year.
- 4.60** As a further measure to enhance accountability, the Minister for Education and Training should implement a system of random audits of schools’ anti-bullying policies and reports.
- 4.61** In addition, the Committee believes that the Department must regularly survey students and schools to identify changes in the prevalence of bullying in NSW schools and to review the

²³³ Mr Brian Chudleigh, Deputy Chair, Public Schools Principals Forum, Evidence, 11 May 2009, p 56

²³⁴ Ms Cheryl McBride, Chairperson, Public Schools Principals Forum, Evidence, 11 May 2009, p 57

²³⁵ Ms Christine Lucas, Director, Student Engagement Section, Commonwealth Department of Education, Employment and Workplace Relations, Evidence, 22 June 2009, p 24

²³⁶ Ms Lucas, Director, Evidence, 22 June 2009, p 25

effectiveness of anti-bullying policies. The Committee recommends that the Minister for Education and Training implement a system of sample surveys of schools to assess the incidence, type and impact of bullying, and the effectiveness of anti-bullying policies.

Recommendation 6

That the Minister for Education and Training develop a protocol for schools to report on their policies on bullying prevention and response, and their effectiveness, and to require schools to submit annual reports on bullying in accordance with the protocol. This should include incidents of cyber-bullying and bullying that occurs off school premises, if these incidents impact on the school community.

Reporting should commence in the 2011 school year.

Recommendation 7

That the Minister for Education and Training implement a system of random audits of schools' anti-bullying policies and reports.

Recommendation 8

That the Minister for Education and Training implement a system of sample surveys of schools to assess the incidence, type and impact of bullying, and the effectiveness of anti-bullying policies.

Complaints handling in public schools

- 4.62** The Committee received evidence from several parents of children in NSW public schools who expressed concern at the way their child's school, or the NSW Department of Education and Training, had responded to complaints of bullying.

NSW Department of Education and Training complaints handling policy

- 4.63** The *Anti-bullying Plan for Schools* requires that students, parents, caregivers and teachers be provided with clear procedures to report bullying.²³⁷ School plans to address bullying must include specific strategies for communicating Departmental appeal procedures.²³⁸
- 4.64** The *Complaints Handling Policy* specifies that in general complaints should be resolved informally at the school level,²³⁹ but formal complaints can be made to the next supervisory

²³⁷ Submission 53, Appendix B, p 5

²³⁸ Submission 53, Appendix B, p 9

level if needed. Complaints about teachers and principals can be made to the Employee Performance and Conduct Directorate (EPAC).

- 4.65** Ms Alison Benoit, Acting Leader, Attendance and Discipline (Office of Schools), NSW Department of Education and Training, explained the options for parents to escalate complaints outside of the school environment:

If the parent is not satisfied with what is occurring at the school, they have at least two avenues. One is to talk to the student welfare consultant for that area, who is able to suggest and look at what is happening and try to link back to the school. The other is the school education director for that particular school. Either of those would be able to look into the action in the school.²⁴⁰

Parental concerns about complaints handling

- 4.66** The Committee received a number of submissions from parents who claimed that their child's school, or the NSW Department of Education and Training, had responded inappropriately to incidents of bullying. For example, one parent told the Committee:

... in the last 2 years I feel that I had exhausted all ways to help my daughter with the bullying at school. I approached the school many times and got no interest at all ... Maybe it is in other schools too, but I went for help with the head master and deputy head and got nowhere – treated like I was an imposition on their time ... I sent a letter that I received no response to, that was sent to the school trying to get help. I had an appointment with the head master, deputy head and nothing was done to help.²⁴¹

- 4.67** One parent noted the difficulty she had in trying to get her son's school to acknowledge that he was experiencing bullying:

The bullying started in third grade, first name calling, pinching, hitting ... [I] went several times to respective class teachers trying to bring the bullying to their attention ... but not one teacher would listen to me ...²⁴²

- 4.68** Another parent also experienced difficulties in dealing with her son's school:

I have contacted the school and the Department of Education, the Dept of Education never replies, and # (the school) just says it doesn't happen.

My son was bullied by an older student, physically injured and sent to matron, yet no-one at the school contacted me in relation to my son's injuries! When I contacted the school about the incident, it was suggested that I had over reacted to the situation. I

²³⁹ NSW Department of Education and Training, *Complaints Handling Policy Guidelines*, <www.det.nsw.edu.au/aboutus/epac/index.htm> (accessed 20 July 2009)

²⁴⁰ Ms Alison Benoit, Acting Leader, Attendance and Discipline (Office of Schools), Department of Education and Training, Evidence, 6 April 2009, p 23

²⁴¹ Submission 48, partially confidential, p 1

²⁴² Submission 16, partially confidential, p 1

have avoided supplementary discussions with the school targeting bullying per se, as I believe that there would be further reprisal against my son.²⁴³

4.69 A fourth parent detailed the Department's unsatisfactory response to her concerns:

When I put in 32 pages of evidence that DET staff had acted inappropriately (dates, times, places, names, details etc.), to the SED [School Education Director], this is the response I received:

'I think we've tried very hard to address your concerns and put a great deal of time and effort into that. I regret that you are still so dissatisfied with our response'.²⁴⁴

4.70 Although the Inquiry did not focus on bullying of children by adults in the school environment, one Inquiry participant called for the Department to take stronger action to deal with staff behaving inappropriately:

In order to truly protect the children in its care, the DET needs to take more action with staff who continually behave unprofessionally and unethically ... In some cases, if a parent reports a staff member, their children have become "targets" of the staff in question (illegal suspensions, refusal to assist when being bullied or assaulted, inappropriately interviewed, ridiculed in front of other students etc).²⁴⁵

Committee comment

4.71 The Committee is concerned at the evidence that in some instances, public schools and the NSW Department of Education and Training have not responded appropriately to some parents' reports of bullying. The Committee believes that schools and the Department need to properly address all concerns or complaints from parents about the bullying of their children.

4.72 All parents should be made aware of the Department's *Complaints Handling Policy* and the avenues for escalation if a parent is unsatisfied with a school's response to a complaint about bullying. Parents should also be regularly provided with clear information on the progress of their complaint. This should apply equally across the education system. Therefore, non-government schools should introduce equivalent mechanisms.

4.73 The Committee notes that children and young people can transfer between schools in an attempt to escape ongoing problems with bullying in a particular school environment. As an additional step to provide assistance to schools, students and their families, the NSW Department of Education and Training should investigate the feasibility of allowing schools to access a child or young person's history of either being the victim or instigator of bullying at a any previous school that the child or young person may have attended.

²⁴³ Submission 45, partially confidential, p 5

²⁴⁴ Submission 43a, p 2

²⁴⁵ Submission 43a, p 1

Recommendation 9

That the NSW Department of Education and Training ensure that parents of students in public schools are provided with regular updates on the progress of their complaints about bullying, and that parents are made aware of the avenues for escalation if a school does not adequately address their concerns.

Further, that non-government schools introduce equivalent mechanisms.

Recommendation 10

That the Minister for Education and Training require the NSW Department of Education and Training to investigate the feasibility of allowing schools access to a child or young person's history of either being the victim or instigator of bullying at any previous school that the child or young person may have attended.

Police response

- 4.74** Although most bullying in schools is dealt with by the schools themselves, victims of bullying can also seek the assistance of the police and the legal system. This is commonly the case for more extreme incidents of bullying. This section considers the police response to bullying, and the legal framework relating to bullying offences in New South Wales.

When does bullying become a matter for the police?

- 4.75** It is difficult to determine when bullying should become a matter for the police. According to Dr Marilyn Campbell, Associate Professor, Faculty of Education, Queensland University of Technology, et al, '... bullying by students is usually seen more as a disciplinary matter in schools and not a crime. The police are rarely involved and prosecutions are uncommon.'²⁴⁶
- 4.76** In response to how to determine whether a bullying incident should be dealt with by a school or by police, Superintendent Adam Whyte, Commander of Policy and Programs, NSW Police Force, said:

I think at present it is somewhat of a grey area, and it is a grey area probably for very good reason: each situation needs to be judged on its merits ... One of the things we find is that you really need a victim and quite often with school matters nobody really wants to take it to the policing level. So, quite appropriately, they are dealt with in

²⁴⁶ Submission 22, Dr Marilyn Campbell, Attachment A - Campbell M, Butler D and Kift S, 'A School's Duty to Provide a Safe Learning Environment: Does this Include Cyberbullying?', *Australia & New Zealand Journal of Law and Education*, vol. 13, no. 2, 2008, p 23

schools. However, sometimes from the outside looking in there is a bit of question about the appropriateness of that.²⁴⁷

- 4.77 Sergeant Chris Cotter, State Coordinator, School Liaison Police, NSW Police Force, explained that bullying often was considered to become a police matter ‘... when it is a clear intention by the same perpetrator to continue that behaviour. That is where we are usually called upon from the school: they have been speaking to the parents, they have had some different interventions about the school ...’²⁴⁸

School Liaison Police and Youth Liaison Officers

- 4.78 The School Liaison Police and Youth Liaison Officer programs involve crime prevention workshops conducted by the NSW Police Force for schools, which discuss a variety of issues, including bullying and cyber-bullying. These workshops allow School Liaison Police and Youth Liaison Officers to develop informal relationships with school students and conversely allow ‘young people to engage with the police on issues of personal safety, online safety, their responsibilities and the laws that impact on them’.²⁴⁹

- 4.79 Researchers at Charles Sturt University have conducted an evaluation of the School Liaison Program. The evaluation has been completed but the findings had not been published at the time of writing. The Committee was advised that the evaluation by Charles Sturt University found that ‘... 92.4% of principals surveyed agreed that the SLP [School Liaison Program] initiative was a good idea and 98.9% wished for the program to continue well into the future’.²⁵⁰ Sergeant Cotter advised that the school principals surveyed ‘...loved the program, want it to continue and are very supportive of the school liaison program’.²⁵¹

- 4.80 In addition to providing education and awareness programs, the officers also use restorative justice practices when serious instances of bullying occur. Sergeant Cotter said that once police are involved in an incident, they would aim to organise a Positive Choices conference with the suspected instigator as the first step of the police process. This would allow the victim, with the support of their family, to describe how the bullying has affected them. The instigator would also be asked to explain their behaviour. Sergeant Cotter noted that the presence of the police reassured the victim and their family that the behaviour was being taken seriously, and could have a salutary effect on the bully: ‘our uniform itself has a real effect on people’.²⁵²

²⁴⁷ Superintendent Adam Whyte, Commander of Policy and Programs, New South Wales Police Force, Evidence, 22 June 2009, p 4

²⁴⁸ Sergeant Chris Cotter, State Coordinator, School Liaison Police Program, New South Wales Police Force, Evidence, 22 June 2009, p 5

²⁴⁹ Hon Tony Kelly MLC, Minister for Police, Minister for Lands and Minister for Emergency Services, ‘Minister urges young people to be aware of online bullies’, *Media Release*, 20 November 2008

²⁵⁰ Email from Sergeant Chris Cotter, State Coordinator, School Liaison Police, NSW Police Force, to Principal Council Officer, 30 October 2009

²⁵¹ Sergeant Cotter, Evidence, 22 June 2009, p 11

²⁵² Sergeant Cotter, Evidence, 22 June 2009, p 5

4.81 Superintendent Whyte explained that:

The positive aspect of this conferencing model addresses bullying and antisocial behaviour within schools. The model is based on the restorative justice model and builds upon existing packages delivered in schools. It seeks to provide young people with the advantage of a conferencing opportunity as an early intervention and path to prevention of further bullying, especially where it may amount to an offence ...²⁵³

4.82 Superintendent Whyte gave evidence that School Liaison Police officers would not taken on a prosecutorial role for bullying incidents, in order not to jeopardise their relationship with students and schools.²⁵⁴

Legal framework

4.83 Although police try in the first instance to address bullying in schools through non-legal means, bullying incidents can escalate and become a legal matter. New South Wales does not have a specific offence relating to bullying, although there are both civil and criminal remedies that can be applied: for example, civil action can be taken for defamation, and criminal action can be taken for assault, whether verbal or physical. The difficulty is that legal remedies do not always fit the circumstances of the bullying situation. In addition, police may not be aware of the legal remedies available for cyber-bullying, or may be reluctant to intervene for face-to-face bullying, especially for younger children.

4.84 The NSW Attorney General's Department advised that face-to-face bullying behaviour could fall within the definition of existing criminal offences such as assault, or stalking or intimidation with intent to cause fear or physical or mental harm.²⁵⁵ The penalties for common assault offences are up to two years imprisonment, while the penalties for stalking or intimidation are up to five years imprisonment.²⁵⁶

4.85 Such bullying behaviour could include serious acts of violence or harassment. Indeed, the *Crimes Act 1900 (NSW)* was amended in 2002 by the insertion of section 60E relating to assaults on school grounds, which covers serious cases of bullying on school grounds that amount to assault. The penalties for these offences range from five to seven years imprisonment.²⁵⁷

4.86 The submission by the NSW Government observed that cyber-bullying could be covered by the existing State legislation relating to the offences of stalking and intimidation, including approaches made through electronic means.²⁵⁸ The Commonwealth Department of Education, Employment and Workplace Relations advised that cyber-bullying could also be

²⁵³ Superintendent Whyte, Evidence, 22 June 2009, p 2

²⁵⁴ Superintendent Whyte, Evidence, 22 June 2009, p 6

²⁵⁵ Submission 53, p 31

²⁵⁶ *Crimes Act 1900* s 61 and *Crimes (Domestic and Personal Violence) Act 2007* s 13

²⁵⁷ *Crimes Act 1900* s 60E

²⁵⁸ Submission 53, p 32

covered by the *Criminal Code 1995 (Cth)* relating to the use of a carriage service,²⁵⁹ which provides that use of a carriage service in a way that is menacing, harassing or offensive is punishable with up to three years imprisonment.²⁶⁰ Further, use of a carriage service to threaten to cause serious harm to another person is punishable with up to seven years imprisonment, and a threat to kill another person is punishable with up to 10 years imprisonment.

4.87 The Honourable Alastair Nicholson, Chair of the National Centre Against Bullying and former Chief Justice of the Family Court of Australia, claimed that the current law is inadequate to deal with cases of bullying:

The law has not been designed to cope with bullying, nor has there been any conscious design of laws that are specifically directed at bullying. This means that any attempt to invoke the law is really an attempt to fit the bullying conduct complained of into a legal framework that has really been designed for something else. The result is that legal remedies are rarely very satisfactory in coping with the problem of bullying.²⁶¹

4.88 Mr Nicholson argues that there is an opportunity for Australian legislatures to act to ensure that the law is better adapted to deal with bullying.²⁶²

4.89 If bullying is found to be a civil offence victims may be entitled to compensation. According to Dr Campbell et al: 'Increasingly, targets who may feel powerless in the face of bullying behaviour are turning to the courts to exact some measure of reparation from those responsible'.²⁶³ Mr Nicholson said that the prospect of schools being subject to civil action for damages is 'useful in encouraging school authorities to set up proper systems and policies for dealing with bullying because the absence or inadequacy of such policies is likely to render them liable in damages'.²⁶⁴

4.90 For example, some bullying incidents could amount to the civil offence of defamation. A possible instance of this occurred in May 2009, when two Year 9 students at Ascham, a private Sydney girls' school, posted malicious comments about their classmates on a 'gossip girl'-type website. In the media response to the incident it was suggested that the girls named

²⁵⁹ The *Telecommunications Act 1997 (Cth)* defines a 'carriage service' as a service for carrying telecommunications by means of guided and unguided electromagnetic energy. Carriage services include landline and mobile phones, SMS, internet and intranet services.

²⁶⁰ Answers to questions on notice taken during evidence 22 June 2009, Ms Christine Lucas, Director, Student Engagement Section, Commonwealth Department of Education, Employment and Workplace Relations, p 7

²⁶¹ Nicholson A, 'Legal perspectives on bullying', in McGrath H and Noble T, *Bullying solutions: Evidence-based approaches to bullying in Australian schools*, Pearson Longman, Frenchs Forest, 2006, p 17

²⁶² Nicholson A in McGrath H and Noble T, 2006, p 39

²⁶³ Submission 22, Attachment A, – Campbell M, Butler D and Kift S, 2008, p 24

²⁶⁴ Nicholson A in McGrath H and Noble T, 2006, p 19

on the website could attempt to sue MySpace, which hosted the website, or the girls who posted the comments.²⁶⁵

4.91 Students may also take action in the courts if school authorities fail to protect them from bullying. For example, in June 2009 a former student of Farrer Agricultural High School in Tamworth was awarded almost \$500,000 in damages by the Supreme Court, due to the school's failure to protect him from bullying.²⁶⁶

4.92 Inquiry participants suggested that cyber-bullying may be more likely to become a legal matter because, in contrast to school-yard bullying, there may be no body with the authority to intervene. Dr Campbell et al state that in some cases '... there is simply no other basis on which the conduct might be dealt with, occurring as it does beyond temporal and physical school boundaries'.²⁶⁷

4.93 While there may be an offence covering cyber-bullying, Superintendent Whyte explained that:

One of the biggest problems with the cyber bullying is that although we have offences to utilise it is actually a question of getting the evidence and the proof of those offences because there can be quite a complex web ... in relation to establishing what is going on with the providers. There are a lot of providers, and sometimes there is a significant cost associated with obtaining some of that information. We have to weigh all that sort of stuff up.²⁶⁸

4.94 In addition to the cost of obtaining evidence on cyber-bullying, Senior Constable Dave Browne, School Liaison Officer, Fairfield, highlighted the difficulties of working with social networking sites hosted overseas:

My own experience is with the social networking sites it is very difficult for me, as a police officer, to obtain information from those places. I have tried. I have contacted Bebo support and I am happily told by them in an email, "We like working with law enforcement; send us a warrant and we will give you the information." Unfortunately, a warrant from New South Wales Police has no jurisdiction in the United States.²⁶⁹

Police response to allegations of bullying

4.95 The Committee heard evidence that there can be variations in how police respond to reports of bullying, and in particular cyber-bullying. In relation to cyber-bullying, Ms McLean claimed that '... police around Australia are ill-equipped to deal with these sorts of new crimes because State and Territory police are not upskilling their members'.²⁷⁰ She added:

²⁶⁵ Patty A and Gilmore H, 'Mean girls: Mother speaks out on Ascham bullying', *Sydney Morning Herald*, 9 May 2009 <<http://www.smh.com.au/news/home/news/general/mean-girls-mother-speaks-out/2009/05/08/1241727605725.html>> (accessed 11 June 2009)

²⁶⁶ *Gregory v State of New South Wales* [2009] NSWSC 559

²⁶⁷ Submission 22, Attachment A – Campbell M, Butler D and Kift S, 2008, p 23

²⁶⁸ Superintendent Whyte, Evidence, 22 June 2009, p 3

²⁶⁹ Senior Constable Dave Browne, School Liaison Officer, School Liaison Program, Fairfield, Evidence, 22 June 2009, p 12

²⁷⁰ Ms Susan McLean, Cyber-safety advisor, Evidence, 22 June 2009, p 31

The problem is that Constable Jones at the local police station has no idea and people get fobbed off ... I forever, even when I was in the police force, used to get calls from people who had been fobbed off at different police stations, seeking advice “where to from here”. To be honest, too, until I started to study this I probably had never heard of use a carrier service to menace, harass or cause offence ... the other offences are not, I suppose, your bread and butter offences.²⁷¹

4.96 Ms McLean also pointed out that while State police forces have e-crimes units, they were not established to focus on issues such as cyber-bullying: ‘Victoria Police has the e-crime unit but they are e-crime, “I embezzled \$5 million from your bank account” type investigators. They are not interested in dealing with this sort of stuff.’²⁷²

4.97 The Committee heard from the mother of a young victim of school-based bullying that some police officers are reluctant to investigate bullying by young children:

There is a great inconsistency in the approach different police officers (youth liaison officers in particular) take when dealing with a problem involving under 10-year olds. For example, in one instance based on the same background information, one officer offered to mediate a meeting between the two sets of parents. It then turned out that they couldn’t as the school involved was not in their jurisdiction. The same information was given to the officer in the appropriate area command (one suburb away), who responded by stating “I will not intervene.” It is essential that the service offered by police to parents and the community is not subject to such variation in quality.²⁷³

4.98 The submission maker recommended that:

The amount of support received by a family should not depend on the individual attitude of the Police Youth Liaison Officer at the area command they are in the region for.

I put it to the committee that better training and more stringent guidelines be made available to assist Police Youth Liaison Officers to better support local families.²⁷⁴

Committee comment

4.99 The Committee believes that legal remedies have an important role to play in addressing the most severe incidents of bullying. However, for most incidents of bullying, it will be important to take a proactive prevention and protection approach to educate students about bullying and cyber-bullying, as is discussed later in this report. The Committee supports the efforts of the School Liaison Police to educate students about bullying and cyber-bullying.

4.100 The Committee acknowledges that the existing legal framework for dealing with bullying is not perfect, and can be inadequate for dealing with serious incidents of bullying. The Committee believes that the NSW Attorney General should examine the adequacy of the

²⁷¹ Ms McLean, Evidence, 22 June 2009, p 34

²⁷² Ms McLean, Evidence, 22 June 2009, p 34

²⁷³ Submission 43, p 3

²⁷⁴ Submission 43a, p 3

current legal framework for bullying related offences, and identify any legislative changes that could enhance the legal protection provided to victims of bullying and cyber-bullying.

Recommendation 11

That the NSW Attorney General examine the adequacy of the existing legal framework for bullying related offences, and identify any legislative changes that could enhance the legal protection provided to victims of bullying and cyber-bullying.

- 4.101** The Committee further believes that there should be a focus on improving the police response to incidents of bullying. A key area for improvement should be building expertise in cyber-bullying.
- 4.102** The Committees notes that there are forty School Liaison officers around New South Wales. Although the evaluation of the School Liaison Police program by Charles Sturt University has not been published at the time of writing, the Committee has received preliminary advice that the findings are very positive. Taking into account the findings of the evaluation, the Committee supports an increase in the number of School Liaison Police, as a crucial element of school-based prevention and intervention efforts to address bullying.
- 4.103** The Committee believes that not only could the School Liaison Police be effective in working with children and young people to address bullying, but that these police could also provide an important source of expertise for their police colleagues in relation to their efforts to address cyber-bullying.

Recommendation 12

That the Minister for Police consider the employment of additional officers to work in the School Liaison Police program, taking into account the findings of the evaluation by Charles Sturt University.

- 4.104** In addition, given the concern raised in evidence about the variation in support provided by School Liaison Police, all School Liaison Police should be provided with consistent training and guidelines to ensure that the best possible support and advice is provided to school students who are experiencing bullying or cyber-bullying, and their families.

Recommendation 13

That the Minister for Police ensure that all School Liaison Police are provided with consistent training and guidelines to ensure that the best possible support and advice is provided to school students who are experiencing bullying or cyber-bullying, and their families.

- 4.105** As an additional measure to highlight the potential legal ramifications of bullying and cyber-bullying, the Committee recommends that the NSW Department of Education and Training require all NSW public schools to have information on their school websites that outlines the legal situation in regards to bullying and cyber-bullying. Each school website should also provide contact information for the School Liaison Police and support services such as Kids Helpline.

Recommendation 14

That the NSW Department of Education and Training require all NSW public and non-government schools to have information on their school websites that outlines the potential legal ramifications of bullying, and provides contact information for the School Liaison Police and support services such as Kids Helpline.

Chapter 5 Effectiveness of school-based prevention & intervention programs

A key message from Inquiry participants is that many bullying initiatives have achieved only modest reductions in levels of bullying. One of the contributing factors may be the lack of evidence to support the use of many anti-bullying programs. This Chapter begins by considering the idea of evidence-based practice, and the evidence base available to support anti-bullying programs. This is followed by a discussion of the bullying prevention programs used in New South Wales, and how to provide schools with guidance on identifying evidence-based practices appropriate for use in their schools. Next, the Chapter examines the effectiveness of the major intervention methods for addressing incidents of bullying.

Evidence-based practice

- 5.1** Inquiry participants stressed the importance of schools using evidence-based programs to address bullying. This section discusses the meaning of ‘evidence-based practice’, the distinction between prevention and intervention programs, and the evidence base developed to date.

What is evidence-based practice?

- 5.2** The National Safe Schools Framework defines evidence-based practice as ‘the integration of professional wisdom with the best available empirical evidence in making decisions about how to deliver instruction’.²⁷⁵ Professional wisdom is ‘the judgment that individuals acquire through experience’, whilst empirical evidence includes ‘scientifically based research’ that is used to ‘compare, evaluate and monitor’.²⁷⁶
- 5.3** The National Centre Against Bullying states that evidence-based practice is ‘based on a critical synthesis of relevant, recent and credible research and theory to make decisions about school-level actions and programs’.²⁷⁷ Whilst this definition does not incorporate the influence of professional wisdom, the Centre does say that evidence-based practice:

... considers research that has been carried out in different countries, cultures, school systems and student populations, but recognises that this may need to be evaluated for appropriateness for Australian culture and educational systems, and to particular school contexts.²⁷⁸

²⁷⁵ Commonwealth Department of Education, Science and Training, *Resource pack for the National Safe Schools Framework, 2003*, p 45, accessed 17 August 2009, <<http://www.dest.gov.au/NR/rdonlyres/0CA3FE2B-6640-46EF-959A-4AF4A917F183/1641/resourcepack.pdf>>

²⁷⁶ Department of Education, Science and Training, 2003, p 46

²⁷⁷ Submission 30, National Centre Against Bullying, p 10

²⁷⁸ Submission 30, p 10

- 5.4 The Centre suggests that the term evidence-informed practice, instead of evidence-based practice, may better reflect that ‘what works in one social context or school environment may not be appropriate in a different context’.²⁷⁹
- 5.5 The Centre advised that there are a range of means to evaluate a program’s evidence base, each of which contributes to understanding how anti-bullying programs work in different environments:
- meta-analysis or review of a large amount of research information
 - individual and replicable scientific studies
 - research studies, published case studies and narratives
 - teachers’ own action research within their school environment
 - school-based evaluations of effectiveness.²⁸⁰

The difference between prevention and intervention

- 5.6 Anti-bullying programs may seek to prevent bullying behaviour, or to intervene when bullying behaviour has occurred.
- 5.7 Preventative programs are usually educational measures that aim to teach members of the school community about the harmfulness of bullying behaviours and to share strategies and skills to prevent bullying. Intervention is aimed at stopping and deterring the bullying behaviour and providing ‘an outcome that is regarded as just’.²⁸¹
- 5.8 The distinction between prevention and intervention program can become blurred. Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia observed that:

It is a false distinction in a way, because if you are intervening very well you are also preventing, and if you are preventing very well there is no need for any intervention. But there is a broad distinction between the two.²⁸²

The evidence base developed to date

- 5.9 Over the last two decades there have been many overseas evaluations of the effectiveness of various anti-bullying programs.

²⁷⁹ Submission 30, p 10

²⁸⁰ Submission 30, p 10

²⁸¹ Rigby K, ‘An overview of approaches to managing bully/victim problems’ in McGrath H and Noble T (eds), *Bullying Solutions: Evidence-based approaches to bullying in Australian schools*, Frenchs Forest, Pearson Longman, 2006, pp 149-161, p 150

²⁸² Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia, Evidence, 6 April 2009, p 43

- 5.10** The first major study of the implementation of an anti-bullying program was conducted in Norway in the 1980s. This study evaluated an anti-bullying program based on the pioneering work of Professor Dan Olweus,²⁸³ who initiated the world's first systematic bullying research in the 1970s.²⁸⁴
- 5.11** The Olweus Bullying Prevention Program is a 'rules and sanctions'-based program for bullying prevention and intervention. The Program is a whole-school initiative involving participation by parents, teachers and the wider community, and aims to restructure school environments to discourage bullying from occurring.²⁸⁵ The results from the initial study were impressive, with reductions in bullying of up to 50 per cent. However, such large improvements were unable to be replicated in subsequent evaluations of the Program.²⁸⁶
- 5.12** Evaluations of anti-bullying initiatives have found them to in general be of limited effectiveness. According to Professor Rigby: 'on average, reductions in bullying have been around 15 per cent of children being victimised at school. They have generally been greater in primary than in secondary schools'.²⁸⁷
- 5.13** A recent review of the effectiveness of 30 of the highest-quality anti-bullying programs being implemented internationally arrived at a more encouraging result. The researchers, Professor David Farrington and PhD candidate Ms Maria Ttofi, found that bullying was reduced by 20-23 per cent in experimental schools compared with control schools.²⁸⁸
- 5.14** Respondents to the online survey were concerned about the effectiveness of the anti-bullying programs that had been implemented by schools. Although more than half of respondents said that they had attended anti-bullying programs at school, 65 per cent of these respondents felt that these programs made little or no difference to the level of bullying: 'The schools don't enforce the programs' and '[s]chool seems to put the problem under the rug'.²⁸⁹
- 5.15** In addition to the lack of commitment from schools to consistently implement the programs, one respondent said that the program content itself was not particularly useful:

²⁸³ Pronounced 'ol-vay-us'

²⁸⁴ Olweus Bullying Prevention Program, Research and History, <http://www.olweus.org/public/bullying_research.page> (accessed 22 July 2009)

²⁸⁵ Rigby K, *A Meta-evaluation of Methods and Approaches to Reducing Bullying in Pre-schools and Early Primary School in Australia*, Appendix 4: Evaluations of Programs to Counter Bullying in Schools pp 33-66, p 47

²⁸⁶ Rigby K, 'How successful are anti-bullying programs for schools?', paper presented at The Role of Schools in Crime Prevention Conference, Melbourne, September – October 2002, p 3

²⁸⁷ Rigby K, 'What international research tells us about bullying' in McGrath H and Noble T (eds), *Bullying Solutions: Evidence-based approaches to bullying in Australian schools*, Frenchs Forest, Pearson Longman, 2006, p 10

²⁸⁸ Farrington D and Ttofi M, 'Reducing School Bullying: Evidence-Based Implications for Policy,' in Tonry M (ed), *Crime and Justice*, 2009, Vol 38, pp 1-55, p 3

²⁸⁹ WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, p 16

We do stupid stuff like what would you do in a situation or 'Stop, I don't like it' but bullies are much more cruel and won't be easily stopped by that. Teachers don't seem to understand its a lot more complex even to report bullying and if we do try to explain they just say 'do whats right, who cares about what others think'.²⁹⁰

- 5.16** Respondents were critical of the repetitive nature of the anti-bullying programs that they had attended: 'They all have the same old boring stuff about how it's bad and your not the only one going through it ... tell me something I don't already know, like different to the last 5 discussions'.²⁹¹
- 5.17** It was further suggested that one of the reasons for the lack of success is that the programs do not effectively engage the audience: 'For teenagers these programs are pretty boring and not interesting to us. Because it's not interesting most teens don't take it in or remember it'.²⁹²
- 5.18** Promising early results are emerging from the KiVa program implemented in Finland in 2006. KiVa has a strong focus on bystander behaviour. As with the initial study of the Olweus Bullying Prevention program, the first phase of evaluation showed KiVa achieved reductions in bullying of up to 50 per cent.²⁹³
- 5.19** As Australian researchers have noted, not only are the rates of improvement following the implementation of anti-bullying initiatives fairly modest, but this evidence is almost exclusively drawn from overseas studies. The lack of independent evaluative evidence about the effectiveness of Australian anti-bullying programs was highlighted in the 2003 National Safe Schools Framework.²⁹⁴
- 5.20** According to Professor Rigby, even though Australian educators can learn from overseas work, 'there is always the suspicion that generalisations across cultures may not be valid'.²⁹⁵
- 5.21** The Centre for Educational Research at the University of Western Sydney noted the 'paucity of research-based Australian educational resources to address school bullying' and recommended that 'a suite of research-based Australian developed educational resources targeting teachers, parents, and children are developed...'.²⁹⁶

²⁹⁰ WestwoodSpice, September 2009, p 16

²⁹¹ WestwoodSpice, September 2009, p 15

²⁹² WestwoodSpice, September 2009, p 15

²⁹³ KiVa Koulu, *KiVa Program in a nutshell*, <http://www.kivakoulu.fi/index.php?option=com_content&task=view&id=56&Itemid=171> (accessed 21 October 2009)

²⁹⁴ Commonwealth Department of Education, Science and Training, *National Safe Schools Framework, Research Summary - Key information from the literature about bullying*, 2003, p 9, accessed 17 August 2009 <www.dest.gov.au/sectors/school_education/publications_resources/profiles/national_safe_schools_framework.htm>

²⁹⁵ Commonwealth Department of Education, Science and Training, *National Safe Schools Framework, Research Summary - Key information from the literature about bullying*, 2003, p 9, accessed 17 August 2009 <www.dest.gov.au/sectors/school_education/publications_resources/profiles/national_safe_schools_framework.htm>

²⁹⁶ Submission 21, Centre for Educational Research, p 16

What has the research shown to date?

