QUEENSLAND
Anti-Cyberbullying
Taskforce

ADJUST our SETTINGS

A community approach to address cyberbullying among children and young people in Queensland

September 2018

This report and its recommendations may cause distress for some people due to their personal circumstances and experience. If you need help or support, contact any of these services:

Lifeline
Phone: 13 11 14 24 hours, 7 days a week
Chat: https://www.lifeline.org.au/Get-Help/Online-Services/crisis-chat 7.00pm – midnight (Sydney time) 7 days a week

beyondblue
Phone: 1300 22 4636 24 hours / 7 days a week
Chat: https://www.beyondblue.org.au/get-support/get-immediate-support 3.00pm to midnight, 7 days a week

Kids Helpline (for 5 – 25 year olds)
Phone: 1800 55 1800 24 hours, 7 days a week
Chat: http://www.kidshelpline.com.au/get-help/webchat-counselling 8.00am – midnight
(Australian Eastern Standard Time)

Parentline (Queensland and Northern Territory)
Phone: 1300 301 300 8.00am – 10.00pm, 7 days a week

eHeadspace (for 12 – 25 year olds)
Phone: 1800 650 890 24 hours, 7 days a week
Group chat: https://www.eheadspace.org.au/get-help/eheadspace-group-chat-session/

eSafety Commissioner
- Cyberbullying: https://www.esafety.gov.au/complaints-and-reporting/cyberbullying-complaints
- Image-based abuse: https://www.esafety.gov.au/image-based-abuse/action/remove-images-video/report-to-us

Queensland Government

Adjust our settings: A community approach to address cyberbullying among children and young people in Queensland

Published by the Queensland Government, September 2018
1 William Street, Brisbane City 4000.

Copyright
© State of Queensland (Department of the Premier and Cabinet) September 2018.
This publication is protected by the *Copyright Act 1968*.

Licence
With the exception of the State Arms, intellectual property (including, patents, trademarks, designs and copyright) owned by third parties, and personal information, this work is licensed by the Department of the Premier and Cabinet under a Creative Commons Attribution (CC BY) 4.0 International licence.

To view a copy of this licence, visit https://creativecommons.org/licenses/by/4.0/

Exceptions to this are listed below as specific copyright, licences or attributions.

You are free to copy, communicate and adapt this publication, as long as you attribute it as follows:
© State of Queensland (Department of the Premier and Cabinet) September 2018.

Specific copyright, licences or attributions
Works listed here are not covered by the general licence for this publication. Copyright remains with the attributed owner or is subject to separate licences.

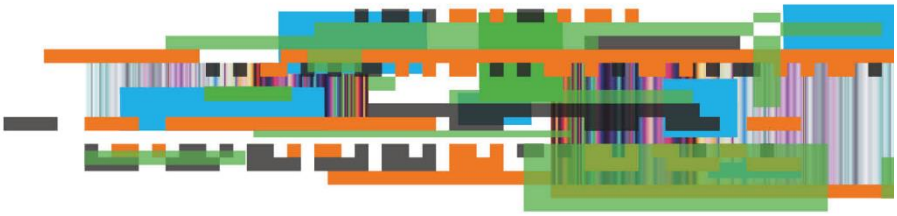
- Front cover image © Emma Kim/Getty Images

ADJUST our SETTINGS:

A community approach to address cyberbullying among children and young people in Queensland

Queensland Anti-Cyberbullying Taskforce

QUEENSLAND
Anti-Cyberbullying
Taskforce



Ms Annastacia Palaszczuk MP
Premier of Queensland
Minister for Trade
PO Box 15185
City East QLD 4002

Dear Premier

I am pleased to present the enclosed report of the Queensland Anti-Cyberbullying Taskforce, *Adjust our Settings: A community approach to address cyberbullying among children and young people in Queensland.* The report includes a proposed framework to address cyberbullying of children and young people in Queensland.

The report and framework have been developed in accordance with the terms of reference.

We hope you and your colleagues learn from our deliberations and consider strongly all our recommendations.

Yours sincerely

[redacted]

Madonna King
Chair

14 September 2018

CHAIR'S FOREWORD

Within minutes of being named by Premier Annastacia Palaszczuk as Chair of this Taskforce, I was stopped by a father who pleaded we not encourage a ban on mobile phones in schools. 'It's our lifeline to our daughter,' he said. Twenty-four hours later, and shopping at Woolworths, I was stopped again, by a stranger. 'Please ban mobile phones at school,' she said. 'Why would our children need them during school hours?'

Such is the complexity of this single subject, and across the State, views varied widely on issues ranging from whether smartphones had a place in school grounds to the role and responsibility of social media companies in keeping our children and young people safe. The role of schools–often handed the responsibility of dealing with the fallout of cyberbullying episodes–was also widely commented upon by parents, carers, teachers and principals. When is a school responsible? When isn't it? What about if the cyberbullying occurs at 3am on a weekday? What about if it is at 2pm on a Saturday?

A parent's role here is front and centre. The advent of smart devices, and their take-up, has provided our young with enormous opportunities. By themselves they are not dangerous. But used wrongly, they can become weapons, and the Taskforce heard heartbreaking stories from young people, parents, carers and others across the State. Thank you to everyone–mums and dads, teenagers, and educators, community groups and social media operators–who opened their hearts at public meetings and in private emails, all to help us understand the problem we are facing and how cyberbullying might be countered.

The Taskforce has spent long days, individually and together, exploring the complexities involved in cyberbullying, and coming up with the recommendations in this report. An overriding factor became clear early in our deliberations. Reducing cyberbullying requires a community-wide approach. It is not just the job of schools, who are often called upon to act. Nor is it easy for parents, carers or community groups to navigate this issue, without some of the requisite skills. Our young have to be given the skills too. This is a task we all have to work on together. Our politicians, seen squabbling on the television news, have to set a better example. So do all of us–whether it's in a traffic queue, or laughing at a bullying episode on our nightly television show. We've made recommendations there, also.

But the good news here is an acceptance that we must act. Politicians on all sides of the political divide told me stories involving their own children. Their determination to engage the community matched the commitment across Queensland, from the Torres Strait to the NSW border. Prominent business people also helped. AEG Ogden's Harvey Lister worked tirelessly to have Ed Sheeran support our work at his Brisbane concerts. Thanks Harvey! A big thanks to Ed there also! The ABC generously ran community advertisements, voiced by Taskforce members, across the state. School principals called me at night, offering their help. So did teachers, who stopped me regularly during school visits. Parents, heartbroken by the experience of a child who had been cyberbullied, offered their help; one even wanting to type up our Taskforce notes!

Finally, a personal thanks. The Taskforce Secretariat has worked nights and weekends to produce this report. It took its instructions from a big Taskforce, made up of international and national experts – across diverse fields of expertise including education, media, technology, law, politics, mental health, and youth. Their names are listed in this report, and our unanimous recommendations show how hard we worked together to propose a framework that can make a measurable difference to the lives of our children and young people. There is not a person from around that table who didn't teach me something. Thank you.

I commend our deliberations to the Premier for consideration and implementation.

Madonna King

CONTENTS

Glossary **3**
Executive Summary **4**
Recommendations **10**
Introduction **16**
Queensland Anti-Cyberbullying Taskforce 16
What is cyberbullying? 18
Policy context 19
Conclusion 20
CHAPTER 1: Framework to address cyberbullying **22**
Introduction 22
A social and public health approach to reducing and responding to cyberbullying 22
Infographic: Addressing cyberbullying among children and young people – the outcomes 24
Implementation of the framework 25
CHAPTER 2: Cyberbullying – prevalence and impact **28**
Introduction 28
Prevalence 29
Impacts of bullying and cyberbullying 31
Summary 32
CHAPTER 3: Community **34**
Introduction 34
Public role models 34
Where to find help with cyberbullying 36
Reporting cyberbullying 37
Awareness and education campaigns 38
A Queensland online portal 39
Media reporting 40
Community, youth and sporting organisations 40
Support and advice after cyberbullying 41
CHAPTER 4: Parents and carers **44**
Introduction 44
Parenting – relationships with children and young people 44
Parenting skills training 45
Oversight of children's and young people's online activity 46