5.22 The modest achievements of the anti-bullying initiatives developed to date shows the difficulty of identifying evidence-based practice for use in New South Wales and elsewhere. However, taking into account the research work undertaken thus far, the research community is in agreement on some of the core principles that underpin evidence-based programs: first, that one-off bullying programs are ineffective; and second, the greater effectiveness of whole-school programs. The research also highlights some important themes about how children and young people would like adults to address bullying.

One-off bullying programs

5.23 There was universal agreement among Inquiry participants that ‘one-off’ anti-bullying programs have little if any impact on the level of bullying in schools. As Ms Sandra Craig, Manager of the National Centre Against Bullying, told the Committee: ‘... the research proves very convincingly that one-offs are just no earthly good, well meaning but not useful’.²⁹⁷

5.24 According to Professor Donna Cross of the Child Health Promotion Research Centre at Edith Cowan University, anti-bullying initiatives need to be sustained to have an impact:

To get an effect you need an adequate dose. For example, if I have a cold I need the right amount of medicine to get rid of that cold. A one-off visit to the school might make me feel better for the day but it will not get rid of my cold. It needs to be sustained ...²⁹⁸

5.25 Professor Cross also pointed out that programs that target a particular section of a school, such as a group of students or a particular class, are less effective than programs that seek to influence the whole school community.²⁹⁹

5.26 Over the past decade anti-bullying researchers have favoured ‘universal’ bullying prevention programs that focus on the social and emotional learning and development of **all** students and teachers, as well parents. These programs are often referred to as ‘whole school’ approaches.³⁰⁰ The work of Olweus in Norway during the 1980s is seen as the ‘blueprint’ for interventions generally referred to as ‘whole school’.³⁰¹

²⁹⁷ Ms Sandra Craig, Manager, National Centre Against Bullying, Evidence, 6 April 2009, p 5

²⁹⁸ Professor Donna Cross, Professor, Children Health Promotion Research Centre, Edith Cowan University, Evidence, 11 May 2009, p 47

²⁹⁹ Answers to questions on notice taken during evidence 11 May 2009, Professor Donna Cross, Professor, Children Health Promotion Research Centre, Edith Cowan University, Mandurah Bullying Prevention Project, Project Summary, p 5

³⁰⁰ Commonwealth Department of Education, Science and Training, *National Safe Schools Framework, Research Summary - Key information from the literature about bullying*, 2003, p 8

³⁰¹ Submission 21, p 11

Whole-school bullying prevention programs

5.27 According to Professor Cross, whole-school interventions incorporate bullying prevention into a school's policy, ethos and curriculum, and aim to influence the attitudes of everyone in the school community, including school staff and parents.³⁰²

5.28 Professor Cross advised the Committee that such approaches must encompass the whole school community, not a subset:

What we learned from our very first study, called Friendly Schools, was that we did not give a big enough dose to the school. We only worked with a pocket of children, and we only touched on helping parents. Our second study is called Friendly Schools Friendly Families, because we recognised we needed to spend a lot more time with families and, obviously, the whole school in bringing them up to speed.³⁰³

5.29 Mr David McKie, Director, Student Welfare (Office of Schools), NSW Department of Education and Training acknowledged that a focus on relationships within a school, as well as between schools and their communities, including parents, is integral to the whole school ethos:

We see bullying as multi-contextual; that is, it needs to involve the community, the parents and school body working together. It is a very relationship-oriented issue. It is also about the way that people interrelate with one another.³⁰⁴

5.30 According to the Commonwealth Department of Education, Science and Training (now known as the Department of Education, Employment and Workplace Relations), the clear message from the literature is that a 'whole school approach', in which the resources of the whole school community are drawn upon and coordinated in a systemic manner in addressing the problem of bullying, is much more likely to be effective than 'single-factor interventions'.³⁰⁵

5.31 More work needs to be done however to determine the effectiveness of whole-school interventions in addressing cyber-bullying. Cyber-bullying is discussed in Chapter 7.

Young people's views on responding to bullying

5.32 The research undertaken to date has shown that children and young people have strong views about how they would like their teachers and parents to respond if they are told about bullying. Such views must be taken into account if we are to respond more effectively to bullying.

³⁰² Answers to questions on notice taken during evidence 11 May 2009, Professor Cross, p 5

³⁰³ Professor Cross, Evidence, 11 May 2009, p 47

³⁰⁴ Mr David McKie, Director, Student Welfare (Office of Schools), NSW Department of Education and Training Evidence, 6 April 2009, p14

³⁰⁵ NSW Department of Education, Science and Training, *National Safe Schools Framework, Research Summary - Key information from the literature about bullying*, 2003, p 8

- 5.33** Children and young people may be reluctant to report bullying to adults due to the fear that their response will lead to an escalation in the bullying. The *Australian Covert Bullying Prevalence Study* found that ‘seeking help from an adult was not always effective, with more students indicating the bullying situation stayed the same or got worse (45%) instead of improving (28%)’.³⁰⁶
- 5.34** Mr John Dagleish, Manager, Strategy and Research, BoysTown, explained that children and young people can be reluctant to report bullying to adults because they are embarrassed, they fear that their concerns will be trivialised, or they think they will be blamed for not standing up to the bully.³⁰⁷
- 5.35** The *Australian Covert Bullying Prevalence Study* found that students most commonly reported covert bullying behaviour to friends (64%), followed by parents or guardians (57%) and teachers (46%).³⁰⁸
- 5.36** The findings of the Study are supported by the results of the online consultation conducted by the Committee. According to the online consultation, children and young people are most likely to report bullying to friends (54%), parents or carers (48%) or a teacher (38%).³⁰⁹
- 5.37** The BoysTown submission noted that, in an online Kids Helpline survey on cyber-bullying, ‘only 23 of the 47 participants had informed an adult about being cyber-bullied even though this group was actively seeking help as evidenced by the contact with Kids Helpline’.³¹⁰
- 5.38** Ms Sharlene Chadwick, Training and Development Manager, Peer Support Australia said: ‘For secondary students, if we start encouraging them to report, we get this massive, “No, I’m not doing that, because if I report this is happening it will get worse” ... So that code of silence is quite difficult to work through.’³¹¹
- 5.39** Respondents to the online consultation shared the concerns that reporting bullying can lead to worse outcomes: ‘Don’t teach us to tell teachers about it! It calms down for a bit, but after it just becomes worse’.³¹²
- 5.40** Children and young people are worried that adults will respond in a way that does not take their wishes into account. According to Dr Marilyn Campbell, Associate Professor, Faculty of Education, Queensland University of Technology, children and young people will only report bullying to adults if they are confident that:

³⁰⁶ Child Health Promotion Research Centre, Edith Cowan University, *Australian Covert Bullying Prevalence Study*, March 2009, p xxvii

³⁰⁷ Mr John Dagleish, Manager, Strategy and Research, BoysTown, Evidence, 6 April 2009, p 25

³⁰⁸ Child Health Promotion Research Centre, Edith Cowan University, March 2009, p xxvii

³⁰⁹ WestwoodSpice, September 2009, p 12

³¹⁰ Submission 28, BoysTown, p 13

³¹¹ Ms Sharlene Chadwick, Training and Development Manager, Peer Support Australia, Evidence, 11 May 2009, p 6

³¹² WestwoodSpice, September 2009, p 22

... if they tell their father he is not going to say, "Tell me who's done this to you. I'll go and knock their block off". Parents are so concerned and emotionally involved, that is their first reaction ... Kids also fear what adults can do and in a school, teachers are incredibly powerful.³¹³

- 5.41** Professor Helen McGrath, Executive Member of the National Centre Against Bullying, explained that children and young people are being bullied tend to support non-punitive responses, because they fear the repercussions on their social life if the bully is punished.³¹⁴
- 5.42** However, the results of the online survey suggested that children and young people are supportive of a punitive response to bullying, with 37 per cent of respondents advocating for stricter punishments and consequences for people who bully others.³¹⁵ One respondent observed that '... harsher sanctions for the bullies stopped them from doing it again'.³¹⁶

Prevention programs in New South Wales

- 5.43** Numerous bullying prevention programs are being used in NSW schools. Some of these programs are whole-school programs that draw on evidence-based practice, while others have little reference to the body of anti-bullying research. Inquiry participants suggested that given the numerous anti-bullying programs available, schools need greater assistance to identify the programs most appropriate to their circumstances.

Overview of anti-bullying programs used in NSW schools

- 5.44** During the Inquiry the Committee became aware of a plethora of programs to address bullying in schools.³¹⁷ In relation to the array of anti-bullying programs, Professor Cross advised the Committee that 'schools are just buried. They tell us every day there is a new resource that comes across their desks'.³¹⁸
- 5.45** Professor Cross cautioned that few of the programs used in schools are evidence-based: 'While many resources have been provided to schools and produced ad nauseum, almost none relies on empirical evidence to support their usefulness'.³¹⁹
- 5.46** The Centre for Educational Research also noted that 'Despite a plethora of anti-bullying interventions very few of these have been demonstrated by rigorous research to result in the

³¹³ Dr Marilyn Campbell, Associate Professor, Faculty of Education, Queensland University of Technology, Evidence, 6 April 2009, p 39

³¹⁴ Professor Helen McGrath, Executive Member of the National Centre Against Bullying, 6 April 2009, p 10

³¹⁵ WestwoodSpice, September 2009, p 18

³¹⁶ WestwoodSpice, September 2009, p 16

³¹⁷ See for example Submission 15, 17, 18, 19 and 23

³¹⁸ Professor Cross, Evidence, 11 May 2009, p 51

³¹⁹ Professor Donna Cross, Evidence, 11 May 2009, p 42

intended outcomes'.³²⁰ The Centre argued that 'currently too many Australian schools are using interventions which are not evidence based'.³²¹

5.47 The resources available to assist parents and schools to address cyber-bullying were identified as a particular cause for concern. According to the Child Health Promotion Research Centre: '... most address cyber safety issues without specifically addressing bullying, and none have been empirically evaluated'.³²²

5.48 Professor Cross argued that that some anti-bullying programs being used in Australian schools may in fact be counter-effective, namely '... there is a positive intent but the effect is negative'.³²³

5.49 In relation to the numerous anti-bullying programs available for use in schools, Professor Cross said that schools need a filtering mechanism to identify those that are most effective.³²⁴

5.50 Ms Cheryl McBride, Chairperson, Public Schools Principals Forum, supported more guidance for schools in identifying evidence-based programs: 'good examples of best practice where it has worked with a specific group of students – either victims or bullies – would be useful'.³²⁵

5.51 Schools need assistance to determine which programs are best suited to their unique school environments, according to the National Centre Against Bullying:

Schools use a variety of programs or program elements to address bullying; some have a strong base of evidence to support them, others do not. Presently no tool exists with which schools can audit these; and they are presently searching across other jurisdictions and attending national forums. An auditing tool needs to be developed so that schools can more accurately assess whether a particular program or implementation fits their particular needs, especially since a combination of actions has been shown to produce the most effective results.³²⁶

5.52 Mr McKie advocated more collaboration between schools and research practitioners to identify effective programs: '... a whole range of approaches need to be available and principals need to know where they are evaluated to be working'.³²⁷

³²⁰ Submission 21, p 16

³²¹ Submission 21, p 16

³²² Child Health Promotion Research Centre, Edith Cowan University, *The Cyber Bullying Project: How cyber technology is affecting relational aggression and teenage health*, April 2009, p 24, citing the Australian Communications and Media Authority 2009

³²³ Professor Cross, Evidence, 11 May 2009, p 42

³²⁴ Professor Cross, Evidence, 11 May 2009, p 51

³²⁵ Ms Cheryl McBride, Chairperson, Public Schools Principals Forum, Evidence, 11 May 2009, p 55

³²⁶ Submission 30, p 8 citing Canberra, 2007 and McGrath and Noble, 2006

³²⁷ Mr McKie, Evidence, 6 April 2009, p 16

Whole-school bullying prevention programs in NSW

5.53 During the Inquiry, the Committee became aware of several whole-school approaches to bullying in use in NSW schools. These include the Friendly Schools, Friendly Families program, and programs run by Peer Support Australia. The Committee also observed whole-school prevention initiatives in two public primary schools: the Positive Behaviour for Learning program at William Deane Public School, and a Restorative Practice Framework in place at Rozelle Public School.

Friendly Schools, Friendly Families

5.54 The Friendly Schools, Friendly Families program was developed by the Child Health Promotion Research Centre. The program is a whole-school bullying intervention for primary schools, which aims to reduce bullying and increase the ability of teachers, students and parents to respond effectively. The program is in place in numerous schools in all Australian States and Territories.³²⁸

5.55 The goals of the program include to provide all students with opportunities to develop and practice social skills through classroom learning activities, encourage all staff, students and parents to treat all school community members with respect and tolerance, and to implement a clear and consistent approach to managing bullying incidents.³²⁹

5.56 The main conclusion of a self-conducted evaluation of Friendly Schools, Friendly Families was that ‘positive changes in 9-12 year old students’ experiences with bullying behaviours can be achieved through implementation of a whole-school program that includes capacity building and active parental involvement’.³³⁰

5.57 In addition, the evaluation found that to maximise effectiveness, prevention efforts should begin prior to Year Six, as behaviours become harder to influence as children get older, and that there needs to be a sustained effort of at least two years implementation for lasting change to be achieved.³³¹

Peer Support Australia

5.58 The programs delivered by Peer Support use peer-led, skills-based, experiential learning ‘which fosters the mental, social and physical well-being of young people and their community’.³³² Peer Support Australia also provides training and professional development for teachers and parents.

³²⁸ Friendly Schools & Families, *Development of the Program* <<http://www.friendlyschools.com.au/about.php#devprogram>> (accessed 11 June 2009)

³²⁹ Friendly Schools & Families, *Parents*, <<http://www.friendlyschools.com.au/parents/index.php>> (accessed 29 January 2009)

³³⁰ Cross D, Waters S, Pearce T, Shaw T, Hall M, Erceg E, Hamilton G, Roberts C, Burns S, ‘The Friendly Schools Friendly Families Program: Three-year bullying behaviour outcomes in primary school children’, Accepted with revisions: *British Journal of Educational Psychology*, p 27

³³¹ Cross D, Waters S, Pearce T, Shaw T, Hall M, Erceg E, Hamilton G, Roberts C, Burns S, Accepted with revisions: *British Journal of Educational Psychology*, p 27, citing Wagner and Butler 1990

³³² Submission 12, Peer Support Australia, p 4

- 5.59** The Peer Support programs support positive cultural change within schools by incorporating a range of strategies developed through collaboration with members of the whole school community.³³³ Over 1,400 public and non-government schools across New South Wales, the Australian Capital Territory, Queensland and Tasmania have implemented the Peer Support program.³³⁴
- 5.60** The Peer Support program has been evaluated several times. An evaluation by the University of Western Sydney in 2003 found that the program:
- assists students to successfully negotiate the transition from primary to secondary school
 - improves relationships with peers and teachers
 - successfully changes attitudes toward bullying behaviours.³³⁵

Rozelle Public School – restorative practices

- 5.61** Circle time programs are a type of restorative justice practice used in NSW schools. Circle time involves structured, weekly sessions where participants sit in a circle to discuss ‘a theme that has been identified as an issue among the students or school’.³³⁶ The Committee observed the use of circle time practices at Rozelle Public School (see Appendix 3).
- 5.62** The three aims of circle time are to:
- develop a supportive class ethos
 - increase the social and emotional skills of students
 - increase connectedness, resilience and well-being.³³⁷
- 5.63** An evaluation of circle time conducted by the University of Western Sydney found that as a consequence of using circle time, ‘[s]tudents were more courteous and paid better attention to their teachers; they showed increased caring and concern for their classmates ...’.³³⁸ The study also found that benefits are maximised when a whole of school approach is taken to embed circle time practices into ‘the routine of the school’.³³⁹

³³³ Peer Support Australia, *Who are we?*, <<http://peersupport.edu.au/about.html>> (accessed 12 June 2009)

³³⁴ Peer Support Australia, *How many other schools implement the Peer Support program?*, <<http://peersupport.edu.au/faqs.html#q05>> (accessed 12 June 2009)

³³⁵ Submission 12, p 19

³³⁶ Correspondence from Dr Sue Roffey, Adjunct Fellow, Centre for Educational Research, University of Western Sydney to Chair, 13 July 2009, p 2

³³⁷ Correspondence from Dr Sue Roffey, 13 July 2009, p 24

³³⁸ Correspondence from Dr Sue Roffey, 13 July 2009, p 24

³³⁹ Correspondence from Dr Sue Roffey, 13 July 2009, p 25

William Dean Public School – Positive Behaviour for Learning

- 5.64** The Positive Behaviour for Learning program uses a whole-school approach to address problem behaviour and reduce its effects on student outcomes and on the school community as a whole. The Program is a systems approach that relies on the collection of data to ‘provide[s] a scaffold to support schools and regions to implement major government initiatives’.³⁴⁰ Students are taught what is expected of them, and rewarded for meeting those expectations in an attempt to establish a positive learning culture.³⁴¹ The Committee observed the use of Positive Behaviour for Learning at William Dean Public School (see Appendix 3).
- 5.65** The program is derived from the Positive Behaviour Interventions and Supports program developed by the Office of Special Education Programs Technical Assistance Centre in the United States of America. Schools throughout New South Wales, most notably in the Western Sydney Region of the NSW Department of Education and Training, have used the program.³⁴²
- 5.66** The Positive Behaviour for Learning program was evaluated by the University of Western Sydney in 2008. The evaluation found that ‘... the introduction of PBL [Positive Behaviour for Learning] has made significant positive changes to the capacity of DET schools in WSR [Western Sydney Region] to respond effectively to students’ behaviour’.³⁴³

Assisting schools in identifying evidence-based programs

- 5.67** According to the Commonwealth Department of Education, Science and Training (now known as the Department of Education, Employment and Workplace Relations), the most useful evidence base for use by Australian schools in developing anti-bullying initiatives is the National Safe Schools Framework.
- 5.68** The Framework was ‘designed within the Australian schooling context by education officials and experts in the field’.³⁴⁴ Any other approaches used by schools should be complementary to the National Safe Schools Framework. As described in Chapter 4, the National Safe Schools Framework is a set of nationally agreed principles for creating safe and supportive

³⁴⁰ Correspondence from Ms Jill Schofield, Coordinator, Positive Behaviour for Learning, NSW Department of Education and Training, Western Sydney Region, to Committee Director, 9 July 2009, p 1

³⁴¹ University of Western Sydney – Office of Research Services, *Positive Behaviour for Learning* <http://www.uws.edu.au/__data/assets/pdf_file/0016/6703/130207_PositiveBehaviourforLearning_Mooney.MM.pdf> (accessed 11 June 2009)

³⁴² Mooney M, Dobia B, Yeung AS, Barker K, Power A, Watson K; *Positive Behaviour for Learning: Investigating the transfer of a United States system into the Department of Education Western Sydney Region schools*, March 2008, pp 1-2

³⁴³ Mooney M, Dobia B, Yeung AS, Barker K, Power A, Watson K; March 2008, p v

³⁴⁴ Commonwealth Department of Education, Employment and Workplace Relations, *National Safe Schools Framework*, <http://www.dest.gov.au/sectors/school_education/publications_resources/profiles/national_safe_schools_framework.htm> (accessed 12 June 2009)

school environments developed by the Ministerial Council on Education, Employment, Training and Youth Affairs.³⁴⁵

5.69 Professor Cross noted that while the National Safe Schools Framework provides ‘evidence-based’ guidance regarding what schools need to address in their school based policy, it is ‘very broad’, although she believes this will change as part of the Review of the Framework currently underway.³⁴⁶

5.70 Professor Cross said that education authorities should not be overly prescriptive about what programs schools should implement. For example, policies and programs suitable for a school with a significant proportion of Aboriginal students would look very different to one for a school with mostly non-Aboriginal students: ‘If we were very prescriptive about policy structure I think schools would feel their hands were tied in terms of how they would respond’.³⁴⁷

5.71 Professor Cross called for schools to be given greater guidance in identifying appropriate evidence-based anti-bullying initiatives. For example, Professor Cross suggested that a program similar to the Blueprints for Violence Prevention Program, developed by the Centre for the Study and Prevention of Violence at the University of Colorado, may have merit for implementation in Australia:

It is really important that programs are based on good quality empirical evidence and that the writers are accessing that information. People in the United States have taken an interesting approach to addressing this issue. They have the Blueprint Program. Any program proposed to be implemented in schools that the proponents would like to be supported by the Government – not with funding but with an acknowledgement that it might be useful – must meet a certain set of criteria. On that basis other schools can go to a list of schools that are considered to have blueprint projects, which helps their decision making because they are pretty much buried in the available resources.³⁴⁸

5.72 The Blueprints program identifies the best programs for violence and drug prevention by investigating and reviewing the evidence on the effectiveness of each program. The criteria used to assess each program include:

- evidence of a sustained deterrent effect with a strong research design
- applied across multiple sites
- cost effective in regard to the implementation costs versus the benefits gained.³⁴⁹

³⁴⁵ Commonwealth Department of Education, Employment and Workplace Relations, *National Safe Schools Framework*, <http://www.dest.gov.au/sectors/school_education/publications_resources/profiles/national_safe_schools_framework.htm> (accessed 12 June 2009)

³⁴⁶ Professor Cross, Evidence, 11 May 2009, p 50

³⁴⁷ Professor Cross, Evidence, 11 May 2009, p 50

³⁴⁸ Professor Cross, Evidence, 11 May 2009, p 42

³⁴⁹ Centre for the Study and Prevention of Violence, *Blueprints for Violence Prevention – Selection Criteria*, <<http://www.colorado.edu/cspv/blueprints/criteria.html>> (accessed 15 June 2009)

- 5.73** Professor Cross advised the Committee that it would be possible to implement a similar program in Australia, as ‘there is a lot known about this now. You can put those guidelines together quite well and there are a number that have already been produced’.³⁵⁰
- 5.74** Based on the findings of their large-scale review of the effectiveness of anti-bullying programs, Professor Farrington and Ms Ttofi concluded that that ‘a system of accrediting effective anti-bullying programs should be developed’.³⁵¹ They pointed to a program in place in England and Wales since 1996, which accredits effective prison and probation programs, and argued that:
- A similar system should be developed for accrediting anti-bullying programs in schools to ensure that programs contain elements that have been proved to be effective in high-quality evaluations. This accreditation system could perhaps be organized by an international body such as the International Observatory on Violence in Schools.³⁵²
- 5.75** It should be noted that the developers of the Blueprints program advocate the replication of programs, believing that any adjustments to the selected program may undermine its effectiveness.³⁵³ This would appear to contradict evidence heard throughout this Inquiry that bullying programs should be adapted to best complement each unique school environment.
- 5.76** Both the National Safe Schools Framework and the NSW *Anti-bullying Plan for Schools* provide guidelines to enable schools to tailor anti-bullying approaches to best suit their school environment. The National Centre Against Bullying, having noted that there are convergent views among researchers on this issue, observed that:

Published programs can be a sound starting point for a Safe Schools initiative, but they cannot just be ‘plugged in’ to a school setting and expected to work effectively. Programs and innovative practices also need to be adapted to the school’s circumstances in order to meet the needs and priorities of the school. This means assessing the needs of the school and ensuring that programs are culturally appropriate for all members of the school community and the needs of a diverse range of students.³⁵⁴

Committee comment

- 5.77** The Committee agrees that there should not be a one-size-fits-all approach to anti-bullying programs, but rather that individual school communities should have the right to decide on the programs that best suit their needs.
- 5.78** For example, the Committee saw two different approaches in its site visits to public primary schools: the implementation of the restorative justice approach taken at Rozelle Public School,

³⁵⁰ Professor Cross, Evidence, 11 May 2009, p 53

³⁵¹ Farrington D and Ttofi M, in Tonry M (ed), 2009, p 43

³⁵² Farrington D and Ttofi M, in Tonry M (ed), 2009, p 43

³⁵³ Centre for the Study and Prevention of Violence, *Blueprints for Violence Prevention – Overview* <<http://www.colorado.edu/cspv/blueprints/>> (accessed 15 June 2009)

³⁵⁴ Submission 30, p 12 citing Elias 2003

and the Positive Behaviour for Learning program at William Dean Public School. These are two quite different programs, but which the school communities have adopted after thoughtful consideration of what would best meet their needs.

- 5.79** However, the Committee believes that schools need greater support in determining the most suitable anti-bullying programs for their school environments. The Committee was concerned that individual schools and their leadership teams are frequently driving the identification and implementation of anti-bullying programs, with inadequate assistance from the NSW Department of Education and Training. The Committee believes that the changes that occur in school leadership teams due to the movement of principals and teachers may therefore have a deleterious impact on a school's anti-bullying program.
- 5.80** The Committee strongly believes that schools need more support in identifying evidence-based anti-bullying programs. A program similar to the Blueprints for Violence Prevention Program would provide schools with guidance on the research base and cost effectiveness of programs to address bullying. The Committee recommends that consideration be given to adopting a similar program, preferably at a national level to ensure the most effective use of resources.

Recommendation 15

That the Minister for Education and Training ensure that, as part of the Review of the National Safe Schools Framework, the Reference Group consider the introduction of a program that would provide schools with guidance on the research base and cost effectiveness of programs to address bullying, similar to the Blueprints for Violence Prevention Program operating in the United States of America.

Key methods of bullying intervention

- 5.81** Programs designed to prevent bullying from occurring are complemented by methods for intervening after an incident of bullying has occurred. The five key intervention approaches are sanctions, restorative justice, mediation, support group approach, and the method of shared concern. As noted earlier, the distinction between prevention and intervention programs is blurred, because how to respond to an incident of bullying is usually built into whole-school approaches to bullying.
- 5.82** While studies have come to different conclusions on the effectiveness of each method, a consensus is emerging among researchers that no one method is effective in all situations, but that all five may be useful at different times. In addition to these five methods, research is now identifying an important new focus for intervention: bystander behaviour.

Sanctions

- 5.83** The use of sanctions (also known as a 'rules and consequences' approach) derives from behaviourist methods of classroom management, where attempts are made to control

behaviour using punishments and rewards.³⁵⁵ Schools frequently use sanctions as both a deterrent and consequence for bullying behaviour.

- 5.84** Sanctions are linked to the breaking of school rules and range from depriving students of privileges through to expulsion.³⁵⁶ It is usually the responsibility of teachers to identify the bully or bullies and to apply the appropriate sanction. The sanctions approach is believed to discourage bullies and to ‘send a message’ to others.³⁵⁷ This approach has been criticised for being ineffective as victims of bullying often fear further victimisation from bullies seeking revenge for their punishment and it does not encourage disclosure.³⁵⁸
- 5.85** The Olweus Bullying Prevention Program is a commonly used example of a sanctions based program. The Program aims to change the ‘opportunity and reward structures’ for bullying behaviour through the consistent application of sanctions for unacceptable behaviour and violation of rules.³⁵⁹
- 5.86** There have been mixed results from the application of sanctions-based interventions such as the Olweus Bullying Prevention Program.³⁶⁰ Although the Program appeared to decrease bullying by 50 per cent in Bergen, Norway the scale of this early success has not been replicated in other studies including those in Canada, Belgium and Switzerland.³⁶¹

Restorative justice

- 5.87** The practice of restorative justice is underpinned by the assumption that an individual has the ability to change their behaviour when sufficiently supported by their community.³⁶² Although this technique makes use of sanctions, its primary aim is to harness the bully’s feelings of shame in order to change their behaviour.
- 5.88** Commonly used restorative practices such as community, small group and classroom conferences provide an opportunity for bullies and victims to express their feelings and make reparations in a way that ‘makes it clear to the offender that the behaviour is not condoned within the community and is supportive and respectful of the individual.’³⁶³

³⁵⁵ Essortment, B.F. *Skinner and behaviorism* <http://www.essortment.com/all/bfskinner_rgjj.htm> (accessed 6 April 2009)

³⁵⁶ Rigby K, in McGrath H and Noble T (eds), p 154

³⁵⁷ Rigby K, Smith P.K and Pepler D ‘Working to prevent school bullying: key issues’ in Rigby K, Smith P.K and Pepler D (eds), *Bullying in schools: How Effective Can Interventions Be?*, Cambridge, Cambridge University Press, pp 1-13, p 4

³⁵⁸ Mains B, Robinson G, ‘The No Blame Approach to Bullying’, paper presented at the Meeting of the British Association for the Advancement of Science, September 1994, p 4

³⁵⁹ American Psychological Association, *School Bullying is Nothing New, But Psychologists Identify New Ways to Prevent It*, <<http://www.psychologymatters.org/bullying.html>> (accessed 16 April 2009)

³⁶⁰ Rigby K, September – October 2002, p 3

³⁶¹ Rigby K, September – October 2002, p 3

³⁶² Morrison B, Australian Institute of Criminology, ‘*Bullying and Victimisation in Schools: A Restorative Justice Approach*’, Number 219, February 2002, p 2

³⁶³ Morrison B, February 2002, p 3

- 5.89** Restorative justice calls upon teachers to engage in a more participatory style of classroom management that fundamentally alters the power relationship between teachers and students.³⁶⁴ Although restorative justice procedures have been applied in schools across Australia, the method can face significant obstacles as it challenges traditional school cultures.³⁶⁵
- 5.90** Studies undertaken in Queensland, Victoria and the Australian Capital Territory have shown that restorative practices can be effective in addressing bullying.³⁶⁶ The studies reflected the inherent challenges of implementing such programs, including the ‘conflicts between traditional and restorative philosophy and practice, and misunderstandings about, and underestimation of, the complexity of culture change within the school’.³⁶⁷

Support Group Approach

- 5.91** The Support Group Approach (previously known as the No-Blame Approach) was pioneered by Ms Barbara Maines and Mr George Robinson. Its primary objectives are to change the motivation of bullies and to induce them to behave responsibly.³⁶⁸ Fundamental to this approach is the belief that a bully must be effectively engaged if they are to understand the discomfort they are causing their victim, thus encouraging them to change their behaviour.
- 5.92** The Support Group Approach requires teachers to follow a seven-step guide to stop bullying.³⁶⁹ The process takes place over several weeks. Having identified and met with the victim, the teacher holds a meeting with the bully or bullies and additional students to express the victim’s concerns. Throughout this process children are not assigned blame but rather they are encouraged to empathise with the victim and to offer suggestions as to how to make them happier.³⁷⁰ Review meetings are held to monitor progress and to ensure positive outcomes for all parties.
- 5.93** This technique has been criticised for its refusal to appropriate blame.³⁷¹ The move toward calling this technique the ‘Support Group Approach’ as opposed to the ‘No Blame Approach’

³⁶⁴ Jones A, ‘Rewriting the rules’, *The Age*, 15 August 2005, viewed 20 April 2009 <<http://www.theage.com.au/articles/2005/08/15/1123957981815.html>>

³⁶⁵ Armstrong, M, Thorsborne, M, ‘Restorative responses to bullying’, in McGrath H (ed), Noble T (ed), *Bullying Solutions, Evidence-based approaches to bullying in Australian schools*, Frenchs Forest, Pearson Longman, 2006, pp 175-188, p 182

³⁶⁶ Armstrong, M, Thorsborne, M, in McGrath H (ed), Noble T (ed), 2006, pp 182-185

³⁶⁷ Armstrong, M, Thorsborne, M, in McGrath H (ed), Noble T (ed), 2006, p 182

³⁶⁸ Rigby K, in McGrath H (ed), Noble T (ed), 2006, p 155

³⁶⁹ Hordon-James L, *The ‘No-Blame’ approach to bullying prevention*, 2007, accessed 16 April 2009 <<http://www.ncab.org.au/Assets/Files/Horton-James,%20L.%20The%20no%20blame%20approach%20to%20bullying%20prevention.pdf>>

³⁷⁰ Rigby K, in McGrath H (ed), Noble T (ed), 2006, p 156

³⁷¹ Anti-bullying Alliance, ‘ABA Briefing Paper: How can schools best support pupils showing bullying behaviours?’, January 2008, p 14

was brought about because parents construed 'no blame' to mean that bullying was condoned.³⁷²

- 5.94** The Support Group Approach was shown to be successful when applied in a number of Australian primary schools, however researchers noted that teachers often modified the technique to include punitive measures when it was used for older students.³⁷³ Various studies in the United Kingdom have also shown this type of intervention to be successful.³⁷⁴

Method of Shared Concern

- 5.95** The Method of Shared Concern was developed by Swedish psychologist Professor Anatol Pikas. It shares similar philosophical underpinnings with the Support Group Approach, as it recognises the social and relational nature of bullying. The approach aims to change bullying behaviour by recognising the importance of peer relations and encouraging empathy and concern for others.³⁷⁵
- 5.96** In line with the Support Group Approach, the Method of Shared Concern involves interviews with the person being bullied and the person suspected of doing the bullying. However its starting point is to hold individual preliminary interviews with the suspected bullies, not the victim.³⁷⁶
- 5.97** Having identified a problem the teacher conducts a one-on-one interview with the suspected instigator of the bullying behaviour. The teacher shares their concern for the victim, elicits an acknowledgement of the problem and asks for suitable solutions.³⁷⁷ All of the alleged perpetrators are interviewed in the same manner, followed by the victim. A final group interview is held, preferably with the victim present, to assess student behaviour and compliment the victim and bully or bullies for their progress.
- 5.98** National and international studies have evaluated the effectiveness of the Method of Shared Concern. The Method of Shared Concern was used in the Sheffield Project conducted in the United Kingdom, where it was found that in two out of three cases where this technique was used bullying behaviour stopped.³⁷⁸ A recent Australian study conducted by Professor Rigby

³⁷² Young S, 'The Support Group Approach to Bullying in Schools', *Educational Psychology in Practice*, Vol 14, No 1, April 1998, pp 32-39, p 33

³⁷³ McGrath, H, Stanley M, 'A comparison of non-punitive approaches to bullying', in McGrath H and Noble T (eds), *Bullying Solutions, Evidence-based approaches to bullying in Australian schools*, Frenchs Forest, Pearson Longman, 2006, pp 189-201, p 195

³⁷⁴ McGrath, H, Stanley M, in McGrath H and Noble T (eds), 2006, p 195

³⁷⁵ Friendly Schools & Families, *The Method of Shared Concern*, <http://www.ggs.wa.edu.au/getdoc/d0246a7b-d1e7-48ee-a1b5-69b576243d70/Anti_Bullying_Week_method_of_shared_concern.aspx>, (accessed 23 October 2009)

³⁷⁶ Professor Rigby, Evidence, 6 April 2009, p 45

³⁷⁷ Rigby K, in McGrath Hand Noble T (eds), 2006, p 157

³⁷⁸ Rigby, K, 'The method of Shared Concern as an Intervention Technique to Address Bullying in Schools: An Overview and Appraisal', *Australian Journal of Guidance and Counselling*, 2005, Vol 15, No 1, pp 27-34, p 33,

and Ms Coosje Griffiths commissioned by the Commonwealth Department of Education, Employment and Workplace Relations and carried out across four states highlighted the success the Method of Shared Concern can achieve when implemented correctly.³⁷⁹ The researchers found that using this technique was:

... helpful in improving the attitudes and behaviour of those who were suspected of bullying others. In approximately 90 per cent of cases, there were notable improvements reported for the victim of bullying, and in most cases there was cessation.³⁸⁰

- 5.99** The study further noted that while undertaking the Method of Shared Concern can be time consuming, when implemented correctly it has a positive effect on school culture.³⁸¹
- 5.100** In evidence, Professor Cross observed that the Method of Shared Concern is ‘one of many restorative techniques that are out there but the one that we think is working the most effectively in schools’.³⁸²

Mediation

- 5.101** Mediation requires a neutral third party to assist the victim and bully or bullies to mutually agree that the bullying behaviour will cease. A teacher, counsellor or student can act as a mediator.
- 5.102** This approach draws upon students’ communication skills, and is intended to enhance their conflict resolution and problem solving abilities. Mediators foster a supportive environment where the participants can discuss the nature and consequences of bullying and encourage them to resolve the problem themselves.³⁸³
- 5.103** Mediation is a popular and widespread approach to resolving conflict within schools.³⁸⁴ The process is designed to cultivate an atmosphere of fairness and assists the conflicted parties to repair their relationship. It has been found ‘... [that] where a mediation approach to resolving conflict is practiced, the school ethos is likely to be one in which bullying behaviour is less common’.³⁸⁵

³⁷⁹ Professor Rigby, Evidence, 6 April 2009, p 46

³⁸⁰ Submission 50, NSW Department of Education, Employment and Workplace Relations, p 13, citing Rigby K and Griffiths C, (Australian Government, not yet released)

³⁸¹ Submission 50, p 13, citing Rigby K and Griffiths C, (Australian Government, not yet released)

³⁸² Professor Cross, Evidence, 11 May 2009, p 48

³⁸³ Kids Matter, *Peer Mediation Program*, <<http://www.kidsmatter.edu.au/resources/programs-guide/peer-mediation-program/>> accessed 17 April 2009

³⁸⁴ Institute of Australia, *Effectiveness Training*, <<http://www.etia.org/index.php?section=content&page=displayPage&pageId=27>> accessed 17 April 2009

³⁸⁵ Rigby K, in McGrath H and Noble T (eds), 2006, p 155

- 5.104** It has been however been argued that mediation is difficult to implement in cases of bullying due to the inherent power imbalance between the victim and bully.³⁸⁶
- 5.105** A study of a peer mediation program in New Zealand resulted in very positive evaluations from participating schools.³⁸⁷

The need for appropriate interventions

- 5.106** Research has shown different intervention methods to have markedly different rates of success. The Committee notes the evaluation of the Method of Shared Concern outlined earlier, which showed that if implemented correctly, it can lead to significant improvements in 90 per cent of cases.³⁸⁸ However, Professor Rigby advised that for adolescents who reported being bullied to their teachers, more than half of the interventions were unsuccessful.³⁸⁹
- 5.107** Rather than attempting to determine which method is the most successful, researchers are increasingly in agreement that each method can be appropriate at different times, and in different circumstances. According to Professor McGrath:

I would say that we are at a stage where the broad schools of thought are coming closer together and we accept that. It is not a question of what you do or do not do. It is a question of when you do it and how you do it ...³⁹⁰

- 5.108** Professor Rigby said: ‘The commonsense approach, which I hope I am taking, is to examine each of the methods and seek out what appears to be most relevant to the particular kind of problem’.³⁹¹
- 5.109** Mr McKie described the different factors that may lead to particular intervention methods working best in certain situations:

We know that mediation is a technique that can work only when there are very slight power imbalances ... The cultural issues are very important, so techniques, such as circle-type techniques, that are used for people to be able to work through and discuss in a circle are useful in certain areas. We know that practices based on restorative-type justice and restorative-type situations certainly work in some cultural contexts and have broader application, so are useful for a whole range of issues.³⁹²

³⁸⁶ Rigby K., *Children and Bullying, How Parents and Educators Can Reduce Bullying at School*, 2008, p 192

³⁸⁷ Sullivan, K, ‘Aoteara/ New Zealand’, in Smith P.K. et al (eds), *The nature of bullying: a cross national perspective*, London, Routledge, 1999, pp 340-357, p 349

³⁸⁸ Submission 50, Commonwealth Department of Education, Employment and Workplace Relations, p 13, citing Rigby K and Griffiths C, (Australian Government, not yet released)

³⁸⁹ Submission 41, p 1

³⁹⁰ Professor McGrath, Evidence, 6 April 2009, p 8

³⁹¹ Professor Rigby, Evidence, 6 April 2009, p 44

³⁹² Mr McKie, Evidence, 6 April 2009, p 20

5.110 There is some evidence that non-punitive methods can be more effective in addressing less extreme cases of bullying, particularly in the first instance, with punitive approaches used at a later stage if needed. Professor McGrath said:

There is a whole range [of intervention methods] from those more softly-softly approaches, which have some evidentiary support, right up to the suspension-expulsion-detention approach. It is more about which you do first, what is the order, more than which one works.³⁹³

5.111 In addition, Professor McGrath gave evidence that children and young people who have been bullied favour non-punitive responses:

... they want the school to act on it in a way which stops it but does not impair their social life. The majority of studies in this area have said that they would prefer an approach which is not punitive because that rebounds very badly on them in terms of what the other kids think, in terms of their future social coexistence and so on.³⁹⁴

5.112 Schools and parents, however, can be unaware of the research in support of using non-punitive approaches at least as a first step. Instead, parents and schools often believe that the first response to an incident of bullying should be to punish the perpetrator. Professor Rigby advised that a recent online survey from the United States, Australia and other nations found that ‘... seventy-five percent of teachers and counsellors said that even with a mild case of bullying ... you have to use some kind of sanction, penalty or punishment to deal with the situation.’³⁹⁵

5.113 Dr Campbell observed that: ‘Systemically what our schools are doing is punishing, and it does not work. But we keep doing it because we have to because it is the system, and we need to be seen to be strong. It does not matter that it does not work.’³⁹⁶

5.114 Resistance to non-punitive responses to bullying can be particularly strong for cyber-bullying. Such attitudes have been observed by cyber-safety educator Ms Susan McLean: ‘one of the first reactions of many adults, teachers as well as parents, is to punish cyber bullies.’³⁹⁷

5.115 The Committee notes the views expressed by respondents to the online survey, which supported the use punitive measures against bullies.³⁹⁸

Bystander intervention

5.116 Bystander intervention is emerging as a promising new method for addressing bullying. A bystander is someone who witnesses a bullying incident. A bystander may not get involved in the bullying, or they may intervene, either to support or discourage the bully. In terms of

³⁹³ Professor McGrath, Evidence, 6 April 2009, p 8

³⁹⁴ Professor McGrath, Evidence, 6 April 2009, p 10

³⁹⁵ Professor Rigby, Evidence, 6 April 2009, p 42

³⁹⁶ Dr Campbell, Evidence, 6 April 2009, p 38

³⁹⁷ Submission 55, Ms Susan McLean, Cybersafety Advisor, p 10

³⁹⁸ WestwoodSpice, September 2009, pp 17-21

cyber-bullying, a bystander could be someone who reads malicious online comments or receives a malicious text message about a third person. The research to date has focused on bystanders to incidents of face-to-face bullying.

5.117 Research has found that bystanders are present at 85 per cent of face-to-face bullying incidents.³⁹⁹

5.118 Dr Toni Noble, Member of the National Centre Against Bullying, noted that research:

... says that kids are very uncomfortable if they see bullying occurring; that 80 per cent of kids who are bystanders and observe bullying or become aware of bullying issues are very uncomfortable with it. So I think a new area of research, which is a hopeful area in terms of reducing bullying, is to work on bystander support for kids who have been bullied.⁴⁰⁰

5.119 Professor Cross advised the Committee of the findings of one of the Child Health Promotion Research Centre's research studies:

Almost all of the children, over 80 per cent, said that they hated seeing someone else being bullied, over 80 per cent said that they wished they could do something about it and fewer than 20 per cent said that they could do something about it. But 90 per cent said that they really respect somebody who does do something about it, that the status of someone who could step in and positively help that person was really high.⁴⁰¹

5.120 Professor Cross went on to explain that in schools that already had a well-developed whole-school approach to bullying, the researchers:

... were able to shift that normative behaviour around bystanders stepping up because they gave bystanders some ways that they could step up. That does not mean to get in front of a child who is doing the bullying and put themselves at risk but more how to help that person get away and obviously to demonstrate to the person bullying that this behaviour is not tolerated. We said to children at an absolute minimum, "Don't watch. If you can't do anything else, just move away because it is the watching that is what the person bullying is doing" and there were a whole series of steps ...⁴⁰²

5.121 The need to provide support and advice to bystanders was also raised during the online consultation, with one respondent suggesting anti-bullying programs should both teach victims how to cope with bullying and demonstrate to all students:

... how to help friends who might be suffering it. Not everyone will go to someone if they are a victim of bullying but sometimes friends will notice, they just won't say anything or do anything because they don't know what to say/do.⁴⁰³

³⁹⁹ Rigby R and Bagshaw D, 'Using educational drama and bystander training to counteract bullying', in McGrath H and Noble T (eds), *Bullying solutions: Evidence-based approaches to bullying in Australian schools*, Frenchs Forest, Pearson Longman, 2006, pp 133-145, p 139, citing O'Connell, Pepler & Craig 1999, Pepler & Craig 1995

⁴⁰⁰ Dr Toni Noble, Member, National Centre Against Bullying, Evidence, 6 April 2009, p 10

⁴⁰¹ Professor Cross, Evidence, 11 May 2009, p 46

⁴⁰² Professor Cross, Evidence, 11 May 2009, p 46

⁴⁰³ WestwoodSpice, September 2009, p 19

- 5.122 Bystander intervention has been shown to be very effective: research has found that that when bystanders intervene to discourage the bullying, it stops in 50 per cent of cases.⁴⁰⁴
- 5.123 The submission from Peer Support Australia argues that ‘it is of critical importance students understand the significant role bystanders can play as their decision to become proactive can have a major influence in reducing bullying behaviours within the school and even the wider community’.⁴⁰⁵
- 5.124 Bystander intervention applies not only to face-to-face bullying, but can also be a powerful intervention for cyber-bullying. The *Behind the Scenes: Insights into the Human Dimension of Covert Bullying* study noted that in relation to bystanders: ‘stopping the spread of cyber bullying by *not* participating in “forwarding on”, could be a powerful way to be a “white knight” in cyber space’.⁴⁰⁶
- 5.125 Peer Support Australia stated that the influence of peers on bullying behaviour is a key factor in the success of its Peer Support Program, which empowers children and young people to intervene in support of their peers.⁴⁰⁷

Committee comment

- 5.126 Research on the five key intervention models shows them to be of limited effectiveness in many cases, although their effectiveness can improve markedly with improved implementation. The Committee is encouraged by the promising new research on bystander intervention.
- 5.127 The Committee appreciates the complexities involved in the different intervention models, especially in relation to which method of intervention to use, when it should be used, and how it should be implemented. The Committee is therefore supportive of raising awareness and understanding of the possible bullying interventions, particularly through teacher training. This will be discussed in the next Chapter.

⁴⁰⁴ Rigby R and Bagshaw D, in McGrath H and Noble T (eds), 2006, citing Hawkins, Pepler & Craig 2001, p 139

⁴⁰⁵ Submission 12, p 5, citing Cowie, 2005; Cross, 2005; McGrath and Noble, 2005.

⁴⁰⁶ Child Health Promotion Research Centre, *Australian Covert Bullying Prevalence Study*, Edith Cowan University, Perth, March 2009, p 30

⁴⁰⁷ Ms Chadwick, Evidence, 6 April 2009, p 9

Chapter 6 Support for schools

In addition to implementing effective prevention and intervention programs, as discussed in the previous Chapter, there are a range of additional supports that can be provided to schools to improve their response to bullying. This Chapter examines the principles of success for addressing bullying, before highlighting the critical importance of teacher training in equipping teachers with the skills to implement anti-bullying programs. The Chapter then discusses the need to provide appropriate counselling services, both within the school and from external sources, as an essential feature of anti-bullying initiatives.

Principles for success

- 6.1 Following the introduction of the National Safe Schools Framework in 2004, the Australian Government initiated a Best Practice Grants Programme to help schools to develop effective ways to create safe school environments.
- 6.2 One hundred and seventy one schools received a grant under the program. Most of the schools elected to focus on bullying. The summary report of the Program outcomes, prepared by Professor Helen McGrath from the National Centre Against Bullying, provides a guide to what works and what doesn't in relation to anti-bullying programs in Australian schools.⁴⁰⁸
- 6.3 The project identified six principles for success for effective anti-bullying programs. These principles were generally reflective of the outcomes from many other research studies that have examined anti-bullying initiatives. The principles are:
- take a whole school approach
 - plan for and create a caring, respectful, inclusive and supportive school culture
 - use evidence-based practice
 - use a risk management approach
 - focus on skill development
 - plan for sustainability.
- 6.4 These principles are discussed briefly below.⁴⁰⁹

Take a whole school approach

- 6.5 The critical importance of a whole school approach was underlined by the outcomes of the Best Practice Grants Program. Effective leadership is required to develop the anti-bullying plan and ensure the involvement of the whole school community, including teachers, students,

⁴⁰⁸ McGrath H, *Making Australian Schools Safer, A summary report of the Outcomes from the National Safe Schools Framework Best Practice Grants Program (2004-2005)*, < <http://www.dest.gov.au/NR/rdonlyres/1DFB8046-12B5-4669-9065-F4FDD8E0A67E/19320/BriefNSSFReportforwebsite.pdf> > (accessed 21 October 2009)

⁴⁰⁹ The summary report by Professor McGrath provides more detail on each of the themes.

parents, and the local community. It is also critical that all other school policies and practices are reviewed to ensure they align with the National Safe Schools Framework.

- 6.6 More detail on what is meant by a whole school approach is provided in Chapter 5.

Plan for and create a caring, respectful, inclusive and supportive school culture

- 6.7 The elements that make up this principle include the promotion of positive relationships across the school, embedding pro-social values within the curriculum, and ensuring that there is congruence between what a school says it should do in school policies and its actual day-to-day practice.

Use evidence-based practice

- 6.8 When selecting anti-bullying programs a critical evidence-based approach should be used. In addition, multiple strategies should be implemented rather than relying on a single strategy or component.

Use a risk management approach

- 6.9 Best practice schools establish secure reporting systems, collect data on bullying and harassment, and identify and manage specific bullying incidents. Best practice schools also make sure students are aware of the schools values and policies in relation to bullying.

Focus on skill development

- 6.10 This includes the direct teaching of social skills to students, together with teaching ways to respond to bullying incidents, including the role of ‘bystanders’. It also involves providing professional training for teachers in:
- how to respond to bullying incidents
 - effective classroom management
 - how to teach a social and emotional learning curriculum.

Plan for sustainability

- 6.11 Safe schools regularly review their National Safe Schools policies and practices with a view to refining and improving them. Safe schools also make provision for staff turnover and ensure that teachers maintain their commitment to safe school policies and practices over the long term.

Teacher training

- 6.12 Inquiry participants highlighted the need to deliver training to pre-service and practising teachers on the nature, causes, prevalence and impact of bullying, as well as effective means of prevention and intervention.

Oversight of teacher training in NSW

- 6.13** In New South Wales, the NSW Teachers' Institute is responsible for the approval of initial teacher education programs. Graduates of approved programs are eligible to teach in NSW schools. The Institute is also responsible for the approval of continuing professional development courses, programs and providers. It is mandatory for teachers to participate in continuing professional development to maintain their accreditation to teach in NSW schools.
- 6.14** In 2005, the Minister for Education and Training approved the Graduate Teacher Standards, which includes six mandatory areas of study that graduate teachers must undertake.⁴¹⁰ One of the mandatory areas, classroom management and behaviour, requires graduate teachers to:
- ... understand and respond to a range of challenging student behaviour (such as disruptive, bullying, disengaged and undermining behaviours) and select appropriate management and welfare strategies for a range of classroom and community contexts.⁴¹¹
- 6.15** Graduate teachers must also be able to develop and implement a range of strategies to promote positive relationships within the classroom, intervene to manage disruptive behaviour and facilitate effective communication with parents and care givers.⁴¹²
- 6.16** Graduate teachers are further required to demonstrate proficiency in the use of information communication technologies. However, no mention is made of developing the skills and knowledge to respond to instances of cyber-bullying.⁴¹³

Current levels of teacher training

- 6.17** The recent *Australian Covert Bullying Prevalence Study* found, in relation to covert bullying, that: 'teachers who lack training ... are less able to recognise it [bullying], often consider it less serious or problematic, and have less empathy for children who are ... bullied and are less likely to intervene to prevent it'.⁴¹⁴ The Study also found that: 'the majority of staff (67%) felt other teachers at their school needed more training to enhance their skills to deal with covert bullying ...'.⁴¹⁵
- 6.18** There is no clear picture of the extent of initial teacher education on bullying. The *Behind the Scenes: Insights into the Human Dimension of Covert Bullying* study recommended 'that a review of

⁴¹⁰ NSW Institute of Teachers, *Initial Teacher Education Document 4 – Mandatory Areas of Study*, January 2008, p 1, provided in email from Mr Patrick Lee, Manager, Professional Learning & Initial Teacher Education, NSW Institute of Teachers, to Principal Council Officer, 11 September 2009

⁴¹¹ NSW Institute of Teachers, January 2008, p 5

⁴¹² NSW Institute of Teachers, January 2008, p 5

⁴¹³ NSW Institute of Teachers, January 2008, p 6

⁴¹⁴ Child Health Promotion Research Centre, *Australian Covert Bullying Prevalence Study*, Edith Cowan University, Perth, March 2009, p xxviii

⁴¹⁵ Child Health Promotion Research Centre, March 2009, p xxx

teacher education programs be conducted...’ to determine the extent of teacher training on bullying, and in particular covert bullying.⁴¹⁶

6.19 Professor McGrath gave evidence that the National Centre Against Bullying is looking to undertake work in this regard: ‘... that probably is our next research application from the National Centre Against Bullying. It is a kind of scoping study on how much [teacher training] is covered in tertiary education’.⁴¹⁷

6.20 While there has been no study of the extent of initial teacher education on bullying, a number of Inquiry participants gave evidence that they believe there to be room for significant improvement. Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia, observed that ‘only on rare occasions is education about bullying incorporated into teacher training in a systematic manner’.⁴¹⁸ According to Professor Donna Cross, Director, Child Health Promotion Research Centre, Edith Cowan University:

The bachelor programs in Western Australia, South Australia and elsewhere ... there is almost no content that addresses bullying. It might be a guest speaker. We have managed to force ourselves into the bachelor program that runs at our university, but they kind of put up with us rather than have it fully integrated. We go and do all the training. It is not seen as an integral component.⁴¹⁹

6.21 The Hon Alastair Nicholson, Chair of the National Centre Against Bullying and former Chief Justice of the Family Court of Australia, said that ‘... there is an enormous amount that needs to be done in teacher education, because teachers are just not taught in teacher colleges to deal with issues of bullying and they should be’.⁴²⁰

Expanding levels of teacher training

6.22 The importance of a solid foundation of knowledge on bullying was emphasised by Ms Sandra Craig, Manager of the National Centre Against Bullying:

Speaking as a teacher what I always lacked was the evidence to actually inform what I was doing... teachers are caught on the hop. They are dealing with 20, 40 incidents a

⁴¹⁶ Hawke Research Institute for Sustainable Societies, *Behind the Scenes: Insight into the Human Dimension of Covert Bullying*, University of South Australia and Centre for the Analysis of Educational Futures, Flinders University, South Australia December 2008, p 33

⁴¹⁷ Professor Helen McGrath, Executive Member, The National Centre Against Bullying, Evidence, 6 April 2009, p 7

⁴¹⁸ Rigby R, ‘An overview of approaches to managing bully/victim problems,’ in McGrath H and Noble T, *Bullying solutions: Evidence-based approaches to bullying in Australian schools*, Frenchs Forest, Pearson Longman, 2006 p 150

⁴¹⁹ Professor Donna Cross, Children Health Promotion Research Centre, Edith Cowan University, Evidence, 11 May 2009, p 52

⁴²⁰ The Hon Alastair Nicholson, Chair, The National Centre Against Bullying and former Chief Justice of the Family Court of Australia, Evidence, 6 April 2009, p 2

day ... Unless that information is embedded in their own brains it is very hard for them to actually respond consistently ...⁴²¹

- 6.23** In relation to continuing professional development for practising teachers, Ms Joan Lemaire, Senior Vice President, NSW Teachers' Federation, commented that: '... often the department does not provide sufficient opportunities for training and it does not release people to get training. A lot of schools take up the opportunity and train teachers and students, but sometimes at a cost to the school'.⁴²²
- 6.24** Ms Christine Mason, NSW Secondary Principals' Council, called for more continuing professional development to address bullying. Ms Mason suggested that training take place in a graduate's third year of teaching, to allow the new teacher to initially build up skills in their chosen subject area.⁴²³
- 6.25** The *Australian Covert Bullying Prevalence Study* recommended that:
- ... new teachers entering the profession and other adults working with young people as part of their professional standards receive pre-service training and ongoing professional learning to help prevent and manage bullying, especially covert bullying behaviour.⁴²⁴
- 6.26** Professor Rigby advised the Committee that the need to provide teacher training was a long-standing issue that had been raised in the National Safe Schools Framework. The Framework identified key elements of successful approaches to addressing bullying, including ensuring that 'appropriate pre-service and in-service training is conducted for all staff about bullying, violence, harassment and protection issues'.⁴²⁵ Professor Rigby gave evidence that this finding had never been implemented.⁴²⁶
- 6.27** The Committee notes that some work is already underway on developing teacher training. For example, the Australian Communications and Media Authority is creating professional development and curriculum material for tertiary educators in teacher education faculties.⁴²⁷
- 6.28** In Western Australia, researchers are conducting 'Kids Plus', a program that trains student-nominated teachers by giving them techniques to overcome bullying.⁴²⁸ Professor Cross explained that teachers wanted 'more confidence about the sorts of things they could be doing

⁴²¹ Ms Sandra Craig, Manager, The National Centre Against Bullying, Evidence 6 April 2009, p 4

⁴²² Ms Joan Lemaire, Senior Vice President, NSW Teachers' Federation, Evidence, 22 June 2009, p 15

⁴²³ Ms Christine Mason, NSW Secondary Principals' Association, Evidence, 6 April 2009, p 54

⁴²⁴ Child Health Promotion Research Centre, March 2009, p xxxii

⁴²⁵ Ministerial Council on Education, Employment, Training and Youth Affairs, Student Learning and Support Services Taskforce, *National Safe Schools Framework*, 2003, p7
<http://www.mceecdy.edu.au/verve/_resources/natsafeschools_file.pdf> (accessed 23 October 2009)

⁴²⁶ Professor Ken Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia, Evidence, 6 April 2009, p 48

⁴²⁷ Professor McGrath, Evidence, 6 April 2009, p 7

⁴²⁸ Professor Cross, Evidence, 11 May 2009, p 48

in the school environment', particularly in instances where children approach them for assistance: "They said, "Kids come to me anyway, and I would like to have some more skills. So you are not going to add to my workload; you will actually help me so that I have a broader scope of skills.""⁴²⁹

Committee comment

- 6.29** For teachers to respond effectively to bullying, they need adequate training on the nature, prevalence, impact and causes of bullying, as well as methods of prevention and intervention. Such training should be incorporated into initial teacher education, as well as ongoing professional development for practising teachers.
- 6.30** Although there is agreement on the crucial role of well-trained teachers in addressing bullying, there is a lack of information on the levels of initial teacher education, and professional development for practising teachers. The Committee supports the study proposed by the National Centre Against Bullying to determine the levels of anti-bullying training being provided to teachers.
- 6.31** While further study on the level of teacher training is required, the evidence from Inquiry participants suggests that current levels of teacher training may be inadequate. The Committee supports a greater emphasis on teacher training as a crucial step to effectively addressing bullying. The Committee notes that an investment in teacher education will equip teachers not only to respond to incidents of bullying, but to prevent them occurring, and will thus free up the significant resources absorbed when schools need to investigate instances of bullying.
- 6.32** In particular, the Committee supports the targeting of scarce resources to ensure a strong emphasis on initial teacher education. Teachers at the beginning of their careers are likely to be receptive to strategies that will allow them to more effectively manage classroom behaviour. Young teachers are also familiar with new forms of technology, and if they are empowered with the means to address bullying, they are ideal candidates to respond to cyber-bullying.

Recommendation 16

That the Minister for Education and Training require the NSW Institute of Teachers to review the current competencies for NSW teachers to ensure that bullying is covered, and to include bullying in the mandatory professional development programs for practising teachers.

Counselling services

- 6.33** Counselling services can play a critical role in anti-bullying initiatives. This section discusses the importance of two types of counselling assistance: school counsellors, and phone and online counselling services.

⁴²⁹ Professor Cross, Evidence, 11 May 2009, p 48

School counsellors

6.34 The submission from the NSW Government advised that the school counsellor is a key member of a school's student welfare team. A school counsellor '... provides expertise in the assessment of students, and supports teachers with classroom/playground management strategies'.⁴³⁰

6.35 Several of the respondents to the online consultation highlighted the importance of having access to counsellors at school, mentioning the need to provide more counsellors to ensure that counsellors are always available to students.⁴³¹

6.36 According to Professor Cross, school counsellors play an important role in assisting schools with bullying prevention and intervention:

I think that having trained school counsellors is essential. Some of the restorative techniques that are necessary when children's behaviours have become very poor and need some support often require skilled counsellors – ideally, intermediate skilled counselling, in the sense that if they have to go out and find a provider outside the school, the message is diminished.⁴³²

6.37 Mr Brian Chudleigh, Deputy Chair of the Public Schools Principals Forum, said that school counsellors often have little time to address bullying:

You will see there are three components to the role: clinical assessment, crisis intervention and proactive preventative counselling ... the time of the vast majority of those limited number of counsellors is being spent on clinical assessment. In other words, they are locked up in a room on a one-to-one basis with a child, undertaking formal assessments using diagnosis tools. Very little time is left for counsellors for crisis intervention and virtually nothing for proactive counselling.⁴³³

6.38 Mr Chudleigh argued that there should be an increase in the number of school counsellors, to allow counsellors to undertake more crisis intervention and proactive preventative counselling. Ms Christine Mason from the NSW Secondary Principals' Council supported the need for more school counsellors:

I know that all secondary schools would appreciate an increase in counsellor allocation to schools. We would like to see a 1.0 counsellor allocated to every secondary school that has a deputy principal attached to it. At the moment it is nowhere near that ...