CHAPTER 5: Schools and students 50
Introduction 50
Reducing cyberbullying 50
Whole school approach 50
School education to reduce and respond to cyberbullying 51
Current curriculum and programs in Queensland 51
External programs 52
Students' mobile phones and other devices 53
Teacher professional training and development 55
School responses to cyberbullying 56
Support for schools, parents, carers and students 59
Boarding schools and residences 61
CHAPTER 6: Young people – post school age 64
Introduction 64
University and TAFE policies 65
CHAPTER 7: Social media 66
Introduction 66
The role of social media in reducing cyberbullying 66
Social media response when cyberbullying occurs 69
CHAPTER 8: Legal approaches to cyberbullying 72
Introduction 72
Criminal offences 73
Reporting cyberbullying to police 75
Protecting children from harm 76
Need for 'right to be forgotten' law 78
Appendices 80
Appendix 1: Terms of Reference – Queensland Anti-Cyberbullying Taskforce 81
Appendix 2: Summary of eSafety Commissioner's role 82
Appendix 3: Summary of key support services for children and young people affected by cyberbullying 84
Appendix 4: Examples of existing sources of guidance for parents and carers about technology and social media 86
Appendix 5: Department of Education: Example policy – 'The use of personal technology devices at school' 87
Appendix 6: Example school response flowchart: reports of cyberbullying 89
Appendix 7: Extracts from university and TAFE policies relevant to cyberbullying 90
References 94

GLOSSARY

ACORN	Australian Cybercrime Online Reporting Network-a national policing initiative of the Commonwealth, state and territory governments for the public to securely report cybercrime
APS	Australian Psychological Society
Australian Curriculum	National educational curriculum which sets the expectations for what all students in Australia should be taught
CALD	Culturally and Linguistically Diverse
COAG	Council of Australian Governments. COAG is the peak intergovernmental forum in Australia
DoE	Department of Education, Queensland Government
Framework	Proposed framework to address cyberbullying among children and young people in Queensland
ICT	Information and communication technology
Image-based abuse	Sharing, or threatening to share, an intimate image without the consent of the person in the image; also called 'non-consensual distribution of images'
IT	Information technology
LGBTIQ+	Lesbian, gay, bisexual, transgender, intersex and queer or questioning. The + represents other identities not captured in the letters of the acronym
MMS	Multimedia Messaging Service-a message sent to and from a mobile phone or other device; it may include multimedia content
eSafety Commissioner	The eSafety Commissioner is established by the *Enhancing Online Safety Act 2015* (Cth)
QCEC	Queensland Catholic Education Commission
QFCC	Queensland Family and Child Commission
QPS	Queensland Police Service
QTU	Queensland Teachers' Union
RANZCP	Royal Australian and New Zealand College of Psychiatrists
SMS	Short Messaging Service-a text message sent to and from a mobile phone or other device

Senate Committee	The Senate Legal and Constitutional Affairs References Committee, Australian Parliament
Senate Committee Inquiry	Senate Committee 'Inquiry into the adequacy of existing offences in the Commonwealth Criminal Code and of state and territory criminal laws to capture cyberbullying'
Sextortion	A form of blackmail where a perpetrator threatens to reveal intimate images of a person online unless their demands are met. These demands are typically for money, further intimate images, or sexual favours[1]
Social media	Websites and applications that enable users to create and share content or interact with others
the Taskforce	Queensland Anti-Cyberbullying Taskforce
URL	Uniform Resource Locator. URLS are used to specify an address of a website on the internet
Upstander	A person who speaks or acts in support of a person being bullied
VET	Vocational education and training
Vulnerable children and young people	Includes Aboriginal and Torres Strait Islander children and young people; those from other cultural and linguistic backgrounds; children and young people with disability including autism, sensory, cognitive, mental health and physical disabilities; young LGBTIQ+ people; children and young people during major life transitions; and those from remote areas and foster care

Legislation

Acts cited in this report are current Queensland legislation unless indicated in brackets after the name of the Act.

Quotations

Quotations that are not attributed are from consultation forums and meetings. Quotations from submissions are included in the report with the explicit permission of the author; individual submitters are not named and remain confidential.

EXECUTIVE SUMMARY

Introduction

The Queensland Anti-Cyberbullying Taskforce (the Taskforce) was appointed by the Honourable Annastacia Palaszczuk MP, Premier and Minister for Trade, in February 2018. The 16-member Taskforce was asked to develop a proposed framework to address cyberbullying of children and young people in Queensland, and recommend community and government action. The Taskforce terms of reference excluded workplace cyberbullying of young people.

The Taskforce recognises that cyberbullying is a form of bullying. While its terms of reference focus on cyberbullying, it has been considered in the context of other bullying behaviour. Cyberbullying is usually experienced by children and young people in conjunction with other forms of bullying. The Taskforce considers it important that the nature of bullying and cyberbullying is clearly understood, and that bullying is not used to describe all negative or nasty behaviour.

The following definition was used as a guide for public consultations and Taskforce discussions:

> *Bullying is an ongoing misuse of power in relationships through usually repeated verbal, physical and/or social behaviour that is intended to cause physical and/or psychological harm. It can involve an individual or a group misusing their power over one or more people. Bullying can happen in person or using digital or other technologies, and it can be obvious (overt) or hidden (covert).*
>
> *Bullying of any form or for any reason can have long-term effects on those involved, including bystanders.*
>
> *Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.*

The Taskforce recommends action to support parents, carers, children, young people and schools to help reduce cyberbullying. We recommend action by governments, parents, carers, children and young people, schools, social media companies, sporting and community organisations, universities and training providers.

Taskforce members' expertise, published research and the submissions, stories, and ideas from Taskforce consultations with the Queensland community have informed its proposed framework and recommendations. The Taskforce is grateful to the approximately 650 people who attended 59 consultation sessions across the state, and those individuals and organisations who made more than 360 written submissions.

Framework

Reducing cyberbullying among children and young people is fundamentally about respectful and positive relationships. There is no one specific strategy to reduce cyberbullying. Instead multiple, community wide actions are needed. The Taskforce endorses a social and public health approach to address cyberbullying among children and young people.

Young people's voices are essential to help shape any new initiatives to intervene in cyberbullying and address its prevalence. The Taskforce recommends establishment of an implementation committee of stakeholders, particularly the inclusion of young people, to advise the Queensland Government on implementation of the recommendations in this report.

Prevalence and impact of cyberbullying

Identifying the prevalence of cyberbullying among children and young people is essential to monitoring whether efforts to reduce it are effective. The Taskforce notes, however, that studies of the prevalence of bullying and cyberbullying vary in sampling methods and measures. Recent studies indicate up to 25 per cent of children and young people had experienced cyberbullying in the previous 12 months; many of those people will have also experienced other forms of bullying.[a] Research indicates that only a small percentage of children and young people experience cyberbullying alone.[b]

The impact of bullying and cyberbullying among children and young people can be significant, and affects emotional wellbeing, capacity to learn, relationships and often the whole family. The adverse effects of bullying and cyberbullying on a young person's mental health can persist into adulthood.

The Taskforce believes a national study is required to clearly measure the prevalence and impact of bullying and cyberbullying, with results available for each state and territory, and an annual update to help assess the effectiveness of efforts to address cyberbullying.

Community

Many people told the Taskforce they were unsure where to find information and advice about what to do in response to cyberbullying, where to get help and how to prevent cyberbullying.

The Taskforce proposes two initiatives to improve public awareness and provide information about reducing cyberbullying, where to report it, and sources of help with the consequences of cyberbullying. They are:

- public awareness and education campaigns; one aimed at parents, carers and the public, the other at children and young people with a particular emphasis on changing bystander behaviour so young people take action as 'upstanders'. The Taskforce recommends social media companies be approached to support awareness campaigns
- a comprehensive Queensland online portal to provide information, advice and links to services and agencies relevant to cyberbullying.

Addressing cyberbullying among children and young people requires responses at the individual, local, state and national level. Community leaders, including politicians and high-profile sports stars, and the media can also contribute. The Taskforce also recommends sporting and community bodies implement policies to prevent bullying and cyberbullying, and that better consumer program advice be provided by television stations, broadcasters and streaming services about bullying content.

Parents and carers

Parents and carers play a critical role in the prevention of, and response to, cyberbullying among children and young people. This includes modelling respectful behaviour and oversight of online activity. The Taskforce heard some parents and carers are struggling with this and need help to ensure children and young people in their care have positive interactions and relationships, both online and offline.

The Taskforce recommends the Queensland Government fund and support programs for parents and carers to engage actively in prevention and management of bullying and cyberbullying behaviour through parenting skills training. In recognition of their crucial front line role, the Taskforce considers some parents and carers may benefit from further education about parenting.

The Taskforce also heard a lack of technical knowledge can make some parents and carers reluctant to confidently establish boundaries on the use of technology by children and young people. It recommends technology information and education programs be offered to parents and carers.

Schools and students

Whole school approach

Schools work with parents and carers to teach children and young people the skills, values and social norms they need to meaningfully participate in life. School education is important to teach respectful behaviour, both online and offline, and to support students in responding if cyberbullying occurs. A whole school approach is the most effective school-based approach to preventing and responding to bullying and cyberbullying. Parents, carers, schools and students need to fully understand and agree on how to reduce and respond to cyberbullying in their school community.