I think if you have access to a trained counsellor/psychologist within your school, the teaching body could get support from those people as to good strategies or how to implement strategies to support students who are being bullied or who are perpetrating the bullying behaviours.⁴³⁴

⁴³⁰ Submission 53, NSW Government, p 23

⁴³¹ WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, p 17,19

⁴³² Professor Cross, Evidence, 11 May 2009, p 48

⁴³³ Mr Brian Chudleigh, Deputy Chair, Public Schools Principals Forum, Evidence, 11 May 2009, p 57

⁴³⁴ Ms Mason, Evidence, 6 April 2009, p 50

- 6.39** Mr Chudleigh told the Committee that school counsellors are currently required to hold a four-year university degree in education, a minimum two-years' experience teaching in schools, and a four-year psychology degree.⁴³⁵ The Public Schools Principals Forum proposed a new recruitment model, which would not require all school counsellors to have psychology degrees and teaching experience. According to Mr Chudleigh, social workers could be '... working proactively with families and kids, and looking at the root issues involved'.⁴³⁶
- 6.40** In particular, Mr Chudleigh said that this would allow school counsellors to undertake the difficult but critical task of working with children who are bullying other students.⁴³⁷
- 6.41** Mr Chudleigh suggested that the greater numbers of counsellors could be phased in over several years. He said: 'I think it is actually a very attractive proposal for government. It is not often that organisations such as ours come to government and say, "We have got a way that you can make your dollar go further. You don't have to spend much more and you could really help us."' ⁴³⁸
- 6.42** The Minister for Education and Training indicated during Budget Estimates hearings that the NSW Department of Education and Training is implementing a number of programs to increase the number of school counsellors. These initiatives include working with universities to develop 'pre-service teacher training programs that provide a pathway into school counselling', and providing sponsorship to both new and existing teachers who wish to re-train as school counsellors.⁴³⁹
- 6.43** The difficulty of employing enough social workers in rural and regional areas was also raised. When questioned on this issue, Ms Cheryl McBride, Chairperson, Public Schools Principals Forum, responded: 'Perhaps we also need to look at some form of incentive for those people, some sort of supplementation ... It might be additional professional development or transportation assistance, or something like that'.⁴⁴⁰

Phone and online counselling services

- 6.44** Whilst the recruitment of additional school counsellors would assist schools to develop and implement anti-bullying programs, some children and young people told the Committee that they are reluctant to seek assistance from school counsellors. Victims of bullying therefore need access to external counselling services, particularly phone and online counselling.
- 6.45** Mr John Dalglish, Manager, Strategy and Research, BoysTown explained that:

But the bottom line for us is that with all the prevention programs that can be put in place – we know from research that ... even the best of those programs will not stop

⁴³⁵ Mr Chudleigh, Evidence, 11 May 2009, p 58

⁴³⁶ Mr Chudleigh, Evidence, 11 May 2009, p 58

⁴³⁷ Mr Chudleigh, Evidence, 11 May 2009, p 59

⁴³⁸ Mr Chudleigh, Evidence, 11 May 2009, p 60

⁴³⁹ The Hon Verity Firth MP, Minister for Education and Training, Evidence, Budget Estimates - Education and Training, 16 September 2009, p 44

⁴⁴⁰ Ms Cheryl McBride, Chairperson, Public Schools Principals Forum, Evidence, 11 May 2009, p 63

bullying altogether but will reduce it by maybe half – even if we put all those steps in place, we still have to be concerned for the child who is bullied because the impacts of bullying are so deleterious to that individual.⁴⁴¹

- 6.46** BoysTown delivers the Kids Helpline, a national 24-hour telephone and online counselling service for five to 25 year-olds.⁴⁴² Mr Dalglish advised that the Helpline is staffed by paid, professionally trained counsellors.⁴⁴³
- 6.47** Another online support service for children and young people is provided by the Inspire Foundation, through the Reach Out! technology-based program. The website provides ‘information, support and resources to improve young people’s understanding of mental health issues, develop resilience, increasing coping skills and facilitate help-seeking behaviour’.⁴⁴⁴
- 6.48** The submission from BoysTown argued that the confidentiality afforded by telephone and online counselling makes this a particularly effective means to support victims of bullying:
- In our experience, the provision of information, support and counselling by telephone and online modalities is an effective way to assist children and young people to counter the impacts of bullying. Telephone and online counselling is anonymous, confidential and can be freely accessed through land lines, mobiles and the web. Research demonstrates that children and young people feel more able to discuss their concerns in an environment that can ensure their privacy.⁴⁴⁵
- 6.49** The need for confidential support services was supported by evidence that students who are being bullied may be reluctant to seek help from adults and teachers, including school counsellors. For example, members of the Youth Advisory Council told the Committee that students would not approach a school counsellor about being bullied.⁴⁴⁶
- 6.50** Professor Cross observed that ‘often they [students] said they would not go to a school counsellor because they do not know who they are and they would not feel comfortable about revealing a lot about themselves to that person.’⁴⁴⁷
- 6.51** Further, Mr Dalglish noted that: ‘... research indicates that children and young people ... tend not to go to adults in a face-to-face situation to seek assistance.’⁴⁴⁸
- 6.52** However, on a site visit to Casimir Catholic College, Marrickville, the Committee was told that students display no reluctance about making an appointment with the school counsellor.⁴⁴⁹ It

⁴⁴¹ Mr John Dalglish, Manager, Strategy and Research, Boystown, Evidence, 6 April 2009, p 26

⁴⁴² Submission 28, Boystown, p 3

⁴⁴³ Mr Dalglish, Evidence, 6 April 2009, p 28

⁴⁴⁴ Submission 24, Inspire Foundation, p 1

⁴⁴⁵ Submission 28, citing Cowan G, Burrows G and Evans B 2001, Mallen M, Rochlen A and Day S 2005, Urbis Keys Young 2003, p 13

⁴⁴⁶ Consultation with Youth Advisory Council, 24 May 2009, Committee Minute No. 45

⁴⁴⁷ Professor Cross, Evidence, 11 May 2009, p 48

⁴⁴⁸ Mr Dalglish, Evidence, 6 April 2009, p 31

was suggested that this attitude could in part be attributed to the school's policy that all Year 7 students must meet with the school counsellor.

- 6.53** This positive attitude towards school counsellors was also reflected during the online consultation, with several respondents emphasising the importance of ensuring that students have greater access to counsellors.⁴⁵⁰
- 6.54** Mr Dagleish explained that phone or online counselling could act as a bridge to the child or young person seeking help from the trusted adults in their lives, who they might otherwise have felt too embarrassed to speak to about being bullied.⁴⁵¹
- 6.55** The Committee notes that in 2007 nationally, there were 571,936 attempts to reach Kids Helpline. Counsellors responded to more than half of these contacts and engaged in 53,168 counselling sessions.⁴⁵² Of the attempts to contact Kids Helpline, 221,523 were from children and young people in New South Wales, with counsellors engaging in 16,359 counselling sessions.⁴⁵³
- 6.56** Despite the high number of children and young people from New South Wales receiving assistance from Kids Helpline, Mr Dagleish remarked: 'In terms of New South Wales, we receive no New South Wales State government funding ...'.⁴⁵⁴
- 6.57** In 2009/2010, approximately 38 per cent of Kids Helpline funding was received from the Commonwealth Department of Health and Ageing, the Queensland Government, the Western Australian Government, the Australian Communications and Media Authority, and corporate sponsors such as Optus. The remaining 62 per cent of operating costs was derived from fundraising activities conducted by Boystown.⁴⁵⁵

Committee comment

- 6.58** The Committee acknowledges the evidence on the barriers to children and young people seeking assistance from school counsellors in relation to bullying. However, the Committee believes that some of the barriers could be overcome by improved access to school counsellors. Greater numbers of school counsellors could encourage more children and young people to speak with school counsellors and reduce the stigma of seeking assistance.
- 6.59** School counsellors also have a critical role to play in relation to other aspects of school efforts to address bullying. For example, school counsellors could assist schools and teachers to

⁴⁴⁹ Site visit to Casimir Catholic College, Marrickville, 3 July 2009, Committee Minute No. 49

⁴⁵⁰ WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, pp 17, 19

⁴⁵¹ Mr Dagleish, Evidence, 6 April 2009, p 27

⁴⁵² Answers to questions taken on notice during evidence 6 April 2009, Boystown, *Kids Helpline 2007 Overview – Issues concerning children and young people*, p 1

⁴⁵³ Answers to questions taken on notice during evidence 6 April 2009, Boystown, p 1

⁴⁵⁴ Mr Dagleish, Evidence, 6 April 2009, p 27

⁴⁵⁵ Email from Mr John Dagleish, Boystown to Principal Council Officer, 15 September 2009

develop and implement anti-bullying initiatives. Counsellors could further assist in the extremely difficult task of working with children who habitually bully other children. Counsellors could also help teachers by advising them on the interventions available for responding to incidents of bullying. The Committee supports the immediate recruitment of additional school counsellors, and suggests consideration of the model put forward by the Public Schools Principals Forum.

Recommendation 17

That the Minister for Education and Training take immediate action to support the recruitment of additional school counsellors. Further, that the Minister consider adopting the model proposed by Public Schools Principals Forum, which would involve the recruitment of university graduates with social-work qualifications to undertake those functions of school counsellors that are not related to clinical assessment.

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- 6.60** As noted previously, the Committee recognises that some children and young people may remain reluctant to report bullying to school counsellors and will seek out more anonymous forms of support. The employment of more school counsellors must therefore be supported by the provision of high-quality external counselling services for children and young people who have been the victims of bullying. The Committee considers that confidential phone or online counselling services may be particularly effective in addressing bullying, given the anonymity afforded by these services.
- 6.61** The Committee recommends that the NSW Government contribute financially to the Kids Helpline service, given the significant number of NSW children and young people that the Kids Helpline assists each year. The funding should take into consideration the proportionate number of callers who are from New South Wales.

Recommendation 18

That the NSW Government provide recurrent financial support to the Kids Helpline service.

Chapter 7 Cyber-bullying

This Chapter begins with an overview of the regulatory framework for online content and the initiatives in place to address cyber-bullying of children and young people. It then discusses the extent to which schools should be responsible for addressing cyber-bullying, and whether the Internet industry is doing enough to protect children and young people. The Chapter examines the merits of addressing cyber-bullying by restricting access to technology, and the evidence in favour of a proactive prevention and protection approach, based on more education for children, young people and their parents.

Regulatory framework for online content

- 7.1** In considering how to respond to cyber-bullying it is important to understand the regulatory framework for online content. The Australian Communications and Media Authority (ACMA) is responsible for administering the Online Co-regulatory Scheme, set out under Schedules 5 and 7 of the *Broadcasting Services Act 1992 (Cth)*, which includes regulation of the Internet and mobile phone content.⁴⁵⁶ ACMA's role is to encourage the Internet industry to develop its own codes of practice, and to monitor compliance with these codes.
- 7.2** The Online Co-regulatory Scheme aims to address community concerns about offensive and illegal material online and, in particular, to protect children from exposure to material that is unsuitable for them. ACMA encourages the industry to respect community standards and be responsive to user needs.⁴⁵⁷
- 7.3** Australia's Internet industry is represented by the Internet Industry Association. The Association's members include the main Internet service providers such as Telstra, Optus and Google, content creators and associated services. The Association develops industry codes of practice on behalf of its members.
- 7.4** The current Content Services Code for online and mobile service providers came into effect in July 2008, following a 30-day public consultation period and review and approval by ACMA. According to the Internet Industry Association, the new Code provides clearer guidance to the Internet industry on complaint handling; taking down notified content; promoting online safety; implementing restricted access systems for some content services; and regulating chat services to minimise illegal contact between adults and children.⁴⁵⁸

⁴⁵⁶ Australian Communications and Media Authority, *Online Regulation* <http://www.acma.gov.au/WEB/STANDARD/pc=PC_90154> (accessed 11 June 2009)

⁴⁵⁷ Australian Communications and Media Authority, *About communications and media regulation*, <http://www.acma.gov.au/WEB/STANDARD/pc=PUB_REG_ABOUT> (accessed 11 June 2009)

⁴⁵⁸ Internet Industry Association, *New industry code offers safer online experiences*, <<http://www.ii.net.au/index.php/codes-of-practice/content-services-code-new.html>> (accessed 12 June 2009)

- 7.5 The *Broadcasting Services Act 1992 (Cth)* prohibits certain categories of online content, including child pornography.⁴⁵⁹ Internet users can complain to ACMA about prohibited online content provided in, or hosted from Australia, such as material on the World Wide Web, postings on newsgroups and bulletin boards, content delivered to mobile phones, 'live' streamed video or audio content available on the Internet or mobile phones.
- 7.6 ACMA cannot investigate complaints about the content of emails, instant messages, SMS or MMS.⁴⁶⁰
- 7.7 ACMA investigates complaints about online content and issues a 'take-down' notice if the content is found to be prohibited and is hosted in Australia.⁴⁶¹ Failure to comply with a take-down notice could lead to criminal or civil penalties. For prohibited content that is not hosted in Australia, ACMA will inform the suppliers of filters so they can block the content. For sufficiently serious content hosted in Australia or overseas, ACMA will notify police in the relevant jurisdictions.

Cyber-bullying initiatives

- 7.8 A number of programs and initiatives targeting cyber-bullying have been implemented by NSW schools, the Australian Government, the Internet industry and community organisations, as well as international efforts.

NSW schools

- 7.9 NSW schools have implemented filtering systems to prevent students from accessing inappropriate Internet content from school computers, or sending inappropriate emails.⁴⁶² NSW schools require students to adhere to an 'acceptable use policy' concerning their use of computers, mobile phones and other electronic devices.
- 7.10 Mr Steven Lemos, Principal of St Mary's Primary School, Georges Hall, explained the operation of his school's acceptable use policy:

... we have an acceptable use policy and it is set out like a contract. The system that governs our school gives us a template and then the schools modify it ... and they [students] sign it. The kindergartens do not sign it, the parents sign it, and the teacher takes them through every item of that, which includes, "I must not send an email that

⁴⁵⁹ Australian Communications and Media Authority, *Prohibited online content*, <http://www.acma.gov.au/WEB/STANDARD/pc=PC_90102> (accessed 11 June 2009)

⁴⁶⁰ Australian Communications and Media Authority, *Other online content*, <http://www.acma.gov.au/WEB/STANDARD/pc=PC_310146> (accessed 11 June 2009)

⁴⁶¹ Correspondence from Ms Tina Connor, Project Officer, Student Engagement Section, Inclusive Education Strategies Branch, Commonwealth Department of Education, Employment and Workplace Relations, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, to Director, 30 June 2009, p 1

⁴⁶² Submission 53, New South Wales Government, p 27

is derogatory or is upsetting. I must not do it from home. I must not get on MSM chatline”, and we are updating it each year.⁴⁶³

- 7.11** There are also cyber-safety initiatives targeted at families. For example, the NSW Department of Education and Training has produced a handout for parents on cyber-bullying, and an online magazine for parents on how to promote safe use of the Internet and mobile phones.
- 7.12** During the Committee’s visit to Casimir Catholic College, Marrickville, the Committee was told that the school’s information technology policy covers students’ home use of information technology, including use of the laptops provided by the Federal Government.⁴⁶⁴ As part of the policy, students are warned that their laptops will be inspected periodically for material such as inappropriate photos or illegal downloads. Casimir College held a parent information night before the laptops were issued, to make parents aware of the information technology policy. Students were not issued with a laptop unless they attended, accompanied by a parent or carer.

Australian Government

- 7.13** The Australian Government has a number of cyber-safety initiatives in place that also address cyber-bullying. Responsibility for overseeing the majority of these initiatives rests with the Commonwealth Department of Broadband, Communications and the Digital Economy. For example, the NetAlert website provides advice, primarily for parents and children, on how to protect children in the online environment, information about Internet filters, and advice on how to complain about offensive or illegal online activity.⁴⁶⁵
- 7.14** ACMA administers a national cyber-safety education program that complements the NetAlert activities. This includes professional development workshops for teachers, and general awareness presentations for parents and students. In July 2009 ACMA launched a cyber-safety website to inform children and young people, and their parents, about how to keep safe online. The ‘Let’s Fight It Together’ section of the website, launched in October 2009, provides cyber-safety training and resources for teachers.⁴⁶⁶
- 7.15** In addition, the website has a Cybersmart Online Helpline, which is provided through Kids Helpline. The helpline will assist children and young people who have been cyber-bullied or have had other negative experiences online. ACMA has also established a Cybersafety Contact Centre offering callers information and advice about Internet safety concerns.
- 7.16** The Consultative Working Group on Cyber-Safety was established by the Minister for Broadband, Communications and the Digital Economy, Senator Stephen Conroy, in May

⁴⁶³ Mr Steven Lemos, Principal, St Marys, Georges Hall, Evidence, 11 May 2009, p 17

⁴⁶⁴ Site visit to Casimir Catholic College, Marrickville, Friday 3 July 2009

⁴⁶⁵ Australian Government, *NetAlert – protecting Australian families online*
< http://www.netalert.gov.au/about_netalert.html > (accessed 12 June 2009)

⁴⁶⁶ Australian Communications and Media Authority, *Let’s Fight It Together*
<<http://www.cybersmart.gov.au/Schools/Teacher%20resources/Lower%20secondary/Lets%20fight%20it%20together.aspx> > (accessed 21 October 2009)

2008.⁴⁶⁷ The Group meets four times a year to provide advice to the Australian Government on how to protect children from cyber-safety risks. The Group has members from a number of community groups, Internet service providers, industry associations, business and government.⁴⁶⁸

- 7.17** The first meeting of the Consultative Working Group's cyber-bullying sub-committee was held in November 2008.⁴⁶⁹ The meeting was attended by education officials from the States and Territories as well as sub-committee members.⁴⁷⁰ The purpose of the meeting was to discuss measures taken by the different jurisdictions, as well as the Internet industry, to combat cyber-bullying. The sub-committee will consider the development of a standard set of cyber-safety messages.
- 7.18** The Consultative Working Group is supported by a Youth Advisory Group comprised of 300 students from 15 schools around Australia.⁴⁷¹ The Group will provide advice to the Australian Government on how young people engage with the online environment and how cyber-safety should be addressed.
- 7.19** The Commonwealth Department of Broadband, Communications and the Digital Economy also commissioned a review of the existing Australian and international cyber-safety research. The findings of this review, and its implications for future research relating to cyber-bullying, are discussed in Chapter 8.
- 7.20** The Australian Federal Police in 2009 launched the ThinkUKnow Australia Internet safety program.⁴⁷² The ThinkUKnow initiative was created by the United Kingdom Child Exploitation and Online Protection Centre, and the website was developed in conjunction with Microsoft Australia and ACMA. The website delivers interactive cyber-safety training to parents, carers and teachers through primary and secondary schools in the Australian Capital Territory, New South Wales and Victoria.⁴⁷³ The program will be expanded across Australia in early 2010.

⁴⁶⁷ Submission 50, Commonwealth Department of Education, Employment and Workplace Relations, p 16

⁴⁶⁸ Submission 50, pp 31-32

⁴⁶⁹ Submission 50, p 16

⁴⁷⁰ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 6

⁴⁷¹ Commonwealth Department of Communications and the Digital Economy, *Youth Advisory Group on cyber-safety*, <http://www.telinfo.gov.au/online_safety_and_security/cybersafety_plan/youth_advisory_group/> (accessed 28 October 2009)

⁴⁷² Australian Federal Police and Microsoft Australia, *ThinkUKnow*, <www.thinkuknow.org.au> (accessed 23 October 2009)

⁴⁷³ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 7

Internet industry

- 7.21** A number of Internet industry organisations have taken steps to educate users about cyber-safety, including cyber-bullying. For example, Telstra has implemented cyber-safety education programs for parents and the community; MySpace Australia delivered an interactive cyber-bullying education campaign to high school students in early 2009 in conjunction with SonyBMG, The Daily Telegraph, Kids Helpline and the NSW Department of Education and Training; and Microsoft is involved in a range of partnerships, including the ThinkUKnow website.⁴⁷⁴
- 7.22** The Committee heard that the Internet industry has developed various measures to address cyber-bullying. For example, the Commonwealth Department of Broadband, Communications and the Digital Economy advised that Telstra has developed the BigPond Home Security Suite; MySpace uses search algorithms to detect users who may be too young to register for the site; Google has developed technology which prevents the uploading of YouTube material previously deleted for being offensive; and Microsoft provides home users with free downloadable security tools.⁴⁷⁵

Community organisations

- 7.23** A number of community organisations have developed significant cyber-safety initiatives, which may address cyber-bullying. For example, the Alannah and Madeline Foundation has developed a Cybersafety and Wellbeing Campaign; Bravehearts provides information and education to MySpace users who are at risk of sexual assault; and the National Association for the Prevention of Child Abuse and Neglect has delivered the Smart Online Safe Offline initiative.⁴⁷⁶
- 7.24** In relation to the Cybersafety and Wellbeing Initiative, the National Centre Against Bullying advised that it had secured funding to pilot the program from a range of sources including the Telstra Foundation, the Victorian Government, NAB, Microsoft, MySpace and Australia Post. The Centre described the Initiative in evidence:
- Like SunSmart, it will provide a schools accreditation system, a community-wide campaign (like Slip Slop Slap) and an online portal that will connect teachers, parents, young people and the community to a wide range of expert resources. It will access and help to promote the wealth of anti-bullying information that is already developed, and be an advocate for the community to embrace the ideal of being ‘cybersmart.’⁴⁷⁷
- 7.25** The Inspire Foundation also has a number of cyber-safety initiatives, including the Str8Up project. The project involved face-to-face training with young people and youth workers; production of resources, including an information card for young people and a ‘cheat sheet’

⁴⁷⁴ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 8

⁴⁷⁵ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 10

⁴⁷⁶ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 9

⁴⁷⁷ Submission 30, National Centre Against Bullying, p 9

for youth workers; dissemination of information about the resources and the information available if an incident should occur.⁴⁷⁸ The project was subject to a Process and Impact evaluation which showed that 83 per cent of participants reported an increase in their understanding of online risks, and 90 per cent reported that they developed skills for responding to online safety issues.⁴⁷⁹

International efforts

- 7.26** The Internet has created the potential for cyber-bullying to occur across international boundaries. In addition, because the major social networking sites are hosted overseas, international cooperation may be required to address instances of cyber-bullying between children and young people who live in Australia. However, the Commonwealth Department of Broadband, Communications and the Digital Economy advised that ‘some countries are more receptive to cooperation than others’.⁴⁸⁰

Committee comment

- 7.27** The Committee notes the numerous initiatives in place to address cyber-bullying. The Committee welcomes efforts to address this emerging form of bullying, but is concerned at the possible duplication of initiatives. The issue of coordination is discussed in the final chapter.

Responsibility for addressing cyber-bullying

- 7.28** Cyber-bullying has a direct and significant impact on the school environment. Schools are struggling to find ways to address cyber-bullying, a task that is complicated because cyber-bullying often does not occur at school, or through school equipment. The Committee heard that the problem of cyber-bullying could be exacerbated by the Australian Government’s program to provide laptops to high-school students.
- 7.29** Some Inquiry participants argued that schools are not doing enough to address cyber-bullying, and recommended that the law be changed to clarify that schools have a duty of care to address cyber-bullying. However, others believed that this would be impracticable, and that cyber-bullying should be addressed through a partnership approach involving schools, parents and the community, with support from the Internet industry.

Distinguishing cyber-bullying from cyber-safety

- 7.30** Cyber-safety is a broad concept that covers a range of negative influences from which children should be protected, including sexual predators and pornography. Cyber-bullying is one facet of the broader area of cyber-safety. The confusion between cyber-safety efforts and measures

⁴⁷⁸ Submission 24, Inspire Foundation, p 4

⁴⁷⁹ Submission 24, p 4

⁴⁸⁰ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 12

to protect against cyber-bullying can hamper understanding of how to prevent and intervene in cyber-bullying.

- 7.31** Dr Marilyn Campbell, Associate Professor, Faculty of Education, Queensland University of Technology, told the Committee that parents need to be taught to distinguish the measures needed to address cyber-bullying, as distinct from other online risks:

We are now confusing cyber-bullying with paedophilia. Every time I am asked to go to a school and talk to parents they say, “We tell our kids not to put their name and address on Facebook.” That is good cyber safety. However, it does not have anything to do with bullying because the person who is going to bully you already knows you.⁴⁸¹

Impact of cyber-bullying on the school environment

- 7.32** There is increasing recognition that cyber-bullying has a direct impact on what happens at school. The link between cyber-bullying and face-to-face bullying in schools was highlighted by Mr Brian Chudleigh, Deputy Chair of the Public Schools Principal Forum: ‘So it is cyber tonight and face-to-face physical tomorrow’.⁴⁸²

- 7.33** Ms Susan McLean is a cyber-safety educator who previously specialised in the area of cyber-safety with the Victorian Police. According to Ms McLean: ‘Schools really have moved away from, “It’s not my problem” – or most of them have – simply because they have to deal with the aftermath of the fallout at school the next day’.⁴⁸³

- 7.34** Professor Helen McGrath, Executive Member of the National Centre Against Bullying, observed that:

... schools need to have that authority, as you said, to deal with something on Monday that might have occurred on Saturday involving, say, threats or harassment via a mobile phone or some other form between two students at the school and it needs to be addressed on the Monday because those kids are going to come to school and bring this back into the classroom; it is going to seriously damage the learning environment. There is obviously a potential issue of risk: is one person going to hurt the other on the school grounds? Is somebody going to overreact to what had happened and take action, et cetera?⁴⁸⁴

- 7.35** The Committee heard the same message when consulting with the Youth Advisory Council (YAC). Council members told the Committee that most high-school students are on Facebook, and that the discussions at school in the morning are all about what happened the night before on the Internet.⁴⁸⁵

⁴⁸¹ Dr Marilyn Campbell, Associate Professor, Faculty of Education, Queensland University of Technology, Evidence, 6 April 2009, p 33

⁴⁸² Mr Brian Chudleigh, Deputy Chair, Public Schools Principal Forum, Evidence, 11 May 2009, op 64

⁴⁸³ Ms Susan McLean, Cybersafety Advisor, Evidence, 11 May 2009, p 31

⁴⁸⁴ Professor Helen McGrath, Executive Member, National Centre Against Bullying, Evidence, 6 April 2009, p 9

⁴⁸⁵ Site visit to Commission for Children and Young People, Surry Hills, 24 May 2009

7.36 Schools are now taking responsibility for addressing cyber-bullying between their students, regardless of whether it takes place in school time, or through equipment provided by the school. However, schools need much more assistance about how to address cyber-bullying. Mr Ian Baker, Director of Policy and Programs, Catholic Education Commission NSW, asked: ‘... what is a reasonable expectation of schools in respect of bullying where the only connection is that the students are enrolled in the school but the bullying is happening at two o’clock in the morning’.⁴⁸⁶

7.37 According to Professor Donna Cross of the Child Health Promotion Research Centre at Edith Cowan University:

We are getting so many calls from principals who are saying that they just do not know how to deal with cyber bullying, and they do not know what they should be doing if it is happening out of school but is washing back into school the next day. They clearly need some support around what they should be doing.⁴⁸⁷

7.38 Schools can encounter a number of difficulties when they attempt to address cyber-bullying if it occurs out of school hours and through non-school equipment. Mr Baker described the difficulties faced by schools when:

... the bully does not accept that they are a bully and sometimes their parents do not accept that the bully is a bully and then want to start contesting the rights of a school to manage what they regard as private communications. If someone is doing it at two in the morning, if we have issued them with a computer – and we are all issuing students with computers – we have now raised some really thorny legal issues in schools.⁴⁸⁸

7.39 He concluded that ‘[t]he technology has arrived before the legal answers’.⁴⁸⁹

Australian Government’s laptop delivery program

7.40 Under the Australian Government’s National Secondary Schools Computer Fund, a laptop computer will be distributed to each Australian high-school student in Years 9 to 12 by December 2011. Inquiry participants suggested that the Australian Government’s program to provide laptops to high-school students creates additional pressure for schools to address cyber-bullying.

7.41 According to The Cyber Bullying Project at the Centre for Child Health Promotion Research Centre, the laptop program has the potential to increase the level of cyber-bullying: ‘The group most likely to be affected by cyber bullying – high school age students – are the very

⁴⁸⁶ Mr Ian Baker, Director of Policy and Programs, Catholic Education Commission NSW, Evidence, 11 May 2009, p 11

⁴⁸⁷ Professor Donna Cross, Professor, Child Health Promotion Research Centre, Edith Cowan University Evidence, 11 May 2009, p 52

⁴⁸⁸ Mr Baker, Evidence, 11 May 2009, p 18

⁴⁸⁹ Mr Baker, Evidence, 11 May 2009, p 18

same group who will have increased access through government policy to technology in schools'.⁴⁹⁰

7.42 Ms McLean said that schools have been given little guidance on how to address the increased potential for cyber-bullying created by the program: 'I think that schools have been lumbered with laptops, one for each child, then it is basically "See you later". I know from the phone calls that I have taken from principals that are just screaming out, "What do I do now?"'⁴⁹¹

7.43 The Commonwealth Department of Education, Employment and Workplace Relations advised that the Department has developed the *Better Practice Guide: ICT in Schools* to assist schools with planning for the new technology available through the Fund, as well as technical, security and infrastructure issues.⁴⁹²

7.44 Further, the Department advised that the Australian Government is not responsible for how the laptops are used:

Each jurisdiction is responsible for policies on safe use of computers and educating their student population and teachers about these ... The duty of care associated with the computers lies with those implementing the Fund at a state, sector or school level.⁴⁹³

School duty of care in relation to cyber-bullying

7.45 At present, the extent of a school's duty of care to protect its students from cyber-bullying is unclear. Cyber-bullying that occurs outside of school hours and through non-school equipment is particularly problematic. The Hon Alastair Nicholson, Chair of the National Centre Against Bullying and former Chief Justice of the Family Court of Australia, argued that clearer legal obligations are needed so that 'schools could no longer hide behind the uncertainty as to where their responsibility begins and ends as an excuse for doing nothing at all'.⁴⁹⁴

7.46 According to Mr Nicholson, 'a real difficulty is to determine how far the duty of care of the school, or teachers to children under their care, extends. Does it extend beyond the school gates? If so how far does it extend and to what extent?'⁴⁹⁵

7.47 When questioned on the 'legal minefield' surrounding cyber-bullying, Professor Cross observed that:

⁴⁹⁰ Child Health Promotion Research Centre, Edith Cowan University, *The Cyber Bullying Project: How cyber technology is affecting relational aggression and teenage health*, April 2009, p 25

⁴⁹¹ Ms McLean, Evidence, 22 June 2009, p 31

⁴⁹² Answers to questions on notice taken during evidence 22 June 2009, Ms Christine Lucas, Director – Student Inclusion Section, Commonwealth Department of Education, Employment and Workplace Relations, p 1

⁴⁹³ Answers to questions on notice taken during evidence Ms Lucas, p 3

⁴⁹⁴ Submission 30, Appendix 1: Nicholson A, *Bullying and the Law*, p 23

⁴⁹⁵ Submission 30, Appendix 1, p 21

What seems to be the fallout is that if children are bullying other children in their homes on home equipment, it is not the legal responsibility of schools and schools could be considered exempt. Just because they are talking to other schoolchildren does not make it the school's responsibility.

However, if schools have a laptop program where the laptops are provided by the school and young people are using the laptops at home and bullying on those laptops or they are bullying through the school portals or in any way are connected to equipment or software that the school provides, then it opens up the school for litigation.⁴⁹⁶

7.48 However, Professor Cross cautioned that Australian courts have not tested a school's duty to protect their students from cyber-bullying. She advised that 'in the United States there have been two cases. The outcomes of those found that the school was not responsible, but many others are going on at the moment'.⁴⁹⁷

7.49 Mr Nicholson gave evidence that the law should be changed to clarify that schools have a duty of care to address cyber-bullying:

... the obligations of schools and teachers to protect children who are victims of bullying ... should not end at the school gates. The law should provide that the school and/or teachers should be civilly liable, even if the bullying takes place at home, if the school and teachers either become aware of it having occurred or should have become so aware and do nothing to prevent it.⁴⁹⁸

7.50 A Canadian authority on cyber-bullying, Dr Shaheen Shariff, agrees that schools should be made responsible for addressing cyber-bullying, because of its profound effect on classroom learning:

It is the effect of the harassment, bullying, and threats – despite the fact that they are made outside of the physical school setting – that is important. If they prevent students from learning in the physical school setting, if they create a poisoned environment for any student, then it is the school's responsibility to step in and censor it.⁴⁹⁹

7.51 Dr Shariff points out that teachers tend to believe that the responsibility for oversight of cyber-bullying rests with parents: 'Research shows that teachers believe parents ought to be responsible for their children's conduct at home'.⁵⁰⁰ She accuses teachers of a 'double standard' for their willingness to address cyber-bullying when it involves anti-authority bullying about teachers (such as defamatory comments about teachers posted on websites), but reluctance to address cyber-bullying between students.⁵⁰¹

⁴⁹⁶ Professor Cross, Evidence, 11 May 2009, p 43

⁴⁹⁷ Professor Cross, Evidence, 11 May 2009, p 44

⁴⁹⁸ Submission 30, Appendix 1, p 23

⁴⁹⁹ Shariff S, *Confronting Cyber-Bullying: What schools need to know to control misconduct and avoid legal consequences*, New York, Cambridge University Press, 2009, p 141

⁵⁰⁰ Shariff S, 2009, p 161-162

⁵⁰¹ Shariff S, 2009, p 161

Partnership approach to cyber-bullying

- 7.52** Inquiry participants gave evidence that it is not feasible to delineate a school's duty of care in relation to cyber-bullying:

With cyber bullying we can no longer say that our laws and schools – in fact, our whole society – is built on geographic boundaries ... If we try to divide [the responsibility] up, we will not get anywhere. If you ask me for my solution, I do not have one ... It is going to be a very difficult problem.⁵⁰²

- 7.53** Rather than trying to address the thorny legal issue of a school's duty of care, it was suggested that the most practicable solution was to instead focus on developing a partnership model between parents and teachers, with the support of Internet service providers. According to Ms Joanne Degney, Program Manager, Inspire Foundation: 'My question, as opposed to duty of care, would be: How can we have consistent support and resources for young people so that we are all giving them the same message at home, at school and from service providers?'.⁵⁰³

- 7.54** A partnership model was also supported by Ms Cheryl McBride, Chair of the Public Schools Principal Forum: 'Who can monitor it when a child is sending a text message at midnight under their pillow or has their laptop on the desk next to them? That is really a family issue but again it is a whole of community responsibility because the effects can be so devastating'.⁵⁰⁴

- 7.55** Mr David McKie, Director, Student Welfare, NSW Department of Education and Training, said that cyber-bullying is a home and community problem as much as a school problem. Mr McKie therefore supported a partnership approach to educating students about responsible use of technology.⁵⁰⁵

- 7.56** Inquiry participants recognised that the Australian Government's laptop program would further blur the boundaries between school and home. Mrs Sharon Johnston, Publicity Officer, Federation of Parents and Citizens Associations of NSW, said: 'We know that at the end of this year students in Year 9 will have laptops, so we have no excuse to delineate the duty of care at all. We need to have a partnership model'.⁵⁰⁶

- 7.57** Ms McLean told the Committee that schools were now implementing policies to clarify their ability to deal with cyber-bullying:

Many schools now have wording along the lines of, "Any action that negatively impacts upon a member of our school community at any time will be subject to the rules of the school." So that covers the parent who might say, "Butt out. It's none of your business; it happened on the weekend" ...

⁵⁰² Dr Campbell, Evidence, 22 June 2009, p 34

⁵⁰³ Ms Joanne Degney, Program Manager, Inspire Foundation, Evidence, 11 May 2009, p 27

⁵⁰⁴ Ms Cheryl McBride, Chair, Public Schools Principal Forum, Evidence, 11 May 2009, p 64

⁵⁰⁵ Mr David McKie, Director, Student Welfare, NSW Department of Education and Training, Evidence, 22 June 2009, p 16

⁵⁰⁶ Mrs Sharon Johnston, Publicity Officer, Federation of Parents and Citizens Associations of NSW, Evidence, 11 May 2009, p 20

In South Australia, recently the Education Department issued a set of guidelines – very clear and written in black and white – that basically said that any school principal who believes a mobile phone or other device has been used to cyber bully can seize that phone immediately and hand it to the police.⁵⁰⁷

Role of the Internet industry in addressing cyber-bullying

7.58 The Internet industry has an important role to play in protecting children and young people online, including protection from cyber-bullying. It is however unclear whether social networking sites, such as Facebook, MySpace and Bebo, as well as video-sharing platforms such as YouTube, have a legal duty of care towards their users. When questioned on this issue, the Commonwealth Department of Broadband, Communications and the Digital Economy advised that ‘whether or not a common law duty of care exists is a matter for the courts’.⁵⁰⁸

7.59 Regardless of its legal obligation to do so, the Internet industry has taken a number of steps to protect its users from online safety risks, some of which were outlined earlier in this Chapter. Facebook, MySpace, Bebo and YouTube have their own user guidelines around acceptable behaviour. Users are warned that their account will be terminated if they violate the user guidelines. For example, Facebook’s Statement of Rights and Responsibilities requires users to be aged over 13 and to agree to a number of provisions, including:

- not to bully, intimidate or harrass any user
- not to post content that is hateful, threatening, pornographic, or that contains nudity or graphic or gratuitous violence
- not to do anything unlawful, misleading, malicious, or discriminatory.⁵⁰⁹

7.60 The video-sharing site YouTube is owned by Google. Mr Iarla Flynn, Senior Public Policy and Government Affairs Manager, Google Australia and New Zealand, observed that YouTube’s user guidelines are based on ‘...a pretty strong free speech tradition’.⁵¹⁰ He gave evidence that:

We try not to make decisions about certain matters of taste. If material is illegal, then it has no place. We also go beyond that to have our own policies of what we think is not acceptable, but if something does not break the law or break those guidelines in terms of being abusive or hate speech, then it is okay to be on YouTube.⁵¹¹

7.61 YouTube relies on its user community to monitor online content and report inappropriate postings.⁵¹² In line with this approach, content is not screened before it is posted online. In

⁵⁰⁷ Ms McLean, Evidence, 22 June 2009, pp 31- 32

⁵⁰⁸ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 5

⁵⁰⁹ Facebook, *Statement of Rights and Responsibilities*, <www.facebook.com.au> (accessed 21 July 2009)

⁵¹⁰ Mr Iarla Flynn, Senior Public Policy and Government Affairs Manager, Google Australia and New Zealand, Evidence, 22 June 2009, p 45

⁵¹¹ Mr Flynn, Evidence, 22 June 2009, p 43

⁵¹² Mr Flynn, Evidence, 22 June 2009, p 41

addition, Mr Flynn said that it would be impracticable to screen every new video posted online, because 20 hours of new material is uploaded onto YouTube every minute.⁵¹³

7.62 Mr Flynn explained that any viewer is able to flag a concern about a video posted online. Reports are prioritised depending on the type of flag. According to Mr Flynn, ‘every video that is flagged would be reviewed by YouTube highly-trained review teams and if it breaches the community guidelines it would be taken down’.⁵¹⁴ The review teams operate 24 hours a day and the timeframe for taking down inappropriate content varies from an hour to several hours.⁵¹⁵

7.63 In regard to the consequences for uploading inappropriate content, Mr Flynn advised that:

Users who continually breach the guidelines will have their account terminated. That is probably a fairly serious consequence for someone who engages a lot on YouTube because their entire set of material will be gone and they would have to start from scratch and build up relationships and whatever again.⁵¹⁶

7.64 The Committee heard evidence that social networking sites and YouTube have begun to act to strengthen user protections. For example, the European Union has entered into a voluntary, non-binding agreement with seventeen social networking sites, including Bebo, Facebook, MySpace, Google/YouTube and Yahoo. Under the seven Safer Social Networking Principles they agreed to:

- raise awareness of safety education messages and acceptable use policies to users, parents, teachers and carers in a prominent, clear and age-appropriate manner
- work towards ensuring that services are age-appropriate for the intended audience
- empower users through tools and technology
- provide easy-to-use mechanisms to report conduct or content that violates the terms of service
- respond to notifications of illegal content or conduct
- enable and encourage users to employ a safe approach to personal information and privacy
- assess the means for reviewing illegal or prohibited content/conduct.⁵¹⁷

7.65 The Internet Industry Association reported to the Consultative Working Group on Cyber-Safety that it supported voluntary cooperative agreements, and would encourage local Internet

⁵¹³ Mr Flynn, Evidence, 22 June 2009, p 41

⁵¹⁴ Mr Flynn, Evidence, 22 June 2009, p 41

⁵¹⁵ Mr Flynn, Evidence, 22 June 2009, p 42

⁵¹⁶ Mr Flynn, Evidence, 22 June 2009, p 41

⁵¹⁷ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, pp 2-3

service providers to conform with international best practice such as the Safer Social Networking Principles.⁵¹⁸

- 7.66** Another example of strengthened user protections comes from the United States of America, where two agreements have been signed between a working group of state Attorneys-General and MySpace and Facebook. The prescriptive agreements require Facebook and MySpace to implement a number of measures to increase safety for minors, and to pay for the employment of an Independent Examiner to evaluate and examine their handling of consumer complaints.⁵¹⁹
- 7.67** The Australian Government's Consultative Working Group on Cyber-Safety is examining whether such agreements would be of benefit in the Australian context.
- 7.68** The Internet industry has placed a strong emphasis on education in keeping children and young people safe online. Mr Flynn explained that:

Across all our services we have safety centres where we try to provide educational material on safety in a very accessible form. So, for example, we use YouTube videos very often to explain the safety features of a product. We find that that works very well because a lot of people do not want to read, you know, the long and boring terms and conditions, but sometimes a two- or three-minute video can convey the message much more clearly ...⁵²⁰

- 7.69** In determining appropriate measures to protect children and young people, Mr Flynn said that: 'We regard ourselves as being continually in listening mode to ensure that we can understand the issues as well as possible and continually improve the approach we take'.⁵²¹

Committee comment

- 7.70** Cyber-bullying can take place anywhere: at home or at school, at the library or on the bus. It may involve school equipment, or equipment purchased by parents for their children. The Committee considers that cyber-bullying can only be effectively addressed through a cooperative and respectful approach involving the entire community including schools, parents, young people and the Internet industry.
- 7.71** Taking this into account, there are no clear answers about the extent of a school's duty of care in relation to cyber-bullying. The Committee considers that the issue of duty of care is one that should be resolved by the courts.
- 7.72** While it cannot be argued that schools alone are responsible for addressing cyber-bullying, schools must address cyber-bullying because of its direct impact on the school environment. However, while it seems that schools are willing to take action on cyber-bullying, schools are

⁵¹⁸ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 4

⁵¹⁹ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, pp 3-4

⁵²⁰ Mr Flynn, Evidence, 22 June 2009, p 42

⁵²¹ Mr Flynn, Evidence, 22 June 2009, p 41

unsure of their responsibilities in relation to cyber-bullying that occurs out of school hours. The Committee believes that schools need much more guidance from the NSW Department of Education and Training in this regard.

Recommendation 19

That the Minister for Education and Training develop guidelines for schools on their responsibility to address cyber-bullying, particularly that which occurs out of school hours.

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- 7.73** The Committee is concerned that schools may find themselves under increasing pressure to respond to incidents of cyber-bullying, given that high-school students will have increased access to technology through the Australian Government's National Secondary Schools Computer Fund. The Committee is critical of the limited support that NSW schools have received from the Australian Government in relation to the issue of cyber-bullying. The Committee considers that as part of the lap-top delivery program, the Australian Government should give much greater assistance to schools in developing policies on cyber-bullying.

Recommendation 20

That the Minister for Education and Training ensure that the Commonwealth Minister for Education provides schools with support and professional development on cyber-bullying as an integral component of the implementation of the National Secondary Schools Computer Fund.

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- 7.74** The Committee believes that the strengthening of user protections through voluntary agreements with the Internet industry, as is currently occurring in the European Union and the United States of America, is an important measure in protecting children and young people in the online environment.
- 7.75** The Committee notes that the Consultative Working Group on Cyber-Safety is currently examining whether voluntary agreements would be of benefit in the Australian context. The Committee strongly encourages the Working Group to develop a voluntary cooperative agreement to ensure that local Internet service providers conform with international best practice in regards to user protection from cyber-bullying.

Recommendation 21

That the Minister for Education and Training ensure that the Consultative Working Group on Cyber-Safety develops a voluntary cooperative agreement to ensure that local Internet service providers conform with international best practice in regards to user protection from cyber-bullying.

Approaches to cyber-bullying prevention and intervention

- 7.76** Many parents believe that, in order to protect their children from cyber-bullying, the best approach is to restrict their access to technology. This may include blocking access to social networking sites, or confiscating mobile phones or laptops. However, children and young people deeply resent such restrictions, making them less likely to confide in their parents if they have been cyber-bullied.
- 7.77** An alternative approach is to ensure that children and young people are educated about online safety, and how to minimise the risk of cyber-bullying. They can then make informed decisions to minimise any potential harm from the online environment. This section discusses the merits of these respective approaches.

Restricting access to technology

- 7.78** The Committee heard evidence that many parents and teachers believe that restricting access to technology will protect children and young people from cyber-bullying. This tendency was noted by Dr Campbell: ‘People these days want a quick fix and it is tempting to consider a quick technological fix for cyber-bullying’.⁵²²
- 7.79** However because cyber-bullying is an extension of face-to-face bullying, Dr Campbell explained that it is misguided to believe that cyber-bullying can be addressed through technological means:
- Young people prefer to communicate both face-to-face and online. They have an online and an offline social life. They bully online and they bully offline. If bullying is conceived as a relationship problem in the broad social sphere then social solutions are going to work better than just technological and/or legal solutions.⁵²³
- 7.80** A similar view was expressed in the report on the *Australian Covert Bullying Prevalence Study*, which found that schools ‘... have tended to blame ‘technology’ for behaviour that is rooted in wider social problems and in the psychological issues that characterise adolescence’.⁵²⁴ The Study recommended that rather than responding to cyber-bullying by restricting access to technology, schools should instead address cyber-bullying in the broader context of social interaction.
- 7.81** According to Dr Campbell: ‘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’.⁵²⁵

⁵²² Submission 22, Dr Marilyn Campbell, Associate Professor, Faculty of Education, Queensland University of Technology, p 1

⁵²³ Submission 22, Appendix 1: Campbell M, *Cyber bullying and young people: Treatment principles and not simplistic advice*, p 5

⁵²⁴ Child Health Promotion Research Centre, Edith Cowan University, *Australian Covert Bullying Prevalence Study*, March 2009, p 39

⁵²⁵ Submission 22, Appendix 1: Campbell M, *Cyber bullying: An old problem in a new guise?*, p 6

- 7.82** However, Inquiry participants noted that due to the lack of research on cyber-bullying, it was impossible to determine whether those strategies that are effective in addressing face-to-face bullying would also be successful in addressing cyber-bullying.
- 7.83** The Centre for Educational Research at the University of Western Sydney advised that ‘the whole-school approach has only been robustly tested with traditional types of bullying. It is not clear the extent to which cyber bullying would benefit with a whole-school approach.’⁵²⁶
- 7.84** The Cyber Bullying Project conducted by the Child Health Promotion Research Centre found that ‘... well-grounded research on how to deal with the problem [of cyber-bullying] is virtually absent’.⁵²⁷ The Project concluded that because cyber-bullying ‘generally occurs outside the school environment’ it ‘may require a different response’ to the whole-school approach used to address face-to-face bullying.

Young people’s views on restrictions

- 7.85** Children and young people tend to resent restrictive approaches to cyber-bullying that limit access to social networking sites, mobile phones or laptops. The Committee heard that it is counter-productive for parents of victims of cyber-bullying to respond by restricting access to technology, as this effectively punishes the victim. The fear of social isolation as a result of losing access to technology deters children and young people from reporting cyber-bullying.
- 7.86** According to the Inspire Foundation, restrictive approaches may make children and young people reluctant to report cyber-bullying, thus effectively driving the issue underground. The Foundation’s submission observed that ‘restrictive approaches may discourage young people from discussing online safety issues openly and/or reporting problems’.⁵²⁸
- 7.87** One of the respondents to the YAC’s Cyber-bullying Online Forum, conducted for their *Report to the Minister on Cyberbullying*, said:
- It’s interesting that a lot of young people are reluctant to tell their parents if they are being cyber-bullied for fear of being ‘disconnected’. I think parents of young people who are being cyber-bullied need to be equipped to support their son/daughter in a way that is appropriate and doesn’t inadvertently punish the victim.⁵²⁹
- 7.88** These observations are supported by the results of the *Australian Covert Bullying Prevalence Study*, which found that ‘students reported qualitatively they would not tell an adult if they were being or had been cyber bullied for fear of having their computer or mobile phone removed’.⁵³⁰

⁵²⁶ Submission 21, Centre for Educational Research, p 8

⁵²⁷ Child Health Promotion Research Centre, Edith Cowan University, *The Cyber-Bullying Project: How cyber technology is affecting relational aggression and teenage health: Final Report*, April 2009, p 7

⁵²⁸ Submission 24, p 3

⁵²⁹ Youth Advisory Council, *Report to the Minister for Youth on Cyberbullying*, December 2008, p 4

⁵³⁰ Child Health Promotion Research Centre, Edith Cowan University, March 2009, p 159

7.89 In evidence, Ms McLean advised that ‘one of the key messages’ to parents is: ‘Never, ever punish your child because of what someone else has done to them online. But for parents who have no idea it is so much easier to just rip the thing out of the wall or take the mobile phone away, and that will solve the problem’.⁵³¹

7.90 In addition, restrictions can be ineffective because children and young people are adept at circumventing them. According to Professor McGrath:

I guess in the area of cyber bullying it does not work to ban the technology. In our most recent studies we have discovered that although the huge numbers of schools, for example have a mobile phone policy that says you have to not have them turned on during the day, it never works – no-one is reporting that it is actually effective. So any kind of ban does not work and, again, the young people respond negatively to that as well.⁵³²

7.91 Members of the YAC told the Committee that Internet filtering is ineffective and can be circumvented. The Committee also heard that school Internet filters can have a negative consequence as they often block legitimate research sites for school projects.⁵³³

7.92 Ms Gillian Calvert, former NSW Commissioner for Children and Young People, relayed the view among young people that restrictive approaches can impede them from accessing the benefits of technology:

... overall, the advantage of the benefits of the Internet far outweigh the bullying costs for them. Their access to schoolwork and research, their social networking, their opportunity to enhance their existing relationships through using those social networking sites gave them the connections and friendship networks that kids identified were the things that were often protective against bullying.⁵³⁴

7.93 According to the Inspire Foundation:

Technology and the internet are enablers for young people in regards to social interaction, identity formation, education and self-directed learning, mental health and well-being and civic engagement. The opportunities, on which restrictive approaches would negatively impact, far outweigh the risks to cyber-bullying, which could be addressed through harm minimisation.⁵³⁵

7.94 The Australian Government’s Consultative Working Group on Cyber-Safety cautioned that it:

... is mindful that young people’s engagement with the internet brings more benefits than not, and that their successful engagement with the digital economy will be essential for their own future and that of Australia as a whole. The CWG

⁵³¹ Ms McLean, Evidence, 22 June 2009, p 31

⁵³² Professor McGrath, Evidence, 6 April 2009, p 10

⁵³³ Site visit to Commission for Children and Young People, Surry Hills, 24 May 2009

⁵³⁴ Ms Gillian Calvert, former NSW Commissioner for Children and Young People, NSW Commission for Children and Young People, Evidence, 11 May 2009, p 37

⁵³⁵ Submission 24, p 4

[Consultative Working Group] considers that this fact needs to be kept at the forefront of thinking on how best to address cyber-safety risks.⁵³⁶

Harm minimisation through education

7.95 In light of the evidence that it is ineffective to restrict access to technology, a number of Inquiry participants advocated for a harm minimisation approach based on greater education about online risks. According to the Inspire Foundation:

The harm minimisation model has been successfully applied to a range of health issues (most notably in sexual health promotion and alcohol and other drug prevention and intervention). A harm-minimisation approach considers the actual harms associated with online practise and focuses on how these harms can be minimised or reduced. It recognises that some practices are, and will continue to be, a part of our young people's online experience. Hence, it focuses on empowering individuals to make informed decisions about risk behaviours.⁵³⁷

7.96 The Inspire Foundation explained that the aim of a such an approach would be to increase:

- knowledge of online safety risks
- knowledge of strategies to reduce online risks
- awareness of online safety and support resources
- skills for effectively responding to online safety risks.⁵³⁸

7.97 In 2007, the National Centre Against Bullying, through its parent body, the Alannah and Madeline Foundation, and supported by the Centre for Strategic Education, convened a Cyber-Safety Symposium. The Symposium recommended that students:

- understand the consequences of cyber-bullying and harassment and the severe personal and societal implications of this behaviour
- understand that they may be breaking the law and that there are legal penalties for cyber-bullying and other harmful and illegal online or mobile phone activities
- are aware that the cyber-environment is not private and their online activities can be traced
- are involved in seeking solutions and in developing cyber-safety strategies.⁵³⁹

7.98 The Committee heard evidence that many children and young people are already aware of technological measures to protect themselves online. According to the Inspire Foundation: 'A large proportion of young people who participated in focus group discussions demonstrated relatively high awareness of online safety risks, and similarly, many reported already employing

⁵³⁶ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, pp 5-6

⁵³⁷ Submission 24, p 3

⁵³⁸ Submission 24, p 4

⁵³⁹ National Coalition Against Bullying, *Cyber-safety Symposium Report*, 2007, p 3

risk reduction strategies to stay safe online'.⁵⁴⁰ However, Inspire noted that they showed less awareness about where to report online harassment and cyber-bullying.⁵⁴¹

7.99 The YAC's *Report to the Minister on Cyberbullying* found that:

... young people may be aware of basic strategies that they can use to protect themselves against cyberbullying, such as not giving out your real name or personal details ... However it appears that many young people are not aware of what steps they might take to deal with cyberbullying if it becomes more serious.⁵⁴²

Education about legal implications of cyber-bullying

7.100 While young people may be aware of some online risks, they appear to be unaware of the legal implications of their online behaviour. Mr Nicholson informed the Committee that 'there is little understanding amongst children and young people that bullying conduct may constitute a crime and even less that cyber bullying may do so'.⁵⁴³

7.101 Ms McLean agreed that '... very few of the young people who engage in online bullying and harassment are even aware that they may be breaking the law and that they are leaving themselves open to prosecution if a report is made to police'.⁵⁴⁴ She pointed out that the online environment leads to young people developing '... a false sense of bravado. There is no risk associated with doing the wrong thing online because they do not believe that they can ever be traced'.⁵⁴⁵

7.102 Superintendent Adam Whyte, Commander of Policy and Programs, NSW Police Force, said that through the workshops delivered by the School Liaison Police, 'one of the things we try to approach when we present in the schools, in relation to cyber bullying in particular, is to go through the legalities component of it – both the Commonwealth legislation and the State legislation'.⁵⁴⁶

7.103 Ms Alison Benoit, A/Leader, Attendance and Discipline (Office of Schools Practice), NSW Department of Education and Training, told the Committee that the legal implications of bullying are discussed in the Legal Studies subject in senior years, '... as well as in junior years in various curricula areas'.⁵⁴⁷

⁵⁴⁰ Submission 24, p 3

⁵⁴¹ Submission 24, p 5

⁵⁴² Youth Advisory Council, December 2008, p 7

⁵⁴³ Submission 30, National Centre Against Bullying, Appendix 1: Nicholson A, p 18

⁵⁴⁴ Submission 55, Ms Susan McLean, Cybersafety Advisor, p 10

⁵⁴⁵ Ms McLean, Evidence, 22 June 2009, pp 36-37

⁵⁴⁶ Superintendent Adam Whyte, Commander of Policy and Programs, NSW Police Force, Evidence, 22 June 2009, p 2

⁵⁴⁷ Ms Alison Benoit, A/Leader, Attendance and Discipline (Office of Schools Practice), NSW Department of Education and Training, Evidence, 6 April 2009, p 21

Schools and cyber-safety education

- 7.104** Some Inquiry participants suggested that cyber-safety should be part of the school curriculum, given that technology is now integrated into most learning opportunities. On integrating cyber-safety into the curriculum, Ms McLean said:

I do not think it needs to be a standalone subject. Kids now use technology for everything. They are on a computer to do maths and to do their English, so it could be built into whenever they are using technology and into everything they do online. In some of the programs that I looked at in the United States kids have to do a cyber safety quiz before they can log on to a computer for the day ...⁵⁴⁸

- 7.105** Ms McLean advocated an early start to cyber-safety education: ‘I think that we have to start young, from the minute that children have access to computers.’ She told the Committee that in the UK, teaching of cyber-safety is mandatory in primary schools: ‘... it is something that schools are marked against, so when the school inspector comes in to check that you have done your physical education and this and that, cyber safety education is part and parcel of that. That has just started this year’.⁵⁴⁹

- 7.106** The Committee notes that Tasmania has developed a cyber-safety curriculum for students in Kindergarten to Year 10.⁵⁵⁰

- 7.107** One of the difficulties in delivering cyber-safety education is that children and young people tend to believe that adults, such as their teachers and parents, do not understand the online environment or what they do online. In this regard about on-line safety, the Inspire Foundation said that their Str8Up project had found peer education to be particularly effective:

The peer education and discussion oriented approach was particularly effective in engaging young people during the workshops. During formative/consultative discussions, young people expressed feeling that existing Internet Safety programs were unrealistic, boring or ‘talked down’ to young people about risks that they were already aware of ... One young person remarked that hearing their peers challenge attitudes and beliefs was much more credible than hearing about it from adults who she exclaimed ‘don’t know anything about what we do on the net’.⁵⁵¹

- 7.108** In relation to ACMA’s community education initiatives, the Committee heard of an instance where there were insufficient resources to meet the demand for the delivery of a large number of face-to-face training sessions. According to Ms Carolyn Hadley, Education Officer, Children Protection, Catholic Education Office, Sydney:

An example for us in the Sydney Catholic Education Office was our attempt to have resources for NetAlert, which is a Commonwealth program, delivered. We put a proposal forward to get them delivered to all our students, to our staff and to our

⁵⁴⁸ Ms McLean, Evidence, 22 June 2009, p 36

⁵⁴⁹ Ms McLean, Evidence, 22 June 2009, p 32

⁵⁵⁰ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 8

⁵⁵¹ Submission 24, p 5

parents over a few months. They had to decline this; they could not assist us in doing that. I simply raise that, in terms of the programs that are available and the limitations to them.⁵⁵²

Educating parents about cyber-bullying

7.109 Parents, as well as schools, have an integral role to play in addressing cyber-bullying, and teaching their children about acceptable behaviour and social interaction. According to Ms Sharlene Chadwick, Training and Development Manager, Peer Support Australia:

It is about educating students but also parents. Parents purchase the equipment or allow these young people to access these forms of technology. It is parent education in consultation with schools that is important. A great deal of the information that students load onto the Internet is not loaded at school. Schools have so many blocks, firewalls and so on that they cannot physically do it in the school environment.⁵⁵³

7.110 Inquiry participants gave evidence that parents need to know more about the technology their children are using, such as social networking sites. Senior Constable Dave Brown, School Liaison Officer, Fairfield, observed that:

The problem we have with social networking sites, Bebo, MySpace, Facebook, all those, the minimum age to use them is 13. Those kids in primary school are not even of legal age to be using them. However, their parents are allowing access to them, not knowing because it is usually the child who sets up the account.⁵⁵⁴

7.111 Ms McLean described the risks of allowing young children to access social networking sites and other online applications:

I now see 8-year-olds with Facebook because mum and dad says it is okay, because they do not really know what they are doing, or parents who say that instant messaging and social networking are really bad, so you cannot have them, but they are happy for you to play an online game where you are interacting with random strangers all around the world. In a parent's mind a game is something that is fun and safe; therefore an online game must be fun and safe as well. It is a total lack of understanding about what technology is and how it works.⁵⁵⁵

7.112 The National Centre Against Bullying's 2007 Cyber-safety Symposium recommended that parents:

- take responsibility for ensuring their children's cyber-safety when using these technologies and treat cyber-safety issues in the same way they would about other safety matters – e.g. drug use or safe sex
- are aware of and monitor their children's activities and usage

⁵⁵² Ms Carolyn Hadley, Education Officer, Children Protection, Catholic Education Office, Sydney, Evidence, 11 May 2009, p 11

⁵⁵³ Ms Sharlene Chadwick, Training and Development Manager, Peer Support Australia, Evidence, 11 May 2009, p 6

⁵⁵⁴ Senior Constable Dave Brown, School Liaison Officer, Fairfield, Evidence, 22 June 2009, p 9

⁵⁵⁵ Ms McLean, Evidence, 22 June 2009, p 33

- have a clear internet and mobile phone agreements in the home and work to see that these are adhered to
- are aware of the wide range of available resources to help them manage their children's internet use
- maintain open communication with their children about issues pertaining to ICT use.⁵⁵⁶

7.113 Any parental response to cyber-bullying must be informed by an understanding of the benefits of technology, and its importance in the lives of children and young people. According to Mrs Sharon Johnson, Publicity Officer, Federation of Parents and Citizens' Associations of NSW: '... we do not necessarily see that it is always negative. These are tech-savvy, dynamic young people who are insatiable for their appetite of knowledge ...'.⁵⁵⁷ She added that:

We need to be very mindful when we are saying to them that technology can be bad and they can be bullied with it and it can be a weapon. It is also a wonderful tool that they are just lapping up ... We need to make sure we are not being fearful and letting our own inhibitors stymie them.⁵⁵⁸

7.114 Inquiry participants supported the view that children need guidance in their online activities, just as they do in face-to-face social interaction. The *Behind the Scenes: Insights into the Human Dimension of Covert Bullying* study found that: 'In particular, parents need to know that parenting in cyber space, is the same as parenting in the real world: **children need moral and ethical guidance and clear, developmentally appropriate boundaries to be responsible, competent cyber citizens**'.⁵⁵⁹

7.115 According to Ms McLean: '... as a child's technological ability will far outweigh their psychological development for many years, the wider community must take responsibility to assist and guide young people in relation to what is acceptable use of technology'.⁵⁶⁰

Parental supervision of online and mobile phone activity

7.116 Inquiry participants observed that there is a 'digital generation gap' that presents a barrier to parental supervision of Internet and mobile phone activity. According to Dr Campbell:

This [supervision] may be difficult for some parents as they find the technology difficult. Parents sometimes struggle to develop strategies to manage the technology

⁵⁵⁶ National Coalition Against Bullying, 2007, p 3

⁵⁵⁷ Mrs Johnson, Evidence, 11 May 2009, p 24

⁵⁵⁸ Mrs Johnson, Evidence 11 May 2009, p 25

⁵⁵⁹ Hawke Research Institute for Sustainable Societies, Centre for Analysis of Educational Futures, in partnership with The Coalition to Decrease Bullying, Harassment and Violence in South Australian Schools, *Behind the Scenes: Insights into the Human Dimension of Covert Bullying*, December 2008, p 28, emphasis as per original

⁵⁶⁰ Submission 55, p 10

while children and teens deploy tactics to thwart them, suggesting a 'digital generation gap' ...⁵⁶¹

7.117 Mrs Johnson also noted the difficulties that parents face in responding to cyber-bullying:

It is one thing to identify it when it is occurring, but it is a whole other thing to get support and know how to deal with it appropriately so that you are not limiting your child from the technology that is their's ... without just being punitive. You want to build the esteem of the child and make sure it is a positive outcome and not always punitive.⁵⁶²

7.118 Superintendent Whyte told the Committee that officers from the School Liaison Police offer parents advice on how to address cyber-bullying:

Again, there is the component for parents as well in relation to better supervision. We give them tips and hints about the location of the computer within the home and how to monitor what they are up to without being too intrusive.⁵⁶³

7.119 As advocated by Superintendent Whyte, a commonly recommended supervisory strategy for parents is for the computer to be kept out of a child's bedroom and placed in a common area, such as the family room. This is intended to allow parents to monitor the amount of time their children spend online, as well as what they are accessing. Another such strategy is requiring children to surrender their mobile phones before going to bed, to prevent them from sending text messages throughout the night.