The Taskforce believes schools must deliver evidence-based wellbeing programs promoting social and emotional competencies. Further, it recommends training for pre-service teachers to develop an understanding of reducing and intervening in cyberbullying, as well as ongoing professional development for all teachers.

School policy and procedures

School policies on bullying and cyberbullying vary in quality and scope. Parents and carers told the Taskforce it was sometimes difficult to find information about a school's processes to reduce and manage incidents of cyberbullying. School procedures should be readily accessible to students, parents, carers and school staff.

The Taskforce recommends the Queensland Government provide clear guidance to schools on the scope of their responsibilities in relation to cyberbullying. Schools should be expected to have clear, accessible and easily understood procedures to address cyberbullying, including a flowchart outlining the school response to incidents and how to report cyberbullying.

While the Taskforce heard from parents, carers, students and staff about the challenges of managing incidents of cyberbullying, it does not have a comprehensive picture of how effectively cyberbullying is managed in schools. The Taskforce recommends continuation and appropriate resourcing of an expert team in the Department of Education, and an independent evaluation into the effectiveness of current processes to address reported cyberbullying incidents across all school sectors, including consideration of setting up an external body.

Schools and organisations with boarding facilities or accommodation for school students should also have policies, procedures and appropriate staff training to ensure the safety and welfare of boarders.

Use of mobile devices at school

The Taskforce heard many strong, and often polarised, opinions on student access to mobile phones and other portable devices during school hours. The Taskforce recommends schools have autonomy to determine management of mobile phone and device use during school hours, and that policies are developed in consultation with the whole school community and regularly reviewed. Consideration should also be given to technology free spaces and times.

Young people – post-school age

Despite Taskforce efforts, there was limited engagement with young people who are post-school age. The Taskforce found little evidence of specific anti-bullying and anti-cyberbullying policies at most Queensland universities and vocational education and training (VET) providers. It recommends all Queensland universities and other post-school education providers adopt comprehensive and accessible policies about preventing and responding to cyberbullying among students.

Social media

Social media is the most common platform for cyberbullying. The Taskforce recommends social media organisations boost efforts to manage harmful online behaviour and ensure age-appropriate use of their platforms. It recommends research into the efficacy of requiring social media companies to implement identity verification.

Weak privacy settings can expose social media users to unwanted contact and content, yet these settings are often hard to find and navigate. The Taskforce recommends social media providers be required to make maximum privacy settings the default settings for all users, and links to privacy settings be made clearer and more accessible, to help reduce the risk of cyberbullying.

The Taskforce also recommends further exploration of opportunities to develop machine learning algorithms to detect cyberbullying material.

People told the Taskforce how difficult it was to find information about how to report cyberbullying, and how to navigate the reporting process. The Taskforce recommends social media companies improve the accessibility of reporting tools on their platforms, and include a link directly to the eSafety Commissioner. The Taskforce recommendations about public awareness and education campaigns, and a comprehensive online portal, will also help ensure Queenslanders are better informed about reporting cyberbullying.

Legal approaches to cyberbullying

The Taskforce considered current Queensland and Commonwealth legislation that applies to serious cyberbullying. It agreed with the conclusion of the Australian Senate Legal and Constitutional Affairs References Committee that additional criminal offences were not required.[c]

The Taskforce learned there is no data collected on charges, prosecutions and outcomes for stalking or harassment that relate to cyberbullying under the *Criminal Code Act 1899*. The Taskforce believes such information might help provide an accurate picture of the prevalence of cyberbullying, and the Queensland Government should investigate collection and reporting of this data.

The Taskforce is concerned by feedback received during consultation that people experienced variable police responses to cyberbullying reports across different regions of the state. It recommends a review of the Queensland Police Service's Operational Procedures Manual to help ensure reports of cyberbullying incidents are handled consistently.

The Taskforce heard concerns from principals and school staff about the complexity of mandatory reporting obligations, and recognises child protection is a complex area of law and practice. The Taskforce recommends clear guidance be provided to teachers, school staff and mandatory reporters on the application of relevant legislation relating to potential harm from cyberbullying of a child.

The Taskforce also heard of the considerable distress experienced by people who have had cyberbullying material posted and shared online, sometimes easily discoverable years later through a search engine despite having been removed from social media. The Taskforce recommends the Queensland Government advocate for 'right to be forgotten' or 'right to erasure' legislation in Australia.

Conclusion

Cyberbullying is a serious and complex issue in Queensland, nationally and internationally. Multiple responses are necessary to reduce the prevalence of cyberbullying and respond effectively when it occurs. Everyone in the community must play a role.

The proposed Queensland anti-cyberbullying framework and recommendations in this report provide comprehensive guidance for the community and government to act to protect our children and young people.

[a] Office of the eSafety Commissioner 2016, *Young people's experience with online hate, bullying and violence*, viewed 9 July 2018, https://www.esafety.gov.au/education-resources/iparent/online-hate-infographic

[b] Thomas, HJ, Connor, JP, Lawrence, DM, Hafekost, JM, Zubrick, SR & Scott, JG 2017, 'Prevalence and correlates of bullying victimisation and perpetration in a nationally representative sample of Australian youth', *Australian & New Zealand Journal of Psychiatry*, vol. 5, no. 9, pp. 909-920.

[c] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 7, viewed 6 June 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying

RECOMMENDATIONS

CHAPTER 1 – FRAMEWORK TO ADDRESS CYBERBULLYING

Recommendation 1 25

The Taskforce recommends the Queensland Government endorse recommendation 5.7 of the Senate Legal and Constitutional Affairs References Committee that 'Australian governments approach cyberbullying primarily as a social and public health issue…(and) consider how they can further improve the quality and reach of preventative and early intervention measures, including education initiatives…'

Recommendation 2 26

The Taskforce recommends the Queensland Government:

- establish an independent implementation committee by February 2019, supported by the Department of the Premier and Cabinet, to advise the Queensland Government about implementation of recommendations in this report
- ensure the membership of the independent committee include key stakeholders identified in the Taskforce report, particularly young people
- include in the terms of reference for the committee the need for an evaluation plan to assess the impact of actions to reduce the prevalence of cyberbullying among young people in Queensland, and be used to inform future policy on cyberbullying
- table biannual reports on implementation in the Queensland Parliament.

CHAPTER 2 - CYBERBULLYING - PREVALENCE AND IMPACT

Recommendation 3 32

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and other state and territory governments, commission and fund research to measure the national prevalence and impact of bullying and cyberbullying among children and young people on an annual basis, with data to be published with a breakdown by states and territories.

CHAPTER 3 - COMMUNITY

Recommendation 4 35

The Taskforce encourages Members of Parliament and other community leaders to consider the views expressed about their behaviour by stakeholders during consultations, and commit to showing leadership in demonstrating more respectful behaviour.

Recommendation 5 36

The Taskforce recommends the Queensland Government formally request television networks, broadcasters and streaming services to include the term 'bullying' in program consumer advice.

Recommendation 6 39

The Taskforce recommends the Queensland Government:

- initiate state-wide public awareness and education campaigns for adults and children and young people about preventing, reducing and responding to bullying and cyberbullying, to be co-created with a diverse group of young Queenslanders
- approach social media companies to provide funding and/or resources for the campaigns.

Recommendation 7 40

The Taskforce recommends the Queensland Government deliver a comprehensive online portal which is accessible and inclusive for all members of the community that provides information and advice that links to relevant services and agencies.

Recommendation 8 41

The Taskforce recommends the Queensland Government:

- write to state sporting, youth and community bodies requesting policies to prevent and intervene in bullying and cyberbullying be developed and implemented
- ensure sporting and community bodies involving children and young people that receive Queensland Government funding are required to have and implement policies to prevent and intervene in bullying and cyberbullying.

Recommendation 9 41

The Taskforce recommends the Queensland Government allocate grants to youth organisations, to enable young people to develop and undertake anti-bullying and anti-cyberbullying initiatives in their school or local community.

CHAPTER 4 - PARENTS AND CARERES

Recommendation 10 48

The Taskforce recommends that the Queensland Government support parents and carers to engage actively in prevention and management of bullying and cyberbullying behaviour by:

- providing and promoting parenting skills programs, ensuring these programs are accessible to Queensland parents and carers regardless of potential barriers (such as geography, language, and technology access)
- developing accessible and inclusive education resources for parents and carers of vulnerable children or those with specific needs
- funding community groups to deliver parenting skills training
- offering context-specific parenting skills training at regular intervals in the transitional stages of a child's development
- promoting parenting skills programs in broader community awareness campaigns about bullying and cyberbullying
- ensuring children and young people are involved in the design of technology information and digital education programs for parents and carers
- exploring innovative ways to engage parents and carers in relevant skills training relevant to the cycle of child development.