7.120 However, Dr Campbell cautions that:

Advice is often given to put the computer in the lounge room but this is often impractical. Further, it is extremely difficult to supervise mobile phone use. Instead there should also be agreed upon family rules for both computer and mobile phone use.⁵⁶⁴

7.121 Rather than advocating direct parental supervision, Ms Degney suggests encouraging children to talk to their parents about their online activities:

So one of the things that we have been thinking about is: How do you encourage young people to initiate a conversation with their parents instead? They are the ones that have the information and the skill base and great media literacy.⁵⁶⁵

7.122 The need for more discussion between parents and children was supported by Ms Calvert:

There is room for parents to know a lot more about the Internet. In particular, one of the things we suggest is that parents spend time with their kids asking the kids to

⁵⁶¹ Submission 22, Appendix 1, Campbell M, *Cyber bullying: An old problem in a new guise?*, p 6

⁵⁶² Mrs Johnson, Evidence, 11 May 2009, p 20

⁵⁶³ Superintendent Whyte, Evidence, 22 June 2009, p 2

⁵⁶⁴ Submission 22, Appendix 1: Campbell M, *Cyber bullying and young people: Treatment principles and not simplistic advice*, p 9

⁵⁶⁵ Ms Degney, Evidence, 11 May 2009, pp 27-28

show them, asking the kids about it, which in itself also builds relationships between the child and parent and, again, we know is protective against bullying.⁵⁶⁶

- 7.123** While monitoring and guiding their children's use of technology, parents need to be careful not to take away all freedom to explore. According to Dr Shariff, one of the attractions of cyberspace is that children and young people view it as a place where they are free from the prying eyes of parents and authority figures. Dr Shariff pointed out that children's activities today are increasingly supervised, 'even though most adult baby boomers remember roaming free to play for hours without adult supervision'.⁵⁶⁷

Committee comment

- 7.124** Restricting access to technology does not prevent, nor is it a solution for, cyber-bullying. While technological approaches alone will not address the problem of cyber-bullying, there are no easy answers: there is a pressing need for research on effective approaches to cyber-bullying. This is discussed in Chapter 8.
- 7.125** More cyber-safety education is needed as part of a proactive prevention and protection approach to reducing the possible damage resulting from cyber-bullying. Children and young people and their parents need to be aware of online safety risks, and how to minimise these risks. They also need to be aware of strategies for addressing cyber-bullying after it has occurred. The Committee considers that cyber-bullying education is vital if parents are to work in partnership with schools and their children to address cyber-bullying, and recommends that schools pursue a proactive prevention and protection approach to cyber-bullying.
- 7.126** The Committee does not believe that cyber-safety education should be introduced as a stand-alone subject in the school curriculum. Cyber-bullying is not simply a technical issue, but a reflection of the broader social behaviours that are apparent in all forms of bullying. The Committee therefore supports embedding anti-bullying education in all aspects of learning as part of a broad focus on student well being.

Recommendation 22

That the Minister for Education and Training ensure that schools implement a proactive prevention and protection approach to addressing bullying by embedding anti-bullying education in all aspects of learning as part of a broad focus on student well being.

⁵⁶⁶ Ms Calvert, Evidence, 11 May 2009, pp 37 - 38

⁵⁶⁷ Shariff S, 2009, p 101

Chapter 8 Future directions

Inquiry participants indicated that future bullying research is likely to focus on the effectiveness of anti-bullying initiatives in the Australian context, as well as developing a stronger understanding of the dynamics of cyber-bullying. To ensure that the most effective anti-bullying practices are utilised in NSW schools, collaboration should be encouraged between the research community and NSW education authorities. In addition, the Committee heard that greater co-ordination is needed between anti-bullying initiatives, to avoid wasted resources and confusion of anti-bullying messages.

Trends in bullying research

- 8.1** Numerous research studies conducted in Australia and overseas have resulted in general agreement among research practitioners on the level of bullying and its deleterious and long-lasting impacts. Researchers also tend to agree on the different causal factors contributing to bullying, although there is some debate about the relative influence of each.
- 8.2** However, during the Inquiry it became clear that there are two areas in which further research is needed: the effectiveness of anti-bullying initiatives in the Australian context, and the dynamics of cyber-bullying and how it should be addressed.

Research on applied intervention

- 8.3** Inquiry participants noted that research is increasingly moving in a new direction: the identification of effective interventions. Professor Donna Cross, Child Health Promotion Research Centre, Edith Cowan University, commented that ‘a lot of applied prevalence studies have been conducted in respect of bullying in Australia. However, there have not been many studies of applied intervention assessment. That is largely because that research is hard to do.’⁵⁶⁸
- 8.4** To identify opportunities for preventing and intervening in covert bullying, the *Australian Covert Bullying Prevalence Study* recommended that applied intervention research be undertaken ‘... to determine the impact of promising strategies to reduce covert bullying that protect and support those involved...’.⁵⁶⁹

Research on cyber-bullying

- 8.5** There is a clear need for more research on cyber-bullying. Mr John Dagleish, Manager, Strategy and Research, Boystown, observed that ‘the research in cyber bullying, it would be true to say, is still in embryonic form ...’.⁵⁷⁰

⁵⁶⁸ Professor Donna Cross, Children Health Promotion Research Centre, Edith Cowan University, Evidence, 11 May 2009, p 42

⁵⁶⁹ Child Health Promotion Research Centre, Edith Cowan University, Perth, *Australian Covert Bullying Prevalence Study*, March 2009, p xxxi

⁵⁷⁰ Mr John Dagleish, Manager, Strategy and Research, Boystown, Evidence, 6 April 2009, p 26

- 8.6** According to Ms Kitty Rahilly, Research and Evaluation Coordinator, the Inspire Foundation: ‘... the Inspire Foundation has found that the evidence base in regard to the level, impact and possible interventions for cyber bullying is significantly lacking’.⁵⁷¹
- 8.7** The Commonwealth Department of Broadband, Communications and the Digital Economy commissioned the Child Health Promotion Research Centre to conduct a review of the existing Australian and international cyber-safety research. The Review, entitled *Review of Existing Australian and International Cyber-Safety Research*, was published in September 2009.
- 8.8** The major finding of the Review was that there are ‘... significant and major gaps in most areas of cyber-safety research, particularly for Australian-based research’.⁵⁷² The Review noted that while increased research attention was being given to cyber-bullying, ‘... little is known about the motivations of those who engage in these behaviours as well as the long-term effects of this type of victimisation’.⁵⁷³
- 8.9** The *Australian Covert Bullying Prevalence Study* highlighted the limited research on the incidence of cyber-bullying, and observed that ‘... there has been slow progress to date in the development of effective preventative initiatives to address cyber bullying’.⁵⁷⁴
- 8.10** Research into a particular aspect of cyber-bullying, namely ‘... the practices of bystanders in cyber space ... with regard to intervening against cyber-bullying in safe ways’ was recommended in the *Behind the Scenes: Insights into the Human Dimension of Covert Bullying* study.⁵⁷⁵
- 8.11** The Committee notes that the Child Health Promotion Research Centre has begun to develop cyber-bullying interventions. The submission from the Centre said that: ‘While there have been numerous programs that have addressed bullying in schools, the CHPRC [Child Health Promotion Research Centre] is, to the best of our knowledge, the only group currently developing and implementing a multi-faceted cyber-bullying intervention program’.⁵⁷⁶
- 8.12** In relation to the work being conducted by the Child Health Promotion Research Centre, the *Review of Existing Australian and International Cyber-Safety Research* noted:

This ongoing work represents a first attempt to empirically validate a cyber-bullying specific intervention and is, at the time of this report, the first large-scale cyber-bullying specific intervention being empirically trialled in the world.⁵⁷⁷

⁵⁷¹ Ms Kitty Rahilly, Research and Evaluation Coordinator, Inspire Foundation, Evidence, 11 May 2009, p 26

⁵⁷² Dooley JJ, Cross D, Hearn L and Treyvaud R, *Review of Existing Australian and International Cyber-safety Research*, Child Health Promotion Centre, Edith Cowan University, Perth, 2009, p 9

⁵⁷³ Dooley JJ, Cross D, Hearn L and Treyvaud R, *Review of Existing Australian and International Cyber-safety Research*, 2009, p 9

⁵⁷⁴ Child Health Promotion Research Centre, March 2009, p 41

⁵⁷⁵ Hawke Research Institute for Sustainable Societies, University of South Australia and Centre for the Analysis of Educational Futures, Flinders University, South Australia *Behind the Scenes: Insight into the Human Dimension of Covert Bullying*, December 2008, p 33

⁵⁷⁶ Submission 31, Children Health Promotion Research Centre, Edith Cowan University, p 12

⁵⁷⁷ Dooley JJ, Cross D, Hearn L and Treyvaud R, *Review of Existing Australian and International Cyber-safety Research*, Child Health Promotion Centre, Edith Cowan University, Perth, 2009, p 215

Closer collaboration with the research community

8.13 In order to develop successful anti-bullying policies and to identify the most effective anti-bullying programs, it would be beneficial for NSW education authorities to collaborate more closely with the research community, as happens in other jurisdictions.

8.14 Professor Cross explained the close co-operation between education authorities in Western Australia and the Child Health Promotion Research Centre:

In Western Australia we have a very close relationship with our Department of Education, as well as the other sectors, Association of Independent Schools of Western Australia and the Catholic Education Office. I think that is an advantage of being in a smaller State, pretty well everybody knows everybody. We have been involved in rewriting the policy from the education department's perspective and I have also rewritten the Catholic education and the Independent schools policy documents on the basis of the data we have collected from the research we have done. We have also rewritten all of the background information that is provided in the policy document for schools. We have provided exemplars or examples of what we think are high-quality policy statements that include issues relating to cyber bullying. We have been given advice that will protect schools from litigation associated with cyber-bullying ... ⁵⁷⁸

8.15 The Committee notes that the cyber-bullying conference recently announced by the Premier, the Hon Nathan Rees MP, may provide an opportunity for collaboration between the research community and NSW education authorities. The conference, to be convened in early November 2009, will discuss strategies to deal with cyber-bullying. ⁵⁷⁹

Committee comment

8.16 Most research on the effectiveness of anti-bullying initiatives has taken place overseas and is not specific to the Australian context. The Committee supports further work to identify the most effective approaches to address bullying in Australian schools. In particular, the Committee supports more research on the nature, level, causes and impact of cyber-bullying, and the most effective means to address this emerging phenomenon.

8.17 The Committee was concerned by the lack of co-operation and collaboration between the NSW Department of Education and Training and the research community. In addition, the Committee noted that many prominent academics in the field of bullying were not based at research centres in New South Wales, but were instead located elsewhere.

8.18 The Committee considers that the development of strong collaborative relationships with the research community will facilitate the development of New South Wales as a centre of

⁵⁷⁸ Professor Cross, Evidence, 11 May 2009, p 43

⁵⁷⁹ Email from Ms Victoria Nikulin, Corporate Communication, NSW Department of Education and Training, to Principal Council Officer, 3 November 2009; McDougall B, 'Dad threatened schoolgirl online to 'protect his daughter'', *The Daily Telegraph*, 21 September 2009 <<http://www.dailytelegraph.com.au/news/dad-threatened-schoolgirl-online-to-protect-his-daughter/story-e6freuy9-1225777200711>> (accessed 6 October 2009)

excellence in bullying research. Such an effort could also play a critical role in developing a concerted anti-bullying effort in NSW schools.

- 8.19** The Committee believes that close collaboration between the NSW Department of Education and Training and the research community, both in New South Wales and across Australia, will ensure that the most effective responses to bullying are shared with all NSW schools.

Recommendation 23

That the Minister for Education and Training ensure that the NSW Department of Education and Training collaborates closely with the research community, both in New South Wales and across Australia.

Increased co-ordination among cyber-bullying initiatives

- 8.20** A number of Inquiry participants suggested that efforts to address bullying could be strengthened by increased co-ordination between the Australian and State/Territory governments, community groups and Internet industry organisations.

- 8.21** The National Centre Against Bullying highlighted a lack of co-ordination between the different levels of government:

In our view, there is little effective coordination between government authorities at Federal or State/Territory level to address bullying ...

We recognise that to recommend the development of Federally led approaches and curricula is contestable; but centralising approaches and personnel could free up much-needed resources to support schools.⁵⁸⁰

- 8.22** The Centre for Educational Research at the University of Western Sydney called for greater co-operation between government agencies: 'We would strongly encourage the co-ordination and co-operation between government agencies in the prevention of bullying'.⁵⁸¹

- 8.23** The Association of Childrens' Welfare Agencies recommended that:

The co-ordination and co-operation process should be extended to non-government agencies. ACWA's members are engaged with the day-to-day delivery of services to children and young people, and their families. Within the sector there are skills, knowledge, and experience that would promote a mutually enriching partnership that would address bullying.⁵⁸²

⁵⁸⁰ Submission 30, National Centre Against Bullying, p 8

⁵⁸¹ Submission 21, Centre for Educational Research, p 8

⁵⁸² Submission 40, Association of Childrens Welfare Agencies, p 4

- 8.24** Concerns were raised in particular about the lack of co-ordination among cyber-safety initiatives. When asked to comment on the plurality of initiatives underway to address cyber-bullying in Australia, Ms McLean responded:

It is very ad hoc, and it should not be. It is not a simple issue but it is an issue that is the same in every State, in every jurisdiction and in every type of school. So we do not need the Catholic version, the independent school version, the State school version and the Victorian version. We do not. It is one thing that we could have a really cohesive coordinated approach to, and we do not.⁵⁸³

- 8.25** Ms Joanne Degney, Program Manager, Inspire Foundation, gave evidence that ‘anecdotally there is a lot of duplication going on in the sector ...’. Ms Degney advised that the Inspire Foundation has taken steps to reduce this duplication:

One initiative formed by the Inspire Foundation, and co-chaired by the Telstra Foundation, 18 months ago is called the Technology and Wellbeing Roundtable: a consortium of organisations from non-profit academic and industry who are all working in the space ... We meet quarterly. In those meetings it has come to our attention that we are separately working to ensure that young people are safe online but there is a great need for coordination and knowledge brokering, so we are leveraging both the programmatic and research expertise that we individually have as organisations.⁵⁸⁴

- 8.26** The dangers of a lack of co-ordination were noted by the Commonwealth Department of Broadband, Communications and the Digital Economy:

The growing number of cybersafety initiatives being independently developed in Australia and overseas increases the risk that key safety messages may be diluted and that some products fail to maintain currency or deliver maximum effectiveness.⁵⁸⁵

- 8.27** As a consequence, the Department called for the various actors to work ‘more closely’ in addressing cyber-safety, and suggested a central contact point be established to promote awareness of the range of cyber-safety initiatives:

In addition, the CWG [Consultative Working Group on Cyber-safety] considers there would be merit in establishing a central point (eg a website) through which teachers, parents and children can access information on the full range of cyber-safety education initiatives being undertaken by different agencies and organisations. ACMA’s proposed new cyber-safety website will play a crucial role in this regard, as will the proposed new ACMA online helpline.⁵⁸⁶

⁵⁸³ Ms Susan McLean, Cyber-safety advisor, Evidence, 22 June 2009, p 32

⁵⁸⁴ Ms Joanne Degney, Program Manager, Inspire Foundation, Evidence, 11 May 2009, p 26

⁵⁸⁵ Correspondence from Ms Tina Connor, Project Officer, Student Engagement Section, Inclusive Education Strategies Branch, Commonwealth Department of Education, Employment and Workplace Relations, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, to Director, 30 June 2009, p 9

⁵⁸⁶ Correspondence from Ms Tina Connor, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy, 30 June 2009, p 9

Committee comment

- 8.28** There is an abundance of efforts attempting to address bullying, by State/Territory and Australian Governments, by police forces, in the community sector, and by Internet industry organisations. The Committee acknowledges the risk that this may weaken key messages, and that duplication could needlessly absorb valuable resources. The Committee strongly supports greater co-ordination of efforts to address bullying, and encourages all organisations to work together to combat bullying.
- 8.29** The Committee notes that the *Australian Covert Bullying Prevalence Study* recommended the establishment of an Australian Council for Bullying Prevention to consider the recommendations of the Study and to oversee the review of the National Safe Schools Framework.⁵⁸⁷ While the Committee acknowledges the need to establish a co-ordinated response to bullying, the Committee is hesitant to recommend the creation of additional bodies.
- 8.30** The Committee supports better use of existing mechanisms, such as the Reference Group to the Review of the National Safe Schools Framework and the Consultative Working Group on Cyber-Safety, to ensure greater co-ordination and co-operation in efforts to address bullying.
- 8.31** In particular, the Committee believes that the Reference Group established to assist in the Review of the National Safe Schools Framework could play an ongoing role in ensuring the co-ordination of future efforts to address bullying.

Recommendation 24

That the Minister for Education and Training work towards greater co-ordination and co-operation between all levels of government, school systems, schools and the research community in efforts to address bullying, including that the:

- Reference Group to the Review of the National Safe Schools Framework consider the means to achieve greater co-ordination among bullying initiatives used in schools
- Consultative Working Group on Cyber-Safety consider the means to achieve greater co-ordination among cyber-bullying initiatives.

⁵⁸⁷ Child Health Promotion Research Centre, March 2009, p xxxi

Recommendation 25

That the Minister for Education and Training request that the Commonwealth Minister for Education consider the merits of permanently establishing the Reference Group to the Review of the National Safe Schools Framework to oversee the ongoing co-ordination of future efforts to address bullying.

Appendix 1 Submissions

No	Author
1	Mr Ben Blackburn
2	Mr Michael Sobb
3	Ms Gabrielle Lindsay
4	Mr Michael Alexander
5	Ms Cathie West
6	Mr Martyn Wild
7	Name suppressed
8	Confidential
9	Ms Kylie Mullen
10	Australian Defence Organisation
11	Name suppressed
12	Peer Support Australia
13	Confidential
14	Confidential
14a	NSW Secondary Principals' Council
14b	NSW Secondary Principals' Council
15	Interelate Family Centre – School Services Division
16	Name suppressed
17	Back to Basics NSW Pty Ltd
18	Ms Sabine Beecher
19	Down to Earth P/L
20	Australian Institute of Family Studies
21	Centre for Educational Research
22	Queensland University of Technology
23	Capturing Kids' Hearts – Australia
24	Inspire Foundation
25	Friendly Schools and Families
26	Centre for Children and Young People
27	Government of Western Australia, Department of Education and Training
28	BoysTown
29	Ms Evelyn Field
30	The National Centre Against Bullying and The Alannah and Madeline Foundation

No	Author
31	Children Health Promotion Research Centre, Edith Cowan University
32	New South Wales Anti-Discrimination Board
33	Immigrant Women's Speakout Association NSW Inc
34	Ministerial Council for Vocational and Technical Education, National Senior Officials Committee
35	Name suppressed
36	Barnardos Australia
37	Child and Youth Network, University of Sydney
38	Scouts Australia – New South Wales
39	Headspace, The National Youth Mental Health Foundation
40	Association of Childrens Welfare Agencies
41	Professor Kenneth Rigby
42	Ms Maggie Hamilton
43	Name suppressed
43a	Name suppressed
43b	Name suppressed
44	NSW Commission for Children and Young People
45	Confidential
46	Safe and Supportive School Communities: Finding Workable Solutions for Countering Bullying, Harassment and Violence in Schools (SSSC) Project, a committee of the Australian Education Systems Officials Committee
47	Mr Ron Hayman
48	Name suppressed
49	Confidential
50	Commonwealth Department of Education, Employment and Workplace Relations
51	Catholic Education Commission, NSW
52	Confidential
53	NSW Government
54	Federation of Parents and Citizens' Associations of NSW
55	Ms Susan McLean
56	NSW Aboriginal Education Consultative Group Inc.
57	Leopard Labs

Appendix 2 Witnesses

Date	Name	Position and Organisation
6 April 2009, Room 814/815, Parliament House	The Hon Alastair Nicholson AO RFD QC	Chair, The National Centre Against Bullying
	Professor Helen McGrath	Member, Executive Committee, The National Centre Against Bullying
	Dr Toni Noble	Member, Advisory Council, The National Centre Against Bullying
	Ms Sandra Craig	Manager, The National Centre Against Bullying
	Mr W. David McKie	Director, Student Welfare (Office of Schools), Department of Education and Training
	Ms Deonne Smith	General Manager, Access & Equity (Office of Schools), Department of Education and Training
	Mr Peter Roberts	General Manager, TAFE Customer Support, Department of Education and Training
	Mr Phillip Moore	Director, Apprenticeships and Traineeships, Department of Education and Training; Commissioner for Vocational Training,
	Ms Alison Benoit	A/Leader, Attendance and Discipline (Office of Schools), Department of Education and Training
	Dr Marilyn Campbell	School of Learning and Professional Studies, Queensland University of Technology
	Professor Ken Rigby	Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia
	Ms Christine Mason	Executive, NSW Secondary Principals' Council
	11 May 2009, Room 814/815, Parliament House	Ms Sharon Austin
Ms Sharlene Chadwick		Training and Development Manager, Peer Support Australia
Mr Ian Baker		Director – Education Policy and Programs, Catholic Education Commission

Date	Name	Position and Organisation
	Ms Sharon Johnson	Publicity Officer, Federation of Parents and Citizens' Associations of NSW
	Ms Jo Degney	ActNow Program Manager, Inspire Foundation
	Ms Kitty Rahilly	Research and Evaluation Coordinator, Inspire Foundation
	Ms Gillian Calvert	Commissioner, NSW Commission for Children and Young People
	Professor Donna Cross	Children Health Promotion Research Centre, Edith Cowan University
	Ms Cheryl McBride	Chairperson, Public Schools Principals' Forum
	Mr Brian Chudleigh	Deputy Chairperson, Public Schools Principals' Forum
22 June 2009, Jubilee Room, Parliament House	Superintendent Adam Whyte	Commander of Policy and Programs, NSW Police Force
	Sergeant Chris Cotter	State Coordinator, School Liaison Program, NSW Police Force
	Senior Constable Dave Brown	School Liaison Program, NSW Police Force
	Ms Joan Lemaire	Senior Vice President, NSW Teachers Federation
	Ms Christine Lucas	Director - Student Inclusion Section, Department of Education, Employment and Workplace Relations
	Ms Tina Connor	Project Officer, Student Inclusion Section, Department of Education, Employment and Workplace Relations
	Ms Susan McLean	Cybersafety advisor
	Mr Iarla Flynn	Manager – Public Policy and Government Affairs, Google Australia & New Zealand
	Ms Ishtar Vij	Policy Counsel - Public Policy and Government Affairs, Google Australia & New Zealand
	Ms Maggie Hamilton	Author of <i>What's happening to Our Girls?</i>

Appendix 3 Site visits

1. NSW Commission for Children and Young People: Consultation with the Youth Advisory Council (YAC), Surry Hills, Sunday 24 May 2009

The Youth Advisory Council (YAC) was established in 1989 to ensure that young people participate in the development of government policies and programs that concern them. The YAC advises the NSW Government on: issues of concern to young people aged 12-25 in New South Wales; Government policies relating to young people; and youth-related programs.

The Committee discussed issues concerning the bullying of children and young people, including the findings of the YAC's *Report to the Minister for Youth on Cyberbullying*. The following members of the YAC participated in the round table discussion:

Amanda Scott	Helen Machalias	Emre Mehmet	Katy Brownless
Matt Petherbridge	Tjirra Francis	Jacob Wray	Travis Holland
Maggie Malak	Krysten Gers	Samir Kinger	Kaitlyn Carlia

2. William Dean Public School, Dean Park, Thursday 2 July 2009

William Dean Public School has 339 students enrolled from Kindergarten – Year 6. Students are divided into 13 learning teams (classes). Bree and Bradley, the School Captains greeted the Committee and Josh delivered an Acknowledgement of Country. Mrs Michele Hedge, Principal welcomed the Committee and Ms Janice Azzopardi, Assistant Principal, delivered a presentation on the school's application of the Positive Behaviour for Learning (PBL) program and student welfare policy.

PBL is a school-wide behaviour initiative to address problem behaviour and reduce its effects on student outcomes and on the school community as a whole. Activities used to promote this program included discussions about PBL at weekly staff meetings, introducing Learning Together time for students, changes to playground routines, promoting school rules and surveying parents.

Data collected since implementing these changes emphasised that the school climate has been enhanced and a common understanding established with all students, teachers and community members in relation to school rules, anti-bullying and values.

The Committee watched a DVD presentation concerning students' and parents' views on the program, prepared by Ms Kara West and Ms Angela Sparks and attended Ms Irena Kraljevic's LTK Class. The Committee also examined an extensive library display highlighting the activities, resources and support William Dean Public School extends to its anti-bullying policy.

3. Casimir Catholic College, Marrickville, Friday 3 July 2009

Casimir is a Years 7 – 12 co-educational systemic Catholic school, with approximately 750 pupils, of whom more than 90% come from non-English speaking backgrounds. Mr Tony MacDougal, Principal and Ms Alyce Khalifeh, Assistant Principal, explained that Casimir's Anti-Bullying policy focuses on the need to repair the harm bullying causes to relationships, as opposed to simply applying sanctions.

The Committee learnt that once a bullying incident is reported, the appropriate enquiries are made using the principles of restorative justice. Actions are then taken to communicate the disapproval of bullying and encourage responsible behaviour. Steps are also taken to improve the self-confidence, self-

esteem and social skills of victims and bullies. In all serious/repeated cases of bullying students' parents will be informed and their involvement sought in resolving the issue.

Three teachers, Mr Kevin Boyce, Mrs Briony Hickey and Mr Andrew Banham, also shared their knowledge of Casimir's anti-bullying framework. The Committee held discussions with student leaders Anthony Kassis, Layal El-Khatib, Samuela Pulekiu, Emmanuel Sokias, Lauren Battaglia and Bianca Pedro, as well as parents, Mrs Ana Spinola, Mrs Jennifer Beynon, Mr Csaba and Mrs Eniko Remai, Mrs Didem Battaglia and Mrs Mazurkiewicz about the impact bullying has on individuals and their families.

The Committee also met with the following students:

Christina Apostolou	Elleni Zacharia	Elie Haifa	Kabir Balgi
Monica Fitis	Christopher Tran	Cecilia Solo	Nicholas Stathopoulos
Dean Foley	Teresa Dang	Erica Widjaja	Alice Heininger
Nicholas Boscov	Anothny Klironomous	Trang Nguyen	Cheryl Liem
Dimitri Vasilaras	Bronwyn Ankhawut	Bella Jones	Suraj Gangaram

4. Rozelle Public School, Rozelle, Thursday 9 July 2009

Rozelle is an inner city primary school in Sydney. The school has 430 students comprising a diverse population of 4 per cent Aboriginal and 25 per cent with a language background other than English.

Harriet, Thomas and Georgia, the School Captains, greeted the Committee and an Acknowledgement of Country was delivered by Ms Lyn Doppler, Principal. Ms Doppler briefed the Committee on the use of restorative practices at Rozelle Public School.

Rozelle Public School's previous Student Welfare Policy was based on rewards and punishments and failed to adequately address the need to build successful relationships between members of the school community. After consulting with parents, teachers and students, as well as drawing on extensive academic research the school has developed a behaviour management program that promotes restorative practices and empowers individuals.

To ensure the success of the current behaviour management program Rozelle Public School has trained all stakeholders in the restorative practice philosophy, implemented a variety of circle processes and preventative programs and provides training and leadership opportunities to enhance existing practices.

The program has had great success over recent years, as measured by a range of data including: positive responses in parent and student questionnaires; student achievement in national testing; excellent student attendance rates; and the school's enrolment has almost doubled since the program started.

During their site visit the Committee watched a DVD presentation entitled 'Walking the Talk', which demonstrated the use and impact of restorative practices on students, staff and parents. Committee members also observed the use of restorative circle practices and toured several classrooms.

Rozelle Public School received the Director-General's Award for Achievement in Being and Learning Together in 2006.

5. Minto Kids' Council, Minto, Tuesday 14 July 2009

The Minto Kids' Council comprises 15 children aged in Years 4, 5 and 6 years. The children attend six primary schools in the Minto area, four public schools and two Islamic schools. The Council was established by the Commission for Children and Young People in partnership with the Working Together in Minto project and Burnside. The Council first met in February 2009.