CHAPTER 5 - SCHOOLS AND STUDENTS

Recommendation 11 52

The Taskforce recommends the Queensland Government require all schools to deliver evidence-based whole school programs that:

- promote social and emotional competencies among students
- include evaluation of the programs impact
- include professional development for teachers.

Recommendation 12 53

The Taskforce recommends the Queensland Government in collaboration with an independent body such as the proposed national education evidence institute, commission a rigorous evaluation of relevant anti-bullying programs and resources in order to assist school leaders and school communities to reduce the prevalence of cyberbullying.

Recommendation 13 55

The Taskforce recommends schools continue to have autonomy to determine student access to mobile phones and other personal devices at school, and ensure their policies on the use of mobile phones and other personal devices are:

- developed in consultation with the whole school community
- regularly reviewed in light of rapidly changing technology
- give consideration to technology-free spaces and times.

Recommendation 14 56

The Taskforce recommends the Queensland Government work with universities that offer initial teacher education to ensure pre-service teachers receive education in strategies to prevent and intervene in bullying and cyberbullying.

Recommendation 15 60

The Taskforce recommends the Queensland Government provide clear guidance for all schools on the scope of their responsibilities in relation to cyberbullying, including the circumstances when the principal is and is not responsible.

Recommendation 16 60

The Taskforce recommends the Queensland Government ensure the Department of Education has contemporary, best practice exemplar policy documents about reducing and responding to cyberbullying, including a complaints management process.

Recommendation 17 60

The Taskforce recommends the Queensland Government expect all schools to have clear, transparent, readily accessible and easily understood policies and procedures to address cyberbullying, that:

- include a flowchart clearly outlining the school response to incidents and reports of cyberbullying and provide indicative timeframes for school responses
- provide contact details of relevant school staff
- identify when parents and carers will be contacted by the school
- state the possible consequences for the student who has bullied
- identify the support available for the student who has been bullied and the student who has engaged in bullying behaviour.

Recommendation 18 60

The Taskforce recommends the Queensland Government:

- continue and appropriately resource the Bullying Response Team of Senior Guidance Officers in the Department of Education to provide expert advice and assistance to schools, parents, carers and students when they want advice about addressing and resolving reported incidents of cyberbullying

- commission an independent evaluation of the effectiveness of current processes to address reported incidents of cyberbullying across all school sectors. The evaluation should consider the merit of establishing an independent dispute resolution body for complex matters which are unable to be resolved at school or system level. The approach used by the Victorian Independent Office for School Dispute Resolution in relation to school disputes about bullying and cyberbullying should form part of the evaluation.

Recommendation 19 62

The Taskforce recommends the Queensland Government ensure schools that provide boarding facilities, and other organisations that provide accommodation for school students, have policies and procedures to ensure the safety and welfare of boarders. Those requirements should include staff training and competencies to prevent and respond to cyberbullying, based on best practice standards.

CHAPTER 6 - YOUNG PEOPLE - POST SCHOOL AGE

Recommendation 20 65

The Taskforce recommends the Queensland Government encourage universities (and their associated residential colleges) and VET providers in Queensland to adopt and implement comprehensive and accessible policies about prevention, reporting and responding to cyberbullying among their students.

CHAPTER 7 - SOCIAL MEDIA

Recommendation 21 67

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and other state and territory governments, undertake or commission research into the efficacy of requiring social media companies to implement identity verification.

Recommendation 22 69

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and state and territory governments, require social media platform providers to:

- make the maximum privacy settings the default settings for all users
- make a link to privacy settings clearer, up front and more user accessible, including regular promotion of privacy settings to users
- make blocking more readily viewable and available
- implement 'safety by design' principles
- make their educational and safety materials easy to find, and regularly promote those materials to users.

Recommendation 23 70

The Taskforce recommends the Queensland Government, through Advance Queensland or other sources and in collaboration with social media companies, universities and business, examine opportunities to support the development of applications and machine-learning algorithms to detect cyberbullying.

Recommendation 24 ..... **71**

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and state and territory governments, take steps to ensure social media companies:

- improve the visibility, consistency and accessibility of reporting tools on their platforms
- include a link directly to the eSafety Commissioner for users who are not satisfied with action taken by the social media company
- include messages on their platforms to remind users of the harm cyberbullying can cause and steps on how to report.

Recommendation 25 ..... **71**

The Taskforce recommends the Queensland Government call on the Commonwealth Government to amend the *Enhancing Online Safety Act 2015* to provide the eSafety Commissioner with powers to require annual publication of detailed data on complaints and response times by social media platforms.

CHAPTER 8 - LEGAL APPROACHES TO CYBERBULLYING

Recommendation 26 ..... **74**

The Taskforce recommends the Queensland Government investigate collecting and reporting on the number of bullying and cyberbullying related charges, prosecutions and outcomes under the relevant offences in the Criminal Code.

Recommendation 27 ..... **76**

The Taskforce recommends the Queensland Police Service review its Operational Procedures Manual to ensure reports of cyberbullying incidents are appropriately and consistently investigated.

Recommendation 28 ..... **78**

The Taskforce recommends the Queensland Government:

- provide clear guidance to teachers, school staff and mandatory reporters on the application of child protection and other relevant legislation and guidelines for reporting requirements relating to harm and risk of harm from cyberbullying of a child
- provide additional support and resources to schools to assist with any changed expectations relating to any revisions to legislation, guidelines and procedures.

Recommendation 29 ..... **78**

The Taskforce recommends that the Queensland Government advocate that the Commonwealth Government introduce ‘right to be forgotten’ or ‘right to erasure’ legislation in Australia.

INTRODUCTION

Queensland Anti-Cyberbullying Taskforce

The Queensland Anti-Cyberbullying Taskforce (the Taskforce) was appointed by the Honourable Annastacia Palaszczuk MP, Premier and Minister for Trade, on 19 February 2018. The Taskforce terms of reference required it to propose, by 31 August 2018, a Queensland anti-cyberbullying framework with recommendations for community and government action to reduce the incidence of cyberbullying of children and young people. The Premier approved an extension until 14 September 2018 for the Taskforce to report.

Membership

The Taskforce brought together people with diverse expertise and knowledge, and the ability to represent the views of a significant range of stakeholders. Members include three young people, Members of Parliament from both major political parties, people with experience as teachers and parents, and with academic expertise in bullying and cyberbullying, adolescent psychiatry, and internet and media law. The collective expertise of the Taskforce also includes child protection, youth services, parenting, education, youth mental health, adolescence and journalism.

The Taskforce members are:

- Madonna King (Chair), journalist, author and speaker
- Tracy Adams, Chief Executive Officer, yourtown
- Kevin Bates, President, Queensland Teachers' Union
- Peter Black, Senior Lecturer, Faculty of Law, Queensland University of Technology
- Candice Butler, Senior Practice Leader, Queensland Aboriginal and Torres Strait Islander Child Protection Peak
- Marilyn Campbell, Professor of Education, Queensland University of Technology
- Naraja Clay, Member, National Youth Reference Group for headspace
- Michael Crandon MP, Member for Coomera
- Judith Ketchell, Executive Principal, Tagai State College, Torres Strait Islands
- Corrine McMillan MP, Member for Mansfield
- Chantel Moody, university student, disability advocate, mentor for Pyjama Foundation and Raise Foundation, Member of Youth Advisory Committee, Queensland Family and Child Commission
- Taj Pabari, Chief Executive Officer, Fiftysix Creations, Young Australian of the Year for Queensland 2017
- Lee-Anne Perry AM, Executive Director, Queensland Catholic Education Commission
- James Scott, Child and Adolescent Psychiatrist, Associate Professor, Queensland Centre for Mental Health Research and Metro North Mental Health Service
- Rebecca Sparrow, author, columnist and speaker
- Gayle Walters, President, P&Cs Queensland.

Members were appointed for a period of up to one year.

Terms of reference

The Taskforce terms of reference focused on cyberbullying of children and young people up to the age of 25, and excluded workplace bullying. The terms of reference established the responsibilities of the Taskforce, which included:

- consult with the Queensland community to gain the insights of those affected by cyberbullying and harness ideas on ways to tackle the issue
- develop a proposed framework to address cyberbullying, presenting recommendations for community and government action to reduce the incidence of cyberbullying.

The full terms of reference are at Appendix 1.

Taskforce meetings

Between March and September 2018, the Taskforce met 11 times to discuss issues relevant to its terms of reference, and to determine its proposed framework and recommendations to address cyberbullying among children and young people.

Consultation

The Taskforce consulted with the Queensland community between March and June 2018, in person, by teleconference and by inviting written submissions. The Taskforce also met with key stakeholders, researchers and experts, and considered published research.

We promoted consultations through radio interviews and local press, Members of Parliament, local governments, community and sporting organisations, and the Queensland Government Facebook page. Individual Taskforce members promoted consultations through their social media accounts.

The Taskforce Chair conducted television, newspaper, magazine and radio interviews on metropolitan and regional radio to promote public forums and encourage community debate about cyberbullying among children and young people. Community service announcements, recorded by Taskforce members, were broadcast on all ABC radio stations from the Torres Strait to southern Queensland, on east coast stations, and throughout western Queensland. The announcements sought ideas to reduce cyberbullying and how to respond to it.

To raise young people's awareness of Taskforce consultations, we gained support from singer-songwriter Ed Sheeran to display digital billboards at his two Brisbane concerts on 21 and 22 March. The screens displayed the Taskforce website address and two messages:

During consultation, many people and organisations told us about a single issue or personal experience of cyberbullying and its aftermath. Others suggested ways to reduce the prevalence of cyberbullying, or what should happen in response to cyberbullying, including support and consequences for bullying behaviour. People also told us about issues outside of the Taskforce terms of reference, including workplace bullying and bullying of school staff.

Submissions

The Taskforce invited written submissions by email and via its website, with a closing date of 1 June 2018. A total of 364 submissions were received from organisations, parents and carers, young people, and other individuals. All submissions were reviewed by Taskforce members.

To encourage people to tell us about their experiences, we decided that submissions would not be published. This report quotes or cites some submissions, with the explicit permission of the author.

Consultation sessions

From late April until mid-June 2018 the Taskforce held 59 consultation sessions, which included 13 public forums, nine roundtables with school principals and staff, and five secondary students' forums. Approximately 650 people attended consultation sessions, which were held across the state in Brisbane, Rockhampton, Gladstone, Palm Island, Townsville, Toowoomba, the Sunshine Coast (Kawana Waters), Thursday Island, Cairns, Roma, Caboolture, Maryborough, the Gold Coast (Helensvale) and Mount Isa.

Participants at consultation sessions included school principals, teachers, guidance officers, students, parents, carers, local councillors, Members of Parliament, academics, community service workers and those with experience in education, child and youth mental health and parenting.

Roundtable consultation sessions were also held with the LGBTIQ+ community, young people from migrant, refugee and asylum seeker communities, representatives of young people with disability, and young Aboriginal and Torres Strait Islander people. Representatives of professional bodies for psychiatrists, general practitioners, psychologists and social workers were also consulted. Public forums were attended by parents and carers, children and young people, community leaders, people affected by cyberbullying and those with an interest in the issue.

Each consultation session was facilitated by one or two Taskforce members, which enabled us to hear people's experiences, ideas and suggestions first-hand. The Taskforce arranged for staff from Child and Youth Mental Health Services in the local Hospital and Health Service to be available at public forums to provide information and referrals to support people experiencing difficulties because of cyberbullying.

The Taskforce also met with Australian representatives of Google (and YouTube) and Facebook (and Instagram).

The Taskforce is grateful to all Queenslanders who shared their experiences and suggestions during consultation. In particular, the Taskforce would like to acknowledge contributions from people who have been affected by cyberbullying behaviour, either directly or indirectly. The Taskforce appreciated the assistance of those Members of Parliament who organised consultations in their electorates and told us of their constituents' views.

What is cyberbullying?

There is no single nationally accepted definition of cyberbullying.

Some see cyberbullying as a new phenomenon, while most experts see cyberbullying as a type of bullying that uses digital technologies. Key elements of definitions of bullying, including cyberbullying, are that it is behaviour that is intended to harm, is usually repeated, and often involves misuse of power.

The Taskforce adopted a working definition of bullying and cyberbullying at its first meeting in March 2018, adapted from the definition used on the 'Bullying. No Way!' website.[2] The following definition was used as a guide for public consultations and for Taskforce discussions:

> *Bullying is an ongoing misuse of power in relationships through usually repeated verbal, physical and/or social behaviour that is intended to cause physical and/or psychological harm. It can involve an individual or a group misusing their power over one or more people. Bullying can happen in person or using digital or other technologies, and it can be obvious (overt) or hidden (covert).*
>
> *Bullying of any form or for any reason can have long-term effects on those involved, including bystanders.*
>
> *Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.*

The Taskforce recognises that while bullying and cyberbullying are usually repeated behaviours, a person who is the subject of cyberbullying may be subject to the accumulation of many single instances of bullying behaviour from different people. The posting of embarrassing or harmful photos, videos or rumours about a person can be exacerbated by features of social media (such as 'comments', 'shares' and 'likes') that allow the rapid spread of bullying material to a wide audience.

While the Taskforce's focus is on cyberbullying, any consideration of cyberbullying must be in the overall context of bullying; cyberbullying behaviour is not fundamentally different to bullying behaviour. The Taskforce believes it is important that the nature of bullying and cyberbullying are clearly understood in the community, and that bullying is not used to describe all negative, violent and nasty behaviour.

Policy context

As cyberbullying has come to public attention in recent years, governments and organisations in other jurisdictions have initiated inquiries and established taskforces to examine issues and develop initiatives to address cyberbullying. A selection of those initiatives is summarised below.

Co-ordinated efforts to address cyberbullying are in their infancy, both in Australia and internationally. New policies and initiatives have yet to be comprehensively evaluated, and more evidence about the impact of policy changes in other jurisdictions is needed before conclusions can be reached on their effectiveness.

International

In October 2017, the United Kingdom Government released the Internet Safety Strategy Green Paper. A White Paper, expected by the end of 2018, will address the proposed introduction of a social media code of practice.[3] In May 2016, the British Royal Foundation charity established the Taskforce on the Prevention of Cyberbullying which released a *Cyberbullying Action Plan* in November 2017.[4] A panel of 11 to 16-year-olds regularly reviews the Action Plan to ensure it remains current and meaningful.

The provincial government of Nova Scotia, Canada, released an action plan, *Speak Up* in 2013.[5] An anti-bullying co-ordinator was appointed in the Department of Education and Early Childhood Development to oversee implementation of the plan. The provincial government of Saskatchewan, Canada, also released an action plan in November 2013 with an education focus, including teaching digital citizenship concepts throughout the school curriculum and development of a web-based bullying reporting tool.[6]

Australia

At its February 2018 meeting, the Council of Australian Governments (COAG) agreed to establish a working group of senior officials to consider initiatives to help combat bullying and cyberbullying.[7] The working group is developing a work program for consideration by the COAG Education Council, which is expected to report to COAG at its next meeting.

In February 2018, Victoria's education minister announced the $7 million Victorian Anti Bullying and Mental Health Initiative. In June 2018, the New South Wales education minister announced a review of the use of technological devices in schools to be led by a child psychologist.

The Taskforce notes that as Queensland is highly regionalised, there are particular cyberbullying issues faced by children and young people in regional and remote areas where internet access may be inconsistent. These issues are discussed in Chapter 5.

Conclusion

This report draws on the information obtained during consultation, through submissions, published research and the expertise that Taskforce members brought to their role. The Taskforce considers its report should be a starting point from which to inform the Queensland Government and the community on potential strategies to reduce cyberbullying and respond effectively to it.

CHAPTER 1: FRAMEWORK TO ADDRESS CYBERBULLYING

Introduction

The terms of reference require the Taskforce to develop a proposed Framework to Address Cyberbullying (the proposed Framework), and present recommendations for community and government action to reduce the incidence of cyberbullying among children and young people. This chapter describes the foundations of the proposed Framework.

The proposed Framework was shaped by the views and perspectives of Queenslanders who made written submissions and shared their experiences and views during consultations. The proposed Framework is intended to support the development of best practice approaches to reducing and responding to cyberbullying among children and young people.

Government action alone will not be effective - reducing cyberbullying requires a collaborative community-wide effort over an extended period of time. The solutions lie in sustained work across all levels of the community. The program of activities to be developed under the proposed Framework will require the combined efforts of Commonwealth, State and local governments, community leaders, sporting and community organisations, families, schools, social media, children and young people and others. Everyone can contribute to reducing and responding appropriately to cyberbullying to create a more supportive environment for children and young people. An infographic of the desired outcomes of implementation of the proposed framework and recommendations is on page 23.