The Committee attended a meeting of the Minto Kids' Council and participated in a round-table discussion on the causes and impact of bullying, ways to address bullying, and views on cyber-bullying. The following Council members were present:

Monique	Shayer	Blake	Ishmail
Jessica	April	Nabila	Zoya
Dean	Shagota	Fiayaz	

Appendix 4 Tabled documents

Monday 6 April 2009

Public Hearing, Room 814/815 Parliament House

1. An overview of bullying prevention and management from 'Bullying solutions: Evidence-based approaches to bullying in Australian schools', Editors Helen McGrath & Toni Noble – *tendered by Professor Helen McGrath*
2. 'Bullying solutions: Evidence-based approaches to bullying in Australian schools', Editors Helen McGrath & Toni Noble – *tendered by Professor Helen McGrath*
3. 'Children and Bullying - How parents and educators can reduce bullying at school', by Professor Ken Rigby – *tendered by Professor Ken Rigby*
4. 'Interventions to reduce bullying', by Professor Ken Rigby and Phillip Slee – *tendered by Professor Ken Rigby*

Monday 11 May 2009

Public Hearing, Room 814/815, Parliament House

5. 'Reach Out! Innovation in Service Delivery' by Burns et al – *tendered by Ms Jo Degney*
6. 'Early Intervention in the Real World – Providing online support for young people with mental health difficulties: challenges and opportunities explored' – *tendered by Ms Jo Degney*
7. 'Bridging the Digital Divide: Creating opportunities for marginalised young people to get connected', Webb et al – *tendered by Ms Jo Degney*
8. 'Beanbag online safety training (Str8Up) – Report for Microsoft November 2007', Blanchard et al – *tendered by Ms Jo Degney*
9. 'A Report from the Public Schools Principals Forum on Bullying in Schools – May 2009', Public Schools Principals Forum – *tendered by Mr Brian Chudleigh*

Monday 22 June 2009

Public Hearing, Jubilee Room, Parliament House

10. 'NSW School Counselling Service', Public Schools Principals Forum – *tendered by Mr Brian Chudleigh*
11. 'NSW Inquiry into bullying of children and young people: Paper on DEEWR research into the prevalence and human dimension of covert bullying', Department of Education, Employment and Workplace Relations – *tendered by Ms Christine Lucas*
12. 'NSW Inquiry into bullying of children and young people: Review of the National Safe Schools Framework', Department of Education, Employment and Workplace Relations – *tendered by Ms Christine Lucas*
13. 'Australian Covert Bullying Prevalence Study (ACBPS) New South Wales, Professor Donna Cross – *tender by Ms Christine Lucas*

Prevalence rates of bullying in New South Wales and Australia¹

Prevalence rates – being bullied

		All forms of bullying (%)		Cyber-bullying (%)	
		NSW	Australia	NSW	Australia
By grade	Year 4	31.8	27.4	4.3	4.9
	Year 5	39.8	32.2	7.1	5.7
	Year 6	34.1	24.6	7.3	5.8
	Year 7	20.9	23.9	9.2	7.1
	Year 8	28.9	29.1	8.1	7.7
	Year 9	22.0	23.6	7.0	7.8
By gender	Males	31.7	27.2	7.3	5.2
	Females	27.4	26.2	7.3	7.7
By sector	Government	29.6	27.7	6.2	5.7
	Non-government	27.5	24.6	9.6	8.4
By area	Metropolitan	28.1	25.9	7.3	6.4
	Non-metropolitan	31.7	29.2	7.4	7.3
TOTAL BEING BULLIED		28.9	26.7	7.3	6.6

¹ Tabled document, Commonwealth Department of Education, Employment and Workplace Relations, *Australian Covert Bullying Prevalence Study (ACBPS) – New South Wales*, pp 3-4

Prevalence rates – bullying others

		All forms of bullying (%)		Cyber-bullying (%)	
		NSW	Australia	NSW	Australia
By grade	Year 4	3.0	2.9	1.1	1.2
	Year 5	13.0	11.1	1.1	1.9
	Year 6	11.1	7.9	2.0	2.2
	Year 7	8.1	7.9	3.2	4.0
	Year 8	10.2	10.8	3.3	4.8
	Year 9	10.7	11.0	5.9	5.6
By gender	Males	13.2	10.9	3.2	3.8
	Females	7.4	7.2	2.8	3.3
By sector	Government	8.3	8.0	1.1	2.0
	Non-government	11.6	10.5	6.8	6.4
By area	Metropolitan	9.8	8.6	2.3	3.2
	Non-metropolitan	8.2	9.6	5.0	4.4
TOTAL OTHERS	BULLYING	9.4	8.8	2.9	3.5

Appendix 6 Minutes

Minutes No. 35

Wednesday 3 December 2008

General Purpose Standing Committee No. 2

Members' Lounge, Parliament House, Sydney, at 10.47 am

1. Members present

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Tony Catanzariti

Ms Marie Ficarra

Dr John Kaye (Rhiannon)

Revd Dr Gordon Moyes

Ms Penny Sharpe (Donnelly)

2. Substitute members

The Chair advised that she had received written advice that:

- Ms Sharpe would be substituting for Mr Donnelly for the purposes of the meeting
- Dr Kaye would be substituting for Ms Rhiannon for the purposes of the meeting and for the duration of the proposed Inquiry into best practice approaches to reduce bullying of children and young people.

3. Correspondence

The Committee noted the following item of correspondence received:

- 1 December 2008 – From Ms Parker, Ms Rhiannon and Ms Robertson requesting a meeting of GPSC 2 to consider a proposed self-reference into best practice approaches to reduce bullying of children and young people.

4. Consideration of proposed self-reference – best practice approaches to reduce bullying of children and young people

The Chair tabled a letter to the Clerk of the Committee signed by Ms Parker, Ms Rhiannon and Ms Robertson requesting a meeting of the Committee to consider proposed terms of reference into best practice approaches to reduce bullying of children and young people.

Resolved, on the motion of Ms Ficarra: That the Committee adopt the following terms of reference, as amended:

That General Purpose Standing Committee No. 2 inquire into, and report on, best practice approaches to reduce bullying of children and young people, including:

1. The nature, level and impact of bullying among school age children and young people under the age of 18, including apprentices and trainees
2. Factors contributing to bullying
3. Prevention and early intervention approaches to address bullying, including 'cyber-bullying'
4. Co-ordination and co-operation between relevant government agencies to address bullying
5. The evidence-base for effective anti-bullying approaches
6. Approaches to address bullying in Australian and overseas jurisdictions
7. Any other relevant matter.

Resolved, on the motion of Ms Robertson: That the inquiry and the call for submissions be advertised at the earliest practicable date in relevant metropolitan newspapers.

5. Adjournment

The Committee adjourned at 10.57 am until Friday 5 December in Room 1102.

Madeleine Foley

Clerk to the Committee

Minutes No. 37

Thursday 26 February 2009

General Purpose Standing Committee No. 2

Jubilee Room, Parliament House, Sydney, at 10 am

1. Members present

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Tony Catanzariti

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (Rhiannon)

Dr Gordon Moyes

2. Minutes

Resolved, on the motion of Ms Robertson: That draft minutes no. 36 be confirmed.

3. ***

4. Correspondence

The Committee noted the following items of correspondence received:

• ***

• 23 January 2009 – From Paul Mason, Tasmanian Commissioner for Children, advising that he will not be making a submission to the Inquiry into Bullying of Children and Young People.

• ***

• 28 January 2009 – From Jenny Cranston, A/Director General, Queensland Department of Education, Training and the Arts, advising that the Department will not make a formal submission to the Inquiry into Bullying of Children and Young People, and providing an overview of the Department's programs

• 11 February 2009 – From Peter Muir, Director General, Department of Juvenile Justice, advising that he will not be making a submission to the Inquiry into Bullying of Children and Young People

• 16 February 2009 – From Jennifer Mason, Director-General, NSW Department of Community Services, advising that the Department will contribute to the Inquiry into Bullying of Children and Young People through a whole-of-government submission being coordinated by the Department of Premier and Cabinet

5. ***

6. ***

7. ***

8. ***

9. ***

10. Adjournment

The Committee adjourned at 4.55 pm until 2.15 pm Monday 16 March 2009 (site visit to Armidale)

Madeleine Foley

Clerk to the Committee

Minutes No. 38

Tuesday 17 March 2009

General Purpose Standing Committee No. 2

University of New England, Armidale at 8.30 am

1. Members presentMs Robyn Parker (*Chair*)Ms Christine Robertson (*Deputy Chair*)

Ms Penny Sharpe (Catanzariti)

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (Rhiannon)

Dr Gordon Moyes

2. Substitutions

The Chair advised that she had received written advice from the Government Whip that Ms Sharpe would be substituting for Mr Catanzariti for the purpose of the public hearing at the University of New England.

3. Minutes

Resolved, on the motion of Dr Kaye: That draft minutes no. 37 be confirmed.

4. Correspondence

The Committee noted the following items of correspondence received:

- 26 February 2009 – From Michael Coutts-Trotter, Director General of the NSW Department of Education and Training, to the Chair, advising that the Department will contribute to the Bullying Inquiry through a whole-of-government submission being co-ordinated by the Department of Premier and Cabinet
- ***
- 3 March 2009 – From Gary Lee, Director of Operations, Worldwide Vision Heart and Kids Vision Heart Inc, to the Chair, alerting the Committee to a program to reduce bullying run by the ‘Scary Guy’
- ***
- 9 March 2009 – From Anna Bartoli, Assistant Secretary, Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), to the Chair, advising that MCEETYA’s Safe and Supportive School Communities Project Management Group will make a submission to the Bullying Inquiry
- ***

5. *****6. Bullying inquiry*****Approach to evidence and submissions from and about children and young people***

Resolved, on the motion of Revd Moyes: That the Committee follow the approach to evidence and submissions from or about children and young people, proposed in a paper prepared by the Secretariat and circulated previously to the Committee.

Update on submissions and hearings

Resolved, on the motion of Dr Kaye: That the Committee accept submissions after the closing date of Friday 13 March 2009, and that this be publicised on the Committee’s website.

Resolved, on the motion of Mr Donnelly: That the Secretariat circulate a list of proposed witnesses for the first hearing for the Bullying inquiry in the week beginning 23 March.

7. *****8. *****

9. ***

10. ***

11. **Adjournment**

The Committee adjourned at 3.30 pm.

Beverly Duffy

Clerk to the Committee

Minutes No. 40

Wednesday 25 March 2009

General Purpose Standing Committee No. 2

2.05 pm, Room 1102, Parliament House

1. **Members present**

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (Rhiannon)

Dr Gordon Moyes

2. **Apologies**

Mr Catanzariti

3. **Minutes**

Resolved, on the motion of Mr Donnelly: That draft Minutes No. 39 be confirmed.

4. **Correspondence**

The Committee noted the following items of correspondence:

Received

- 12 March 2009 – from author of submission 7 to the Principal Council Officer regarding the publication status of his submission to the Bullying Inquiry
- ***
- 24 March 2009 – from Ms Jan Andrews, Deputy Chief Executive, SA Department of Education and Children's Services, explaining that the Department has provided input into a submission to the Bullying inquiry from the Australian Education Systems Official Committee

Resolved, on the motion of Ms Ficarra: That the correspondence of 12 March 2009 from the author of submission no 7 remain confidential to the Committee

5. ***

6. **Bullying Inquiry: Publication of submissions**

Publication of the 41 submissions received to date.

6.1 Public submissions

Resolved, on the motion of Mr Donnelly: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the publication of submission no's 1 - 6; 9,10, 12, 14a, 15 (excluding attachments) 17-34; 36-41

6.2 Partially confidential submissions

Resolved, on the motion of Rev Moyes: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the partial publication of submissions no. 11, 16 and 35 and that submission 16 not be published on the internet.

6.3 Fully confidential submissions

Resolved, on the motion of Ms Robertson: That the Committee keep submissions no 8 and 14 fully confidential at the request of the authors.

6.4 Submission no. 7

Resolved, on the motion of Ms Robertson: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the publication of submission no. 7 with the author's name and other identifying information omitted, including references to the sport in which the child is involved.

6.5 Submission no 13

Resolved, on the motion of Mr Donnelly: That submission no 13 remain confidential to the Committee.

7. Adjournment

The Committee adjourned at 2.20 pm.

Beverly Duffy

Clerk to the Committee

Minutes No. 41

Friday 3 April 2009

General Purpose Standing Committee No. 2

9.15 am, Room 1102, Parliament House

1. Members present

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Tony Catanzairiti (until 9.40 am)

Ms Marie Ficarra

Dr John Kaye (Rhiannon)

2. Apologies

Mr Greg Donnelly

Revd Dr Gordon Moyes

3. *****4. Previous Minutes**

Resolved, on the motion of Ms Ficarra: That draft Minutes No. 40 be confirmed.

5. Correspondence

The Committee noted the following items of correspondence received:

- 25 March 2009 – From Ms Gillian Calvert, Commissioner for Children and Young People, providing the Commission's submission to the Bullying Inquiry, with a request that the submission be placed on the Commission's website.

The Committee noted the following items of correspondence sent:

- 30 March 2009 – From the Committee Director to Mr Michael Coutts-Trotter, Director General, Department of Education and Training, seeking his agreement to the appearance of departmental officers at the Bullying Inquiry hearing on 6 April
- 30 March 2009 – From the Committee Director to the Hon Verity Firth MP, Minister for Education and Training, advising of the appearance of departmental officers at the hearing on 6 April.

6. *****7. Bullying Inquiry: Publication of submissions**

Public submissions

Resolved, on the motion of Dr Kaye: That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the publication of submission no.'s 42, 44, 46, 47, 50, 51, 53 and 54.

Partially confidential submissions

That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the partial publication of submissions no.'s 43, 45 and 48.

Confidential submissions

Resolved, on the motion of Ms Ficarra: That the Committee keep confidential submissions no. 49 and 52 at the request of the author.

8. Bullying Inquiry: Consultation with children and young people

The Committee agreed to defer consideration of the options for consulting with children and young people until its next meeting.

9. Adjournment

The Committee adjourned at 10.15 am.

Madeleine Foley

Clerk to the Committee

Minutes No. 42

Monday 6 April 2009

General Purpose Standing Committee No. 2

9.30 am, Room 814/815, Parliament House

1. Members present

Ms Robyn Parker (*Chair*)

Mr Tony Catanzairiti

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (*Rhiannon*)

Ms Penny Sharpe (*Robertson*)

2. Apologies

Revd Dr Gordon Moyes

3. Bullying of children and young people: Public Hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses from The National Centre Against Bullying were sworn and examined:

- Professor Helen McGrath, Executive Committee
- Dr Toni Noble, Member
- Ms Sandra Craig, Manager
- The Hon Alastair Nicholson AO RFD QC, Chair

Professor McGrath tabled a document relating to an overview of bullying prevention and management from 'Bullying solutions: Evidence-based approaches to bullying in Australian schools', Editors Helen McGrath & Toni Noble.

Professor McGrath tabled a copy of the book 'Bullying solutions: Evidence-based approaches to bullying in Australian schools', Editors Helen McGrath & Toni Noble.

The evidence concluded and the witnesses withdrew

The following witnesses from the New South Wales Department of Education and Training were sworn and examined:

- Mr W. David McKie, Director, Student Welfare (Office of Schools)
- Ms Deonne Smith, General Manager, Access & Equity (Office of Schools)
- Mr Peter Roberts, General Manager, TAFE Customer Support
- Mr Phillip Moore, Director, Apprenticeships and Traineeships; Commissioner of Vocational Training
- Ms Alison Benoit, A/Leader, Attendance and Discipline (Office of Schools)

The evidence concluded and the witnesses withdrew

The following witness was sworn and examined:

- Mr John Dagleish, Manager, Strategy and Research, Boystown

The evidence concluded and the witness withdrew.

4. **Deliberative meeting**

Publication of submission

Resolved, on the motion of Mr Donnelly: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the publication of supplementary submission no. 14b.

Answers to questions on notice

Resolved, on the motion of Ms Ficarra: That answers to questions on notice taken during the hearing be provided within two weeks of receipt of the letter from the Secretariat.

Consultation with children and young people

The Committee requested that the Secretariat work with officers of the Commission for Children and Young People, to develop options for consulting with children and young people during the Inquiry. The Committee agreed that the options should involve consultation facilitated by the Commission as well as other relevant organisations.

5. **Bullying of children and young people: Public Hearing continued**

The following witness was affirmed and examined:

- Dr Marilyn Campbell, School of Learning and Professional Studies, Queensland University of Technology

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Professor Kenneth Rigby, Adjunct Research Professor, Division of Education, Arts and Social Sciences, University of South Australia

Professor Rigby tabled a copy of the book 'Children and Bullying - How parents and educators can reduce bullying at school', by Professor Ken Rigby and an article 'Interventions to reduce bullying', by Professor Ken Rigby and Phillip Slee.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Ms Christine Mason, NSW Secondary Principals' Council

The evidence concluded and the witness withdrew

6. Deliberative meeting***Transcript of evidence***

Resolved, on the motion of Mr Donnelly: That the Committee defer publication of the transcript of evidence until the Secretariat has reviewed the transcript for mention of a confidential submission.

7. Adjournment

The Committee adjourned at 4:05pm.

Madeleine Foley

Clerk to the Committee

Minutes No. 43

Monday 11 May 2009

General Purpose Standing Committee No. 2

9.30 am, Room 814/815, Parliament House

1. Members present

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Greg Donnelly (until 1.00pm)

Ms Marie Ficarra

Dr John Kaye (*Rhiannon*)

Dr Gordon Moyes

Ms Lynda Voltz (*Catanzariti*) (until 12.00pm)

2. Substitutions

The Chair advised that she had received written advice from the Government Whip that Ms Voltz would be substituting for Mr Catanzariti for the purpose of the public hearing.

3. Apologies

Mr Donnelly from 1.00pm and Ms Voltz from 12.00 pm.

4. Bullying of children and young people: Public Hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses from Peer Support Australia were sworn and examined:

- Mrs Sharon Austin, General Manager
- Ms Sharlene Chadwick, Training and Development Manager

The evidence concluded and the witnesses withdrew

The following witnesses from the Catholic Education Commission were sworn and examined:

- Mr Ian Baker, Director – Education Policy and Programs
- Mr Steven Lemos, Principal, St Marys, Georges Hall
- Ms Lorraine Walker, State Coordinator – Student Welfare Programs
- Ms Carolyn Hadley, Education Officer – Child Protection, Catholic Education Office, Sydney

The evidence concluded and the witnesses withdrew

The following witness was affirmed and examined:

- Mrs Sharon Johnson, Publicity Officer, Federation of Parents and Citizens' Associations of NSW

The evidence concluded and the witness withdrew.

Ms Voltz withdrew.

The following witnesses from Inspire Foundation were affirmed and examined:

- Ms Joanne Degney, ActNow Program Manager
- Ms Kitty Rahilly, Research and Evaluation Coordinator

Ms Degney tabled the following documents:

- 'Reach Out! Innovation in Service Delivery' by Burns et al
- 'Early Intervention in the Real World – Providing online support for young people with mental health difficulties: challenges and opportunities explored'
- Webb et al, 'Bridging the Digital Divide: Creating opportunities for marginalised young people to get connected'
- Blanchard et al, 'Beanbag online safety training (Str8Up) – Report for Microsoft November 2007'.

The evidence concluded and the witness withdrew.

5. Deliberative meeting

Previous minutes

Resolved, on the motion of Dr Kaye: That draft Minutes No.'s 41 and 42 be confirmed.

Correspondence

The Committee noted the following items of correspondence received:

- 16 April 2009 – From Mr John Dalglish, Manager, Strategy and Research, Boystown, correcting his evidence from the Bullying Inquiry hearing on 6 April 2009
- ***
- 17 April 2009 – From Ms Tracy Adams, Chief Executive Officer, Boystown, inviting the Chair and Deputy Chair to visit the Kids Helpline Counselling Centre in Brisbane
- 20 April 2009 – From Mr Malcolm Hunt, Assistant Director - Communications, Media and Political Liaison, Association of Independent Schools of NSW, declining the Committee's invitation to give evidence for the Bullying Inquiry
- 17 April 2009 – From Mr John Dalglish, Manager, Strategy and Research, BoysTown, providing an answer to a question taken on notice from the Bullying Inquiry hearing on 6 April 2009
- 23 April 2009 – From Mr David McKie, Director, Student Welfare, Department of Education, providing answers to questions taken on notice from the Bullying Inquiry hearing on 6 April 2009
- ***
- 5 May 2009 – From the Hon Verity Firth MP, Minister for Education and Training, to the Chair, advising that the Committee's request to visit two public schools is presently receiving attention
- 5 May 2009 – From Ms Gillian Calvert, Commissioner for Children and Young People, to the Chair, in regard to the Committee's proposal to consult children and young people during the Bullying Inquiry

The Committee noted the following items of correspondence sent:

- 21 April 2009 – From the Committee Director to the Hon Verity Firth MP, Minister for Education and Training, seeking assistance with facilitating visits by the Committee to public schools

Publication of questions on notice

Resolved, on the motion of Ms Robertson: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the publication of the responses to questions on notice from Dr Robin Fitzsimons, Mr John Dalglish and Mr David McKie.

Publication of correspondence

Resolved, on the motion of Ms Robertson: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the publication of the correspondence from Mr John Dalglish of 16 April 2009, which advises of a correction to his evidence from the hearing on 6 April. Further, that a footnote reflecting Mr Dalglish's correction be inserted in the transcript.

Publication of submissions

Resolved, on the motion of Ms Ficarra: That, according to section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and standing order 223(1), the Committee authorise the publication of submission no.'s 55 and 56.

Consultation with children and young people

Resolved, on the motion of Mr Donnelly: That the Committee undertake the following consultations with children and young people:

- Youth Advisory Council – meeting on 24 May
- Young People's Reference Group – email consultation
- Minto Kids' Council – meeting on date to be determined.

Resolved, on the motion of Dr Moyes: That the Committee undertake the following consultation with children and young people:

- Site visits to two Department of Education schools – Rozelle Public School and William Dean Public School
- Site visit – to one Catholic high school.

The Committee agreed to defer the proposal for online consultation until further information had been provided.

Mr Donnelly withdrew.

6. Bullying of children and young people: Public Hearing cont.

The following witness was affirmed and examined:

- Ms Gillian Calvert, Commissioner, NSW Commission for Children and Young People

Ms Calvert was accompanied by Mr Steve Robertson, Director – Influencing.

The evidence concluded and the witness withdrew.

The following witness was affirmed and examined:

- Professor Donna Cross, Children Health Promotion Research Centre, Edith Cowan University.

The evidence concluded and the witness withdrew.

The following witnesses from the Public Schools Principals' Forum were affirmed and examined:

- Ms Cheryl, McBride, Chairperson
- Mr Brian Chudleigh, Deputy Chairperson.

Mr Chudleigh tabled 'A Report from the Public Schools Principals Forum on Bullying in Schools – May 2009', Public Schools Principals Forum and 'NSW School Counselling Service', Public Schools Principals Forum.

The evidence concluded and the witnesses withdrew

The media and the public withdrew

7. Adjournment

The Committee adjourned at 4:35pm.

Madeleine Foley

Clerk to the Committee

Minutes No. 44

Thursday 14 May 2009

General Purpose Standing Committee No. 2

1.10 pm, Members Lounge, Parliament House

1. Members presentMs Robyn Parker (*Chair*)Ms Christine Robertson (*Deputy Chair*)

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (*Rhiannon*)

Dr Gordon Moyes

Ms Kayee Grffin (*Catanzariti*)**2. Substitutions**

The Chair advised that she had received written advice from the Government Whip that Ms Griffin would be substituting for Mr Catanzariti for the purpose of the meeting.

3. Minutes

Resolved, on the motion of Mr Donnelly: That draft Minutes No. 43 be confirmed.

4. Correspondence

The Committee noted the following items of correspondence received:

- 12 May 2009 – from Ms Deonne Smith, General Manager, Access and Equity, NSW DET, regarding the Committee's proposed site visits

5. Bullying Inquiry: possible online consultation with children and young people

The Committee agreed to defer consideration of the proposal for online consultation until additional quotations had been sought by the Secretariat.

6. Bullying inquiry: proposed witnesses public hearing 22 June 2009

Resolved, on the motion of Ms Robertson: That the list of proposed witnesses circulated to the Committee in the meeting papers be invited to give evidence at the public hearing on 22 June 2009.

7. *****8. Adjournment**

The Committee adjourned at 1.40 pm until 24 May 2009.

Beverly Duffy

Clerk to the Committee**Minutes No. 45**

Sunday 24 May 2009

General Purpose Standing Committee No. 2

NSW Commission for Children and Young People, 11am

1. Members presentMs Robyn Parker (*Chair*)Ms Christine Robertson (*Deputy Chair*)

Mr Greg Donnelly.

2. Inquiry into bullying of children and young people

Consultation with NSW Youth Advisory Council (YAC)

The Committee attended the offices of the Commission for Children and Young people to meet with the following members of the NSW Youth Advisory Council:

- Amanda Scott (Chair)

- Matt Petherbridge
- Maggie Malak
- Helen Machalias
- Tjirra Francis
- Krysten Gers
- Emre Mehmet
- Jacob Wray
- Samir Kinger
- Katy Brownless
- Travis Holland
- Kaitlyn Carlia.

The Committee discussed issues concerning the bullying of children and young people, including the findings of the YAC's Report to the Minister for Youth on Cyberbullying.

Mr Christopher Hellmundt, Executive Officer to the YAC, and Mr Steve Robertson, Director, Influencing, Commission for Children and Young People, were also in attendance

3. **Adjournment**

The Committee adjourned at 12.25 pm until 25 May 2009 (Report deliberative).

Beverly Duffy

Clerk to the Committee

Minutes No. 46

Monday 25 May 2009

General Purpose Standing Committee No. 2

10.05 am, Room 1102, Parliament House

1. **Members present**

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Tony Catanzariti

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (*Rhiannon*)

Dr Gordon Moyes

2. **Minutes**

Resolved on the motion of Ms Ficarra: That Item 7 of Minutes No. 44 be amended by inserting the words 'regarding the power of Committees to act when it has not adopted terms of reference for an inquiry' after 'Clerk'.

Resolved, on the motion of Ms Ficarra: That draft Minutes No. 44, as amended, be confirmed.

3. **Bullying Inquiry: Possible online consultation with children and young people**

The Chair advised that the Committee would be briefed at a later date on the proposal for online consultation with children and young people, when further information had been provided.

4. **Bullying Inquiry: consultation with children and young people**

The Chair briefed the Committee in relation to the proposal for consultation with children and young people at the Minto Kids Council.

5. *******

6. **Adjournment**

The Committee adjourned at 12.45 pm until Monday 22 June 2009 (hearing into bullying of children and young people).

Beverly Duffy
Clerk to the Committee

Minutes No. 47

Monday 22 June 2009
General Purpose Standing Committee No. 2
9.55 am, Jubilee Room, Parliament House

1. Members present

Ms Robyn Parker (*Chair*)
Ms Christine Robertson (*Deputy Chair*)
Mr Tony Catanzariti (until 12.35 pm)
Mr Greg Donnelly
Ms Marie Ficarra
Dr John Kaye (*Rhiannon*)
Revd Dr Gordon Moyes
Mr Henry Tsang (from 3.45pm)

2. Substitutions

The Chair advised that she had received written advice from the Government Whip that Mr Tsang would be substituting for Mr Catanzariti from 3.30 pm until the conclusion of the meeting.

3. Minutes

Resolved, on the motion of Mr Donnelly: That Draft Minutes No. 45 be confirmed.

Resolved, on the motion of Revd Dr Moyes: That Draft Minutes No. 46 be confirmed.

4. Correspondence

The Committee noted the following items of correspondence received:

- 25 May 2009 – From Mr Roger West, Director, WestWood Spice, outlining possible options and costs for the Committee's online consultation with children and young people
- 26 May 2009 – From Ms Kitty Rahilly, Research and Evaluation Coordinator, Inspire Foundation, providing answers to questions taken on notice at the hearing on 11 May 2009
- ***

The Committee noted the following items of correspondence sent:

- 20 May 2009 – From Ms Beverly Duffy, Director-Committees, inviting WestWoodSpice to submit an expression of interest to organise an online consultation as part of the Bullying Inquiry.

Resolved, on the motion of Ms Ficarra: That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the publication of the response to questions on notice from Ms Kitty Rahilly.

5. Online consultation

Ms Ficarra moved: That the Committee accept the proposed Option 2 for online consultation outlined by WestWood Spice. WestWood Spice will facilitate an online survey of children and young people involving the use of social networking sites. The cost of the proposal is estimated to be \$7,000.

The Committee divided.

Ayes: Ms Ficarra, Dr Kaye, Revd Dr Moyes, Ms Parker
Noes: Mr Catanzariti, Mr Donnelly, Ms Robertson.

Question resolved in the affirmative.

6. Consultation with Minto Kids' Council

The Committee agreed that Ms Parker, Ms Robertson and Dr Kaye would attend the meeting of the Minto Kids' Council on 14 July 2009. Only three Committee members are attending the meeting because the presence of a large number of strangers could inhibit discussion among the young children on the Council.

7. Overview of programs to address bullying

The Committee noted the outline of the key programs to address bullying prepared by the Secretariat.
Publication of submissions

Resolved, on the motion of Ms Ficarra: That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the publication of submission no. 57.

Resolved, on the motion of Ms Ficarra: That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the partial publication of submission no's 43a and 43 b, with the author's name and other identifying information omitted at the request of the author.

8. Bullying Inquiry: Public hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses from the NSW Police Force were sworn and examined:

- Superintendent Adam Whyte, Commander of Policy and Programs
- Sergeant Chris Cotter, State Coordinator, School Liaison Program
- Senior Constable Dave Brown, School Liaison Program.

The evidence concluded and the witnesses withdrew.

The following witness from the NSW Teachers Federation was affirmed and examined:

- Ms Joan Lemaire, Senior Vice President.

The evidence concluded and the witness withdrew.

The following witnesses from the Commonwealth Department of Education, Employment and Workplace Relations were affirmed and examined:

- Ms Christine Lucas, Director, Student Engagement
- Ms Tina Connor, Project Officer, Student Engagement.

Ms Lucas tabled the following documents:

- 'NSW inquiry into bullying of children and young people: Review of the national safe schools framework', Department of Education, Employment and Workplace Relations
- 'NSW inquiry into bullying of children and young people: Paper of DEEWR research into the prevalence and human dimension of covert bullying', Department of Education, Employment and Workplace Relations
- 'Australian Covert Bullying Prevalence Study (ACBPS) NSW', Professor Donna Cross

The evidence concluded and the witnesses withdrew.

Mr Catanzariti withdrew.

The following witness was sworn and examined:

- Ms Susan McLean, Cybersafety advisor.

The evidence concluded and the witness withdrew.

Mr Tsang joined the meeting.

The following witnesses from Google Australia and New Zealand were sworn and examined:

- Mr Iarla Flynn, Manager – Public Policy and Government Affairs
- Ms Ishtar Vij, Policy Counsel – Public Policy and Government Affairs.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Ms Maggie Hamilton, author of *What's happening to Our Girls?*.

The evidence concluded and the witness withdrew.

9. **Adjournment**

The Committee adjourned at 4.35 pm.

Madeleine Foley

Clerk to the Committee

Minutes No. 48

Thursday 2 July 2009

General Purpose Standing Committee No. 2

9.30 am, William Dean Public School, Dean Park

1. **Members present**

Ms Robyn Parker (*Chair*)

Ms Marie Ficarra

Revd Dr Gordon Moyes

2. **Apologies**

Mr Tony Catanzariti, Mr Greg Donnelly, Dr John Kaye (Rhiannon) and Ms Christine Robertson.