A social and public health approach to reducing and responding to cyberbullying

Senate Committee

The March 2018 report of the Senate Legal and Constitutional Affairs References Committee (the Senate Committee) on the *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying* recommended that Australian governments approach cyberbullying primarily as a social and public health issue. The Senate Committee's recommendation continued:

> *With this in mind, the committee recommends that Australian governments consider how they can further improve the quality and reach of preventative and early intervention measures, including education initiatives, both by government and non-government organisations, to reduce the incidence of cyberbullying among children and adults.* [8]

The Taskforce supports the Senate Committee's conclusion. Approaching cyberbullying from a social and public health perspective recognises the causes are linked to broader societal issues, including in-person bullying and power imbalance, and that a community-wide preventative and early intervention approach is required.[9]

Elements of a social and public health approach to cyberbullying

A social and public health approach to cyberbullying will have respectful relationships at its core, and include:

- a community-wide focus on reduction of cyberbullying and early intervention
- principles to inform action
- creation of supportive environments for children, young people, parents, carers and communities
- further development of personal and relationship skills in children, young people, parents and carers
- strengthening action to reduce cyberbullying, including bystander action

- support services oriented toward prevention and early intervention
- ongoing development of good public policy, informed by evaluation and research.

Community-wide focus

A comprehensive, community-wide approach to reducing cyberbullying is needed. The proposed Framework recognises we need a shared understanding of how to reduce and respond to cyberbullying. Public awareness and education programs are fundamental to a community-wide focus. Easier public access to comprehensive information through a single online portal, and through community and government organisations, will assist all Queenslanders.

Governments, parents and carers, schools, community organisations, mainstream and social media companies, and individuals all have roles, including contributing to prevention, education, guidance and calling out inappropriate behaviour.

Principles

- *Respect*: respectful communication and behaviour is fundamental to reducing cyberbullying
- *Whole of community*: reducing and responding to cyberbullying involves everyone
- *Action*: initiatives to reduce and respond to cyberbullying should support behavioural change in children and young people, and support parents and carers, educators and the community.

Supportive environments

Programs and initiatives must be sustainable and address behavioural change to encourage those children and young people who bully to stop doing so, and encourage bystanders to become 'upstanders'.

How programs and initiatives are implemented must recognise the needs of vulnerable children and young people. They include Aboriginal and Torres Strait Islander children and young people; those from other cultural and language backgrounds; children and young people with disability including autism, sensory, cognitive, mental health and physical disabilities; young LGBTIQ+ people; children in care; and children and young people from remote parts of Queensland.

Improved personal and relationship skills

Respectful behaviour, positive relationships and interpersonal skills are at the core of reducing bullying and cyberbullying. The proposed Framework includes promotion of empathy and respectful behaviour in the community.

A whole school approach to bullying and cyberbullying, and teaching of social and emotional skills is intended to improve relationship skills. Improved access for parents and carers to training and skills to support their children's online behaviour is also included in the proposed Framework.

Action to reduce cyberbullying and intervene early

The proposed Framework includes actions to reduce cyberbullying and to support parents and carers, children and young people, schools and bystanders to act when cyberbullying occurs. Action by social media companies, schools and communities is also part of the proposed Framework.

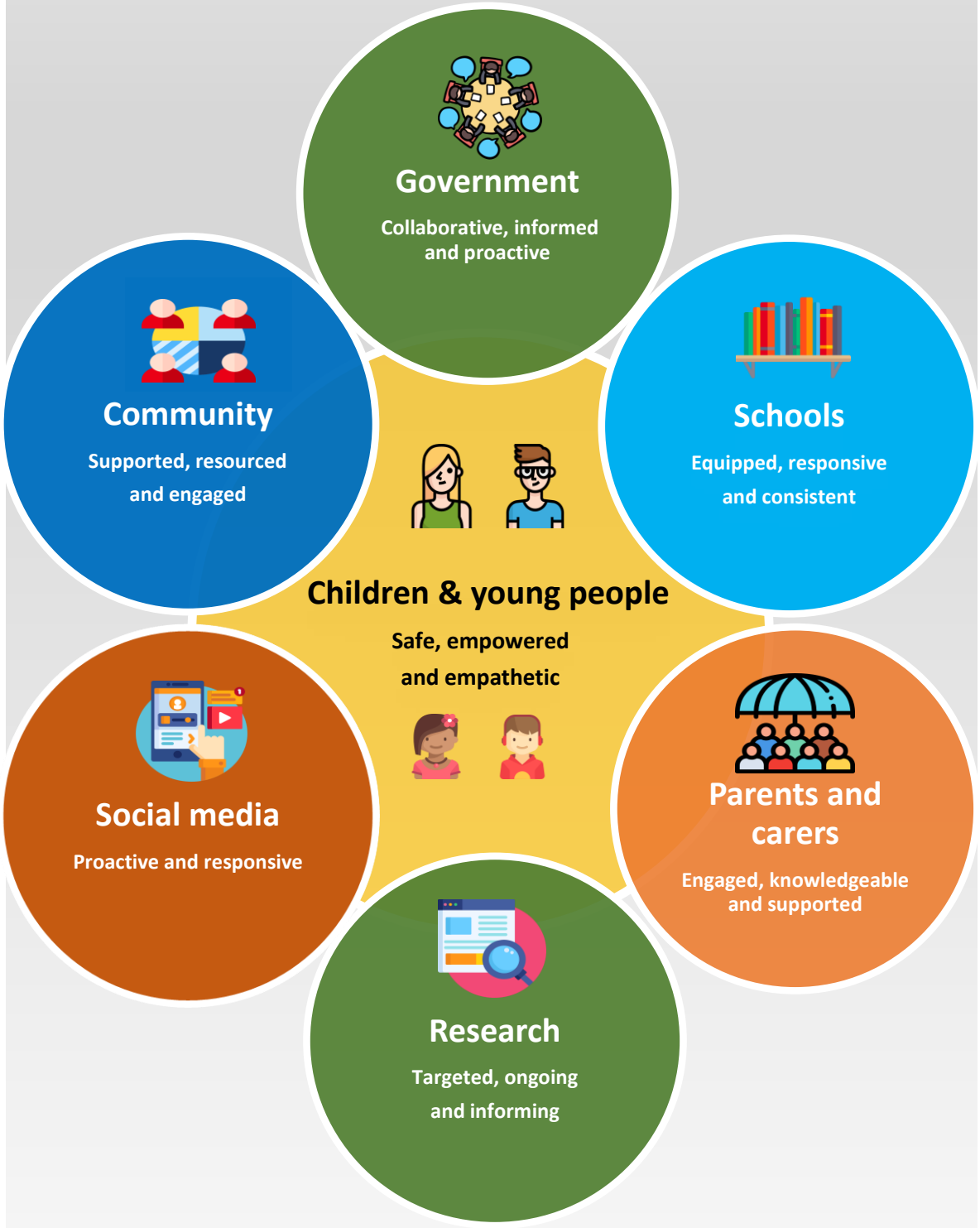
Support services focussed on reducing and responding to cyberbullying

Health, mental health, advice and support services need to be equipped and informed about responding to cyberbullying.

Public policy informed by evaluation and research

Ongoing research about the annual prevalence of cyberbullying, and evaluation of programs and initiatives will inform policy and practice.

Infographic: Addressing cyberbullying among children and young people – the outcomes



Young people's voices

The Taskforce considers it essential that the voices of children and young people are included in the design and implementation of new initiatives. Young people told us repeatedly that this was very important to them. For example, implementation of public awareness and education campaigns about cyberbullying should have input from young people and use a co-design approach.

The Taskforce suggests that existing young people's forums and youth advisory bodies could be used to provide input and advice about implementation. Examples of existing bodies include:

- ***Youth Advisory Council to the Queensland Family and Child Commission (QFCC)*:** consists of ten young people. The Youth Advisory Council is working with QFCC 'to identify proactive and youth friendly strategies to empower young people to identify and report cyberbullying.'[10]
- ***Student Advisory Council to the Minister for Education:*** consists of 16 student members from across Queensland. Its first meeting in June 2018 focussed on cyberbullying, and was attended by the Taskforce chair.[11]
- ***Queensland Youth eHub – Department of Child Safety, Youth and Women*:** a platform for online consultation with young people.[12]
- ***Local Government youth advisory bodies:*** some local governments have active youth councils or youth advisory bodies.

Implementation of the framework

The Taskforce recommends an overall social and public health approach to bullying and cyberbullying. It also recommends arrangements to ensure youth and expert input to implementation of the Framework and Taskforce recommendations.

The Taskforce urges the Queensland Government to consider and implement the recommendations as a whole. Implementation of the recommendations will require action by a number of Ministers and their departments and agencies, and co-ordination across government.