3. **Site visit**

The Committee attended William Dean Public School and was greeted by Bree and Bradley, the School Captains. An Acknowledgement of Country was delivered by Josh.

Mrs Michele Hedge, Principal and Ms Janice Azzopardi, Assistant Principal briefed the Committee on the school's approach to addressing bullying through the Positive Behaviour for Learning program. The Committee watched a DVD presentation concerning students' and parents' views on the program, prepared by Ms Kara West and Ms Angela Sparks.

The Committee observed a lesson in progress in the LTK Class led by Ms Irena Kraljevic. The visit concluded by viewing a display of the School's current programs and resources. The preparations for the Committee's visit were also assisted by Ms Ellen Krause, Ms Dianne Hall, Ms Judy Redman and Ms Lynn Young.

The visit was also attended by:

- Ms Jill Schofield, Coordinator, Positive Behaviour for Learning, Western Sydney
- Ms Alison Benoit, Student Behaviour and Attendance, Student Welfare Directorate
- Mr John Williams, School Education Director
- Ms Gaily Wykes, School Education Director, Student Welfare Portfolio.

4. **Adjournment**

The Committee adjourned at 11. 30 am.

Madeleine Foley

Clerk to the Committee

Minutes No. 49

Friday 3 July 2009

General Purpose Standing Committee No. 2

9.30 am, Casimir Catholic College, Marrickville

1. Members present

Ms Robyn Parker (*Chair*)
 Mr Greg Donnelly
 Ms Marie Ficarra

2. Apologies

Mr Tony Catanzariti, Dr John Kaye (*Rhiannon*), Revd Dr Gordon Moyes and Ms Christine Robertson.

3. Site visit

The Committee attended Casimir Catholic College and was welcomed by Mr Tony MacDougal, Principal.

The Committee conducted a tour of the school, escorted by the following school leaders:

- Samuela Puleiku
- Layla El-Khatib
- Lauren Battaglia
- Anthony Kassis
- Emmanuel Sokias
- Bianca Pedro.

Mr Tony MacDougal, Principal and Ms Alyce Khalifeh, Assistant Principal briefed the Committee on the school's approach to addressing bullying.

Mr Kevin Boyce, Mrs Briony Hickey and Mr Andrew Banham, schoolteachers, briefed the Committee on the school's approach to addressing bullying.

The Committee discussed bullying with the following students:

Year 7	Year 8
Christina Apostolou	Dimitri Vasilaras
Monica Fitis	Elleni Zacharia
Dean Foley	Christopher Tran
Nicholas Boscov	Teresa Dang

Year 9	Year 10
Anthony Klironomous	Erica Widjaja
Elie Haifa	Trang Nguyen
Cecilia Solo	Bella Jones
Bronwyn Ankhawut	Kabir Balgi

Year 11	Year 12
Nicholas Stathopoulos	Anthony Kassis
Alice Heininger	Layal El-Khatib
Cheryl Liem	Samuela Pulekiu
Suraj Gangaram	Lauren Battaglia.

The Committee discussed the school's approach to addressing bullying with the following parents:

- Mrs Ana Spinola
- Mrs Jennifer Beynon
- Mr Csaba and Mrs Eniko Remai
- Mrs Didem Battaglia
- Mrs Ann Mazurkiewicz.

The visit was also attended by:

- Mr Ian Baker, Director of Policy and Programs, Catholic Education Commission
- Ms Carolyn Hadley, Education Officer, Child Protection, Catholic Education Office

4. **Adjournment**

The Committee adjourned at 12.00 pm.

Madeleine Foley

Clerk to the Committee

Minutes No. 50

Thursday 9 July 2009

General Purpose Standing Committee No. 2

9.30 am, Rozelle Public School, Rozelle

1. **Members present**

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Mr Greg Donnelly

Ms Marie Ficarra

Dr John Kaye (*Rhiannon*)

Revd Dr Gordon Moyes

2. **Apologies**

Mr Tony Catanzariti.

3. **Site visit**

The Committee attended Rozelle Public School and was greeted by Harriet Ayers, Thomas Doggett and Georgia Leppard, the School Captains.

An Acknowledgement of Country was delivered by Ms Lyn Doppler, Principal. Ms Doppler briefed the Committee on the use of restorative practices at Rozelle Public School.

The Committee watched a DVD presentation entitled 'Watching the Talk', which demonstrated the use and the impact of restorative practices on students, staff and parents.

The Committee observed the use of restorative circle practices in the classroom environment, and toured several classrooms.

The visit was also attended by:

- Ms Alison Benoit, Student Behaviour and Attendance, Student Welfare Directorate
- Craig Cleaver, Student Support Coordinator, Student Counselling and Welfare, Sydney
- Veronica Kapsimali, School Development Officer, Sydney Region
- Elizabeth Callister, R/Director, Student Welfare Directorate
- Louise Ferguson, School Education Director, Sydney Region
- Dr Sue Roffey, Centre for Educational Research, University of Western Sydney.

4. **Adjournment**

The Committee adjourned at 11.30 am.

Beverly Duffy

Clerk to the Committee

Minutes No. 51

Tuesday 14 July 2009

General Purpose Standing Committee No. 2

11 am, Minto Kids' Council, Minto

1. Members present

Ms Robyn Parker (*Chair*)

Ms Christine Robertson (*Deputy Chair*)

Dr John Kaye (*Rhiannon*)

2. Apologies

Mr Tony Catanzariti, Mr Greg Donnelly, Ms Marie Ficarra, Revd Dr Gordon Moyes.

3. Site visit

The Committee attended a meeting of the Minto Kids' Council and participated in a round-table discussion on the causes and impact of bullying, ways to address bullying, and views on cyber-bullying. The following Council members were present:

- Monique
- Jessica
- Dean
- Shayer
- April
- Shagota
- Blake
- Nabila
- Fiayaz
- Ishmail
- Zoya.

The visit was facilitated by Ms Tara Rumiz, Community Development Worker, Burnside and Ms Marilyn Moreno, Community Development Officer, Working Together in Minto. Ms Elizabeth Scully, Media and Government Relations Specialist, Uniting Care Children, Young People and Families also attended.

4. Adjournment

The Committee adjourned at 12.15 pm *sine die*.

Madeleine Foley

Clerk to the Committee

Minutes No. 58

Wednesday, 21 October 2009

General Purpose Standing Committee No. 2

Members' Lounge, Parliament House, Sydney, at 1.05 pm

1. Members present

Ms Robyn Parker (*Chair*)

Mr Tony Catanzariti

Mr Greg Donnelly

Ms Marie Ficarra

Ms Lee Rhiannon

Mr Roy Smith (*Moyes*)

Ms Lynda Voltz (*Robertson*)

2. Substitute members

The Chair advised that she had received written advice that the following members would be substituting for the purposes of this hearing:

- Mr Smith to substitute for Revs Moyes

- Ms Voltz to substitute for Ms Robertson.

3. Draft Minutes

Resolved, on the motion of Ms Ficarra: That Draft Minutes No.'s 47, 48, 49, 50, and 52 be confirmed.

Resolved, on the motion of Mr Donnelly: That Draft Minutes No.'s 53, 54, 55, 56 and 57 be confirmed.

4. Correspondence

The Committee noted the following items of correspondence received:

- 30 June 2009 – From Ms Tina Connor, Project Officer, Student Engagement Section, Inclusive Education Strategies Branch, Commonwealth Department of Education, Employment and Workplace Relations, providing responses from the Commonwealth Department of Broadband, Communications and the Digital Economy to the questions the Committee submitted prior to the hearing on 22 June for the Bullying Inquiry
- 2 July 2009 – From Mr Iarla Flynn, Senior Public Policy and Government Affairs Manager, Google Australia, providing a copy of Google's Online Family Safety Guide
- ***
- 13 July 2009 – From Dr Sue Roffey, Adjunct Fellow, Centre for Educational Research, University of Western Sydney, providing the Committee with the research report 'Circle Time Solutions: Creating Caring School Communities' and alerting members to the Wellbeing Australia network
- 14 July 2009 – From Ms Jill Schofield, Coordinator, Positive Behaviour for Learning, NSW Department of Education and Training, Western Sydney Region, providing information on the Positive Behaviour for Learning program
- 14 July 2009 – From Mr Tony Johnston, Bully Free TV, providing the Committee with a DVD featuring three bullying experts discussing anti-bullying strategies
- ***
- 15 July 2009 – From Ms Tara Rumiz, Community Development Worker, 4 Kids Project, UnitingCare Burnside, providing feedback from Minto Kids' Council site visit
- 27 July 2009 – From Mr Richard Smith A/g Branch Manager, Inclusive Education Strategies Branch, Commonwealth Department of Education, Employment and Workplace Relations, providing answers to questions taken on notice during the Bullying Inquiry hearing on 22 June 2009
- 3 August 2009 – From Professor Donna Cross, Edith Cowan University, providing answers to questions taken on notice during the Bullying Inquiry hearing on 11 May 2009
- 11 August 2009 – From mizzzzz5@live.de, expressing their attitude towards bullying
- ***
- 19 August 2009 – From Ms Joan Lemaire, Senior Vice President, NSW Teachers Federation, providing answers to questions taken on notice during the Bullying Inquiry hearing on 22 June 2009
- 25 August 2009 – From Mr Rod Stephens, Citizens of Peace, alerting the Committee to his website about bullying
- 9 September 2009 – From Ms Ann Topple, Professional Support Officer to the General Manager Customer Support, TAFE NSW, regarding performance measures requirements of Registered Training Organisations, including TAFE NSW
- 11 September 2009 – From Mr Patrick Lee, Manager, Professional Learning & Initial Teacher Education, NSW Institute of Teachers, regarding Graduate Teaching standards and mandatory areas of study for initial teacher education
- 15 September 2009 – From Mr John Dalgleish, Manager, Strategy and Research, BoysTown, outlining sources of funding for the Kids HelpLine
- 15 September 2009 – From Mr Kane Treble, Paramedic Intern, Parramatta Ambulance Station, Sydney Northern Division, Ambulance Service of NSW, regarding possible participation in the Review of the Inquiry the NSW Ambulance Service
- 15 September 2009 – From Professor Donna Cross, Edith Cowan University, providing further answers to questions taken on notice during the Bullying Inquiry hearing on 11 May 2009
- ***
- ***
- 13 October 2009 – From Ms Leonie Quartermaine, Assistant Director, Student Engagement Section, Inclusive Education Branch, Lifting Educational Outcomes Group, Department of Education, Employment and

Workplace Relations, providing further details on the reference group established as part of the review of the National Safe Schools Framework.

The Committee noted the following items of correspondence sent:

- 24 July 2009 – From the Chair in thanks for hosting site visits to:
 - Ms Michele Hedge, Principal, William Dean Public School
 - Ms Lyn Doppler, Principal, Rozelle Public School
 - Mr Tony MacDougal, Principal, Casimir Catholic College
 - Ms Tara Rumiz, Community Development Worker, Burnside.

Resolved, on the motion of Mr Donnelly: That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the publication of the correspondence from:

- Ms Tina Connor, dated 30 June 2009
- Dr Sue Roffey, dated 13 July 2009
- Ms Jill Schofield, dated 14 July 2009
- Ms Amanda Day, dated 27 July 2009
- Professor Donna Cross, dated 3 August 2009
- Ms Joan Lemaire, dated 19 August 2009
- Ms Ann Topple, dated 9 September 2009
- Mr Patrick Lee, dated 11 September 2009
- Professor Donna Cross, dated 15 September 2009
- Mr John Dalglish, dated 15 September 2009
- Ms Leonie Quartermaine, dated 13 October 2009.

5. Bullying Inquiry: Publication of tabled documents

Resolved, on the motion of Ms Ficarra: That the Committee accept and publish, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and Standing Order 223(1), the following documents tendered during the public hearing:

- ‘NSW inquiry into bullying of children and young people: Review of the National Safe Schools Framework’, Commonwealth Department of Education, Employment and Workplace Relations
- ‘NSW inquiry into bullying of children and young people: Paper of DEEWR research into the prevalence and human dimension of covert bullying’, Commonwealth Department of Education, Employment and Workplace Relations
- ‘Australian Covert Bullying Prevalence Study (ACBPS) NSW’, Professor Donna Cross.

6. Bullying Inquiry: Publication of final report of online bullying survey

Resolved, on the motion of Ms Ficarra: That the Committee accept and publish, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and Standing Order 223(1), the consultants’ final report of the online bullying survey and that the report be made available on the Committee’s website.

7. Bullying Inquiry: Distribution of Chair’s draft report

Resolved, on the motion of Mr Donnelly: That the Secretariat be empowered to email the Chair’s draft report for the Bullying Inquiry to those members who request to receive the report via email.

8. ***

9. ***

10. Adjournment

The Committee adjourned at 1:35 pm until 2:00 pm on Monday 9 November 2009 in Room 1102 (consideration of Chair’s draft report).

Madeleine Foley
Clerk to the Committee

DRAFT Minutes No. 59

Monday, 9 November 2009

General Purpose Standing Committee No. 2

Room 1102, Parliament House, Sydney, at 2.05 pm

1. Members presentMs Robyn Parker (*Chair*)Ms Christine Robertson (*Deputy Chair*)

Mr Tony Catanzariti

Mr David Clarke (*Ficarra*)Ms Amanda Fazio (*Donnelly*)Dr John Kaye (*Rhiannon*)

Revd Gordon Moyes

2. Substitute members

The Chair advised that she had received written advice that the following members would be substituting for the purposes of this hearing:

- Ms Fazio to substitute for Mr Donnelly
- Mr Clarke to substitute for Ms Ficarra.

3. Draft Minutes

Resolved, on the motion of Ms Robertson: That Draft Minutes No. 51 be confirmed.

Resolved, on the motion of Mr Catanzariti: That Draft Minutes No. 58 be confirmed.

4. Correspondence

The Committee noted the following items of correspondence received:

- 21 October – From Mr Malcolm Knight, discussing the recommendations of the 2008 Ambulance Inquiry
- 30 October – From Sergeant Chris Cotter, Student Liaison Police, informing the Committee of the results of the Charles Sturt University evaluation of the School Liaison Program
- 3 November 2009 – From Ms Victoria Nikulin, Corporate Communication, NSW Department of Education and Training, providing information on the NSW Cyber-bullying Forum to be held on 4 November 2009
- 4 November 2009 – From Dr Moyes, Ms Parker and Ms Rhiannon, requesting a meeting of the Committee to consider establishing an Inquiry into the implementation of the recommendations of the Committee's Inquiry into the Ambulance Service.

The Committee noted the following item of correspondence sent:

- 30 October 2009 – From the Chair to the Chairs of all Legislative Council Standing Committees, informing them of the Committee's protocol for interacting with vulnerable witness.

Resolved, on the motion of Ms Robertson: That, according to section 4 of the *Parliamentary Papers (Supplementary Provisions) Act 1975* and standing order 223(1), the Committee authorise the publication of the correspondence from:

- Sergeant Chris Cotter, dated 30 October 2009.

5. Consideration of proposed self-reference – Inquiry into the implementation of the recommendations of the Ambulance Service Inquiry

Mr Clarke moved: That the Committee adopt the following terms of reference: 'That the General Purpose Standing Committee No. 2 inquire into and report on the implementation of the recommendations of the Committee's Inquiry into the Management and Operations of the Ambulance Service of NSW'.

Question put.

The Committee divided.

Ayes: Mr Clarke, Dr Kaye, Revd Moyes, Ms Parker

Noes: Mr Catanzariti, Ms Fazio, Ms Robertson.

Question resolved in the affirmative.

Resolved, on the motion of Mr Clarke: That the Committee undertake the following actions in relation to the conduct of the Inquiry:

- write to submission authors and witness who participated in the initial Inquiry, with the submission deadline to be Friday 22 January 2010
- hold a public hearing in early 2010 after determining witness selection via email consultations with Committee members, and that NSW Health and the Health Services Union be invited to this hearing
- treat as correspondence unsolicited information that is received from individuals and organisations who did not participate in the initial Inquiry.

6. Budget Estimates 2009-2010: Chair's draft report

The Chair tabled her draft report entitled *Budget Estimates 2009-2010*, which, having been previously circulated, was taken as being read.

Resolved, on the motion of Ms Roberston: That the report be the report of the Committee.

Resolved, on the motion of Ms Robertson: That the Committee present the report to the House, together with transcripts of evidence, tabled documents, answers to questions on notice, minutes of proceedings and correspondence relating to the Inquiry.

7. Bullying of children and young people: Chair's draft report

The Chair tabled her draft report entitled *Bullying of children and young people*, which, having been previously circulated, was taken as being read.

Chapter 1 read.

Resolved, on the motion of Ms Robertson: That paragraph 1.25 be amended by omitting 'appropriately respond to bullying' and inserting instead 'prevent bullying and intervene early where it is identified'.

Resolved, on the motion of Dr Kaye: That paragraphs 1.26 and 1.27 be omitted and insert instead the sentence 'A number of high-profile cases of bullying and in-school violence, which are currently being investigated, highlight the critical importance of ensuring that schools and parents have the skills to prevent bullying and intervene early when it is identified'.

Resolved, on the motion of Ms Robertson: That paragraph 1.30 be amended by omitting the word 'swift' and inserting at the end of the paragraph 'across the education system'.

Resolved, on the motion of Ms Robertson: That paragraph 1.33 be amended by omitting the words 'such as a teacher or sports coach'.

Resolved on the motion of Dr Kaye: That paragraph 1.43 be amended by inserting at the beginning of the second sentence 'In the absence of any other information', and omitting the word 'therefore'.

Ms Robertson moved: That paragraph 1.47 be amended by inserting at the end of the paragraph 'Despite the fact that this information was not available to the Committee at the time of drafting the report, it was brought to the attention of the Committee during its deliberations that TAFE NSW has the following 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.
- Student Discipline Mandatory Procedures: TAFE NSW – This sets out the procedures to be followed in implementing 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.'

Question put.

The Committee divided.

Ayes: Mr Catanzariti, Ms Fazio, Ms Robertson
 Noes: Mr Clarke, Dr Kaye, Revd Moyes, Ms Parker.

Question resolved in the negative.

Resolved, on the motion of Dr Kaye: That the Minutes record that Dr Kaye cast his vote in the negative because he felt bound by procedural issues. Even though he believes that it is important that the TAFE NSW policies and procedures are recognised.

Resolved, on the motion of Ms Robertson: That paragraph 1.52 be amended by omitting the words 'TAFE institutes and ' and inserting after NSW Department of Education and Training 'and all registered training organisations'.

Resolved, on the motion of Ms Robertson: That paragraph 1.52 be amended by omitting the words 'The Committee believes that it is a major oversight to not collect data on the prevalence of bullying of apprentices and trainees. Without accurate information on the level of bullying of apprentices and trainees, it will not be possible to develop a comprehensive strategy to address bullying.' and inserting instead 'Accurate information on the level of bullying of apprentices and trainees will allow for the development of a comprehensive strategy to address bullying'.

Resolved, on the motion of Dr Kaye: That Recommendation 1 be omitted and inserted instead 'That the Minister for Education and Training require the Department of Education and Training and all registered training organisations to annually collect data on the level of bullying among apprentices and trainees, and that this data be collated by the Department, with appropriate protections for the privacy of individuals, institutes, colleges and registered training organisations. Further, the Department should be required to take action in relation to any problems that are identified in the data. Further the NSW Department of Education and Training should be required to take action in response to any systemic problems that are identified in the data'.

Resolved, on the motion of Dr Kaye: That paragraph 1.53 be omitted and replaced with information to reflect the amended Recommendation 1.

Resolved, on the motion of Dr Kaye: That paragraph 1.57 be amended by omitting the word 'improvements' and inserting instead 'reductions', and by inserting the word 'many' before the words 'prevention and intervention'.

Ms Fazio moved: That paragraph 1.57 be amended by omitting the second sentence, as amended.

Question put.

The Committee divided.

Ayes: Mr Catanzariti, Ms Fazio, Ms Robertson
 Noes: Mr Clarke, Dr Kaye, Revd Moyes, Ms Parker.

Question resolved in the negative.

Resolved, on the motion of Mr Clarke: That Chapter 1, as amended, be adopted.

Chapter 2 read.

Resolved, on the motion of Dr Kaye: That paragraph 2.13 be omitted.

Resolved, on the motion of Dr Kaye: That paragraph 2.23 be amended by omitting the word 'primarily', and by omitting the word 'for' and inserting instead 'representing'.

Resolved, on the motion of Dr Kaye: That paragraph 2.28 be omitted and inserted instead 'Professor Cross explained the reasons why bullying tends to peak at these times. The first peak '... is related to a sociological change

that young people go through. It is nothing to do with the school; it is simply the way the children are developing and recognising the power of the peer group'.⁵⁸⁹

According to Professor Cross, the second peak occurs during the transition from primary to high school:

Transition is different from the earlier peak in that it is purely about children shifting schools. Each time schools bring in a new or large group of children, so bullying will increase in that environment ... That is because kids have nice, settled social groups and then all of a sudden a large group of children comes in and mucks it all up. It takes a while for the children to work out the hierarchy again. In doing so they need to assert their negative and positive behaviours a little more than they would otherwise.⁵⁹⁰

Resolved, on the motion of Dr Kaye: That paragraph 2.30 be amended by omitting the word 'have' and inserting instead 'exhibit'.

Resolved, on the motion of Dr Kaye: That paragraph 2.32 be amended by omitting the words 'the highest' and inserting instead 'a high'.

Resolved, on the motion of Dr Kaye: That paragraph 2.60 be amended by inserting the following words 'a recent publication on trends in popular culture' after the word 'Girls'.

Resolved, on the motion of Ms Fazio: That paragraph 2.60 be amended by omitting the word 'recognised' and inserting instead 'commented on'.

Resolved, on the motion of Ms Fazio: That paragraph 2.61 be amended by omitting the words 'that there is unequivocal evidence that media violence increases' and inserting instead 'in respect of violent media content, there is evidence that it increases'.

Resolved, on the motion of Ms Robertson: That a new recommendation be inserted at the end of the Chapter 2 'That the Minister for Education and Training formally approach the Australian Press Council regarding the implementation of media guidelines on reporting instances of the bullying of children and young people', and that the Committee Comment section be amended to reflect the new recommendation.

Resolved, on the motion of Dr Kaye: That paragraph 2.81 be amended by omitting the words 'negative impact that' and inserting instead 'connection between', and by omitting the words 'bullying can have' and inserting instead 'bully and'.

Resolved, on the motion of Ms Robertson: That paragraph 2.84 be amended by omitting the words 'and are at an increased risk of having a psychotic experience'.

Resolved, on the motion of Dr Kaye: That paragraph 2.95 be amended by omitting the word 'gotten' and inserting instead 'received'.

Resolved, on the motion of Dr Kaye: That paragraph 2.104 be amended by omitting the words 'According to those who believe that bullying can and should be addressed' and inserting instead 'According to the evidence the Committee received'.

Resolved, on the motion of Dr Kaye: That paragraph 2.113 be amended by inserting the word 'and government' after 'strong community'.

Resolved, on the motion of Dr Kaye: That paragraph 2.114 be amended by inserting the words 'and governments' after 'the community'.

Resolved, on the motion of Ms Robertson: That Recommendation 2 be omitted and inserted instead: 'That the Minister for Education and Training introduce a community wide anti-bullying week that focuses on schools and

⁵⁸⁹ Professor Cross, Evidence, 11 May 2009, pp 41-42

⁵⁹⁰ Professor Cross, Evidence, 11 May 2009, pp 41-42

TAFE institutes, that highlights safe and friendly schools and raises the awareness of the effect of bullying behaviours, and that this week has a positive and friendly name that is chosen through consultation with children and young people’.

Resolved, on the motion of Dr Kaye: That the following words be inserted at the end of the new Recommendation 2 ‘Further, that the Minister allocate adequate resources for the development and distribution of materials in all schools, TAFE institutes and the community’.

Resolved, on the motion of Dr Kaye: That Chapter 2, as amended, be adopted.

Chapter 3 read.

Resolved, on the motion of Ms Robertson: That a new paragraph be inserted after paragraph 3.13, and that the new paragraph state: ‘The Committee notes the statement from the consultants who conducted the online consultation with children and young people, that some caution should be used in interpreting results as the anonymous nature of online methods gives no guarantee of the veracity of the input.⁵⁹¹ However, the Committee believes it very important that these views are reflected in this report’.

Resolved, on the motion of Dr Kaye: That Recommendation 3 be amended by omitting the words ‘be primarily conducted in’ and inserting instead ‘include use of’.

Resolved, on the motion of Dr Kaye: That Chapter 3, as amended, be adopted.

Chapter 4 read.

Resolved, on the motion of Dr Kaye: That paragraph 4.37 be amended by omitting the word ‘public’ and by omitting the second and third sentences.

Resolved, on the motion of Dr Kaye: That Recommendation 4 be amended by omitting the word ‘encourage’ and inserting instead ‘introduce legislation to require’.

Resolved, on the motion of Ms Fazio: That Recommendation 4 be amended omitting the words Catholic and Independent’ and inserting instead ‘non-government’.

Resolved, on the motion of Ms Roberston: That paragraph 4.38 be amended by inserting at the end of the second sentence the following words ‘while others opposed the centralisation of data collection’.

Resolved, on the motion of Ms Fazio: That paragraph 4.39 be amended by inserting at the end of the paragraph ‘The focus of centralised data collection should be to identify the effectiveness of anti-bullying strategies in reducing incidents of bullying’.

Resolved, on the motion of Dr Kaye: That paragraph 4.39 be amended by inserting after ‘public’ the following words ‘and non-government’.

Resolved, on the motion of Dr Kaye: That Recommendation 5 be omitted and inserted instead: ‘That the Minister for Education and Training develop a protocol for schools to report on their policies on bullying prevention and response, and their effectiveness, and to require schools to submit annual reports on bullying in accordance with the protocol.

This should include incidents of cyber-bullying and bullying that occurs off school premises, if these incidents impact on the school community.

Reporting should commence in the 2011 school year.’

Resolved, on the motion of Dr Kaye: That Recommendation 6 be omitted and inserted instead ‘That the Minister for Education and Training implement a system of random audits of schools’ anti-bullying policies and reports’.

⁵⁹¹ WestwoodSpice, *Inquiry into Bullying of Children and Young People: Online Consultation*, September 2009, p 5

Resolved, on the motion of Dr Kaye: That a new recommendation be inserted after Recommendation 6 as follows: 'That the Minister for Education and Training implement a system of sample surveys of schools to assess the incidence, type and impact of bullying, and the effectiveness of anti-bullying policies'.

Resolved, on the motion of Ms Robertson: That paragraph 4.70 be amended by omitting the word 'some' and inserting instead 'one'.

Resolved on the motion of Dr Kaye: That Recommendation 8 be amended by deleting the words 'transferring information on a child or young person's history of either being the victim or instigator of bullying to any new school that the child or young person may attend' and inserting instead 'allowing schools access to a child or young person's history as being the victim or instigator of bullying at any previous school that the child or young person may have attended'.

Resolved, on the motion of Revd Moyes: That Recommendation 7 be amended by inserting at the end of the recommendation "Further, the Committee recommends that non-government schools introduce equivalent mechanisms".

Resolved, on the motion of Ms Robertson: That paragraph 4.99 be amended by omitting the words 'harm minimisation approach' and inserting instead 'proactive prevention and protection approach'.

Resolved, on the motion of Ms Robertson: That the words 'harm minimisation approach' be omitted through out the report and inserted instead 'proactive prevention and protection approach'.

Resolved, on the motion of Dr Kaye: That Recommendation 12 be amended by inserting after 'public' the following words 'and non-government'.

Resolved, on the motion of Ms Robertson: That Chapter 4, as amended, be adopted.

Chapter 5 read.

Resolved, on the motion of Dr Kaye: That Recommendation 13 be amended by inserting before the word 'similar' the following words 'that would provide schools with guidance on the research base and cost effectiveness of programs to address bullying'

Resolved, on the motion of Ms Fazio: That Chapter 5, as amended, be adopted.

Chapter 6 read.

Resolved, on the motion of Ms Robertson: That Recommendation 14 be omitted and inserting instead 'That the Minister for Education and Training require the NSW Institute of Teachers to review the current competencies for NSW teachers to ensure that bullying is covered, and to include bullying in the mandatory professional development programs for practising teachers'.

Resolved, on the motion of Dr Kaye: That paragraph 6.39 be amended by omitting the words 'must have' and inserting instead 'are currently required to hold'.

Resolved, on the motion of Ms Fazio: That paragraph 6.39 be amended by inserting the words 'social workers could be' after "According to Mr Chudleigh ... on the ground".

Resolved, on the motion of Ms Fazio: That Chapter 6, as amended, be adopted.

Chapter 7 read.

Resolved, on the motion of Dr Kaye: That Recommendation 19 be amended by inserting the words 'Internet Service' after the word 'local'.

Resolved, on the motion of Revd Moyes: That Chapter 7, as amended, be adopted.

Chapter 8 read.

Resolved, on the motion of Dr Kaye: That Recommendation 22 be amended by inserting the words 'between all levels of government, school systems, schools and the research community' after the word 'co-operation'.

Resolved, on the motion of Dr Kaye: That Recommendation 22 be amended by omitting the word 'ensure' and inserting instead 'work towards'.

Resolved, on the motion of Dr Kaye: That Recommendation 23 be amended by omitting the word 'ensure' and inserting instead 'request'.

Resolved, on the motion of Mr Catanzariti: That Chapter 8, as amended, be adopted.

Resolved, on the motion of Revd Moyes: That the draft report, as amended, be the report of the Committee.

Resolved, on the motion of Mr Clarke: That the Committee present the report to the House, together with transcripts of evidence, submissions, tabled documents, answers to questions on notice, minutes of proceedings and correspondence relating to the Inquiry, except for documents kept confidential by resolution of the Committee.

Resolved, on the motion of Ms Robertson: That dissenting statements be submitted to the Secretariat by 9 am on Wednesday 11 November 2009 after circulation of the draft minutes.

The Chair advised that the Chair's Foreword and the Summary of Key Issues would be circulated to the Committee via email.

The Chair advised that the report would be tabled on Thursday 12 November 2009 and that a media conference would be held at lunch break on that day.

8. Next meeting

The Committee adjourned at 5:15 pm *sine die*.

Madeleine Foley

Clerk to the Committee

Appendix 7 Dissenting statement

DISSENTING STATEMENT – CHRISTINE ROBERTSON MLC

The issue of bullying and young children is of importance for all the members of the General Purpose Standing Committee No 2 and this dissenting report in no way discounts the importance of this Inquiry for communities of NSW.

Recognising that apparently the following evidence was not available to the committee when the report was initially drafted the Government members believe that Paragraph 1.47 should be amended as follows in order to deliver a more complete picture of the current TAFE policy structure.

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 message, 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.

In 1.57 the second sentence required deletion as the committee received considerable evidence of programs and schools achieving positive results with their proactive prevention and protection approaches throughout the Inquiry. This sentence discounts a lot of very good work being done by young people and their communities across the State. Work which with further support and endorsement will continue to make our schools happier and safer places.