An independent implementation committee is proposed to advise the Queensland Government on implementation. Membership of the implementation committee should include people drawn from the key stakeholders identified in this report, and it should privilege the voices of young people. The Taskforce believes the implementation committee could support targeted consultation by government agencies to ensure that young people are involved. The implementation committee could maximise engagement of young people through a range of existing youth organisations and youth advisory bodies.

The Taskforce acknowledges the Premier's decision to appoint Members of Parliament from both the Government and Opposition to the Taskforce. Consistent with this bipartisan approach, we recommend biannual progress reports on implementation of the Framework should be tabled in the Queensland Parliament to enable monitoring of implementation.

Recommendation 1

The Taskforce recommends the Queensland Government endorse recommendation 5.7 of the Senate Legal and Constitutional Affairs References Committee that 'Australian governments approach cyberbullying primarily as a social and public health issue…(and) consider how they can further improve the quality and reach of preventative and early intervention measures, including education initiatives…'[13]

Recommendation 2

The Taskforce recommends the Queensland Government:

- establish an independent implementation committee by February 2019, supported by the Department of the Premier and Cabinet, to advise the Queensland Government about implementation of recommendations in this report
- ensure the membership of the independent committee include key stakeholders identified in the Taskforce report, particularly young people
- include in the terms of reference for the committee the need for an evaluation plan to assess the impact of actions to reduce the prevalence of cyberbullying among young people in Queensland, and be used to inform future policy on cyberbullying
- table biannual reports on implementation in the Queensland Parliament.

CHAPTER 2: CYBERBULLYING – PREVALENCE AND IMPACT

> *Bullying of any form or for any reason can have long-term effects on those involved, including bystanders.*

Introduction

Limitations in available data

Data about the prevalence of cyberbullying among children and young people has limitations because of variations in research design. Prevalence estimates from some of the key research are outlined in this chapter. The chapter also describes the impact of cyberbullying on children and young people and their families, based on some of the personal experiences recounted to the Taskforce during consultation and published research.

Forms of cyberbullying

Cyberbullying can occur through a variety of platforms including social media, online games, and messaging services (for example SMS and MMS). Chat services, blogs, email or discussion groups and websites are also potential 'locations' for cyberbullying.

The Office of the eSafety Commissioner's submission said the key forms of cyberbullying behaviour from complaints received in Queensland and around Australia include:

- nasty comments, serious name calling and incitement to suicide
- impersonation, fake and hate pages
- offensive or upsetting posts, sextortion or private pictures and videos shared
- unwanted contact and threats of violence.

Internet and mobile use

The online world:

> *…is an integral part of the lives of young people in Australia, with most going online regularly to learn, keep in touch with friends and have fun. Born into an already web-connected world, many teens have been using the internet for the majority of their lives and fear not having access to the digital environment.* [14]

Most young people in Australia have ready access to the internet—95 per cent of households with children under 15 were connected to the internet in 2016-17. Smartphone use among 14 to 17 year olds increased from 23 per cent in 2011 to 80 per cent in 2015.[15] Online engagement provides positive opportunities for education and connection, as well as the potential for negative online behaviour and cyberbullying. More than three in four young people (78.8 per cent) and more than half of all adults (54 per cent) are highly involved with their mobile phones.[16]

Social media use

The social media platforms most commonly used by 14 to 17 year olds in 2017 were Facebook (80.8 per cent) and YouTube (72.4 per cent). Instagram was used by 66 per cent of teenagers, Snapchat by 64.7 per cent, and Twitter by 27.6 per cent.[17] A survey by the Australian Psychological Society (APS) reported that young people use social media for an average of 3.3 hours each day, on five or more days of the week, and some teens log onto their favoured channels as many as 50 times per day.[18]

During consultation, many submitters and stakeholders commented on the amount of time children and young people spent on social media platforms. While significant negative consequences of use alone have not been conclusive in published studies, some research has found excessive use can be problematic for children and young people, including putting their work and relationships in jeopardy.[19]

Prevalence

The Taskforce recognises methodological variations in recent research about the prevalence of bullying and cyberbullying make it difficult to compare findings. Prevalence studies vary in the age of children and young people and the time periods they were asked to report their experience of bullying or cyberbullying.

While the Taskforce's focus is on cyberbullying, its working definition is that cyberbullying is a type of bullying. Consequently, research on the prevalence of bullying generally is relevant, along with studies that specifically measure the prevalence of cyberbullying.

Recent research has found that, among young people who are bullied, most experience traditional bullying (about 70 per cent) or a combination of traditional and cyberbullying (about 27 per cent). Very few (1.1 per cent) experience cyberbullying only.[20]

The Taskforce recommends further research to establish a clear measure of the prevalence of cyberbullying among children and young people, with annual updates to assess the impact of measures adopted to reduce cyberbullying.

Prevalence of bullying – children and teenagers

A study of 965 Australian primary school children found one in three boys and one in four girls aged eight to nine years reported experiencing weekly bullying at school.[21] In a sample of 20,832 students aged eight to 14 years, approximately one in four students (27 per cent) reported being bullied every few weeks or more often which is considered to be frequent.[22]

Another study of 3,537 teenagers aged 14 to 15 years found just over 18 per cent were bullied by others, and a further 11.8 per cent were bullied and had bullied others ('bully-victims').[23] A similar rate of bullying was found in a study of 1,688 students in Years 5 to 10. Approximately 20 per cent of students reported being bullied every few weeks or more often, most commonly in verbal and covert ways.[24] A poll of 1,575 Australian parents of a total of 2,548 children found 22 per cent of parents reported that one or more of their children experienced bullying in the last school term.[25]

Prevalence of cyberbullying

The Office of the eSafety Commissioner reported that a 2016 national online survey of 2,448 young people aged 12 to 17 found 25 per cent of young people had been cyberbullied.[26] A synthesis report released in 2014 by the Commonwealth Department of Communications estimated the prevalence for being cyberbullied over a 12 month period to be in the vicinity of 20 per cent of young Australians aged eight to 17.[27] There appear to be variations according to reported age ranges. Few incidents of cyberbullying were reported for children under 10; it was most prominent among those aged 10 to 15 years, and decreased slowly for young people over 15.

In 2018 the Royal Children's Hospital (Melbourne) National Child Health Poll of 1,575 parents of a total of 2,548 children reported that among those bullied, verbal bullying was most common (78 per cent), followed by social bullying (56 per cent), physical bullying (49 per cent) and online bullying (30 per cent).[28] Most of the 79 per cent of children who were bullied experienced two or more types of bullying, and 12 per cent experienced all four types of bullying. Also in 2018, a yourtown survey of young people on cyberbullying found, out of 1,264 respondents, 716 or 57 per cent reported they had been cyberbullied.[29]

In 2018 the Queensland Family and Child Commission (QFCC) undertook a survey of 13 to 18 year olds as part of the 'Growing up in Queensland' project. Questions were optional and of 1,616 respondents, 15 per cent reported being concerned or very concerned about or personally affected by cyberbullying. For the questions on personal experiences of bullying and cyberbullying, out of 1,570 respondents 26 per cent reported experiencing cyberbullying in the previous three months, and nine per cent reported cyberbullying another young person.[30]

Research has indicated that with both traditional bullying and cyberbullying, there is a large crossover between victimisation and bullying behaviour. Around a quarter of those bullied are estimated to also engage in bullying.[31] For example, a 2017 study of 3,537 adolescents (aged 14–15 years) found over one-third (33.9 per cent) of respondents reported being involved in bullying behaviours in the past month. Just over 18 per cent were bullied by others, 3.9 per cent bullied others but were not bullied themselves, and 11.8 per cent were both bullied and bullied others.[32]

Prevalence of bullying and cyberbullying - university students

Research on a sample of 528 first-year Australian university students found 20.8 per cent reported being bullied and 5.1 per cent reported engaging in traditional bullying behaviours in the past 12 months.[33] Experience of cyberbullying was less frequent; 11.6 per cent reported being cyberbullied and 3.8 per cent reported engaging in cyberbullying behaviour in the past 12 months. The study also found higher levels of traditional bullying amongst non-heterosexual students when compared to heterosexual students. In contrast, cyberbullying rates were found to be similar for heterosexual and non-heterosexual university students.

A 2014 study of 1,925 students surveyed in four Canadian universities found a 24.1 per cent overall rate of cyberbullying victimisation in the preceding 12 months.[34] The findings suggested that same-gender targeting was more common than opposite gender targeting. Females were especially likely to cyberbully and be cyberbullied by other females within their friendship groups.

A literature review of 54 articles about cyberbullying in higher education published between 2004 and 2015 found individuals who had cyberbullied or had been cyberbullied in high school tended to fall into the same categories in university.[35]

Vulnerable groups

In 2014, a Commonwealth Department of Communications report concluded that while there is very little research comparing prevalence across different groups of children, it appears some groups of children (such as children with disability, Indigenous children, and children with cognitive impairments) are more vulnerable than others to cyberbullying.[36]

The Australian Psychological Society submission stated:

> *Young people are not a homogenous group, and some researchers and practitioners have highlighted the particular vulnerability faced by young people who already face discrimination and/or marginalisation, such as young people with a disability, LGBTIQ+ and CALD young people, and young Aboriginal and Torres Strait Islanders. While there are obvious benefits in a supportive online community, the social vulnerability of being a part of a minority group can be magnified online.*

Gender differences have been noted in some studies with more females reported to have been bullied compared to males, and a greater proportion of males than females bullied others or were 'bully-victims'.[37]

In consultation the Taskforce heard that young LGBTIQ+ people are subject to a high rate of cyberbullying. A recent Spanish study found students who identified as non-heterosexual were bullied and cyberbullied more than others; almost half declared they had been bullied and more than 20 per cent cyberbullied. Many respondents also indicated they had suffered both kinds of harassment.[38]

Students with disability reported being victimised more often than their peers,[39] although this difference was not found when cyberbullying was examined.[40] The Taskforce heard in consultations about the difficulties experienced by children and young people with autism. A survey of 104 students with autism spectrum disorder on their bullying experiences found that they report more traditional victimisation than their peers, with social victimisation being the most common form.[41]

One study found that in general, the sample of Indigenous students was not bullied more than others, but of the bullying that occurred there was evidence they were racially harassed more than non-Indigenous students.[42]

Impacts of bullying and cyberbullying

> *…the youngster cannot escape through distance, location or removal because the cyber world follows them home, to work, to bed.*

Young Queenslanders' experiences

Personal stories heard during consultations and in submissions described accounts of bullying and cyberbullying. Parents and carers, children and young people told us about the fear, loneliness, depression and helplessness that followed bullying.

Parents and carers told the Taskforce about their children's emotional distress and changed behaviour; how their children had withdrawn from family, social and sporting activities; and the ripple effects which impacted siblings and the wider family.

Sharing an intimate image without consent usually results in embarrassment, and sometimes more serious consequences. A secondary student told us that a male student sent an explicit photo to his girlfriend, which was spread to other students; he was extremely embarrassed and ashamed. Stakeholders told the Taskforce that photos are shared frequently, and some students do not consider the consequences of re-sharing other people's photos.

A common theme in consultations was how difficult it is for children and young people to get away from cyberbullying. One example was a young person who blocked contact from a person who cyberbullied her; the bullying continued by the person transferring small amounts of money to her bank account, and writing bullying messages in the bank transfer reference.

The many stories the Taskforce heard from stakeholders about the impact of cyberbullying included intense emotional distress, shame, depression, anxiety and reluctance to return to school after being bullied or cyberbullied. We also heard of threats of physical violence, and young people's attempts at self-harm.

Research on the impacts of bullying and cyberbullying

An Australian study has found that children and young people subject to cyberbullying report significantly more social difficulties, higher anxiety levels and depression than those subject to traditional bullying.[43]

Research has found that children and young people who experience bullying have an increased risk of poor mental health outcomes (anxiety, depression and socio-emotional difficulties), self-harm, and suicidal ideation and behaviours.[44] Other Australian research has identified that those bullied have a greatly increased risk of mental health problems.[45] The Royal Australian and New Zealand College of Psychiatrists (RANZCP) submission noted that:

> *Children and young people involved in bullying, whether the bully, victim or bully victim, may be at risk of mental health problems, including psychosomatic symptoms, anxiety, depression, body image disturbance, disordered eating, suicidal thoughts, and attempts.*

The APS submission also stated:

> *The serious psychosocial consequences of cyberbullying include fearing for one's safety, impaired social and emotional adjustment; poor academic achievement, anxiety, depression and suicidality; poorer physical health; higher absenteeism; and increased loneliness and low self-esteem, and in some cases suicidal ideation.*

The QFCC reviewed Queensland youth suicide data from June 2012 to June 2017. It found that bullying (recent or historical) was noted as a factor in 19 of the 122 (17 per cent) youth suicides in the five year period.[46] The QFCC stated that experiencing bullying can significantly exacerbate suicide risk factors already present, such as mental health issues. Other Australian research with a sample of young people admitted to hospital for suicidal behaviour found bullying rates higher than the general adolescent population.[47] Of course, causal links between cyberbullying and mental wellbeing should be considered with caution as there may be other complex issues in any individual case.[48]

Children who experience bullying have poorer academic performance[49] and academic difficulties can continue into higher education, even after the bullying has stopped.[50]

In the Royal Childrens' Hospital study mentioned earlier in the chapter, 89 per cent of parents of a child who was bullied said the experience had affected the whole family.[51] Almost half of the parents (48 per cent) worried about the long-term effects of bullying on their child, while 44 per cent were angry and frustrated at being unable to help. One in three felt guilty for not being able to stop the bullying while one in four felt helpless (28 per cent).

Summary

As noted above, cyberbullying usually occurs in conjunction with traditional forms of bullying. From the studies described above, the overall rate of bullying every few weeks or more often appears to be in the vicinity of 25 to 30 per cent. Recent studies of cyberbullying appear to indicate rates of approximately 20 to 25 per cent over the past 12 months. It should be noted that there will be a large overlap between these two groups; most of those who experience cyberbullying also experience traditional bullying. Research has indicated only a tiny percentage experience cyberbullying alone.[52]

Research has consistently found significant negative impacts of bullying, which was reflected in Taskforce consultations. Those effects highlight the importance of reducing the prevalence of bullying and cyberbullying among children and young people.

The Taskforce considers there would be value in a national study to establish current prevalence rates, with annual updates to give an indication whether efforts to reduce bullying and cyberbullying have an impact.

Recommendation 3

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and other state and territory governments, commission and fund research to measure the national prevalence and impact of bullying and cyberbullying among children and young people on an annual basis, with data to be published with a breakdown by states and territories.

CHAPTER 3: COMMUNITY

Introduction

Cyberbullying has received almost constant media coverage in the last year. It is an issue of growing concern to all communities, regardless of geography, cultural background or socio-economic status.

A community-wide issue

The need for a community-wide response was a key message from Taskforce consultations and written submissions. Everyone needs to be part of the solution. While various programs and activities have been implemented at a national, state and local level, the current approach to addressing cyberbullying is uncoordinated and sometimes sporadic.

The Taskforce considers that reducing and responding appropriately to cyberbullying is an issue for governments and the whole community. The Queensland Catholic Education Commission submitted:

> *Everyone in the community has a part to play in a multi-pronged approach in the prevention of cyberbullying…home, school and community must work together to implement positive and proactive approaches that are founded on the values of respect and dignity for each individual*.

This chapter draws on Taskforce consultations and research to describe key issues about community understanding of cyberbullying, knowledge of what to do and where to seek help, children's and young people's attitudes to reporting cyberbullying, community leaders as behavioural role models and representation of bullying and cyberbullying in the media.

Efforts to reduce cyberbullying and address it constructively requires particular efforts from parents and carers and schools. Their roles are discussed in Chapters 4 and 5.

It's about R.E.S.P.E.C.T

At its heart cyberbullying is disrespectful behaviour which shows a lack of empathy.

Effectively dealing with cyberbullying requires social and behavioural change. Many people told the Taskforce that the whole community needs to be part of the solution to bullying and cyberbullying. As one teacher put it:

> *This is a broader, cultural issue of respect. Young people see others in the community engaging in disrespectful debate – politicians, talk back radio hosts and TV presenters, adults engaging in online "bullying" and aggressive discourse. The education campaign needs to be around respect starting at home.*

As a community, the Taskforce believes we need to focus on greater respect in all interactions in person and online. This means all levels of government, media, community leaders, all organisations and every individual in our society has a role to play in the solution to cyberbullying.

Public role models

The Taskforce heard often in consultations that some public figures, particularly some politicians and sports stars, were poor role models for children and young people. Stakeholders also said reality television, particularly My Kitchen Rules, helped to 'normalise' bullying behaviour.

Without exception those who highlighted the behaviour of these groups had the same message for all of them: they need to do better.

Politicians and other community leaders

During consultations, politicians were often mentioned as poor role models for children and young people. Television footage of Question Time in the Queensland Parliament was seen by stakeholders as an unhelpful model of disrespectful debate.

The Taskforce acknowledges the behaviour of Members of the Queensland Parliament during Question Time does not generally fall within definitions of bullying behaviour. It also notes that Members are subject to the *Rules and Standing Orders of the Legislative Assembly*, rulings by the Speaker and potential sanctions by the Ethics Committee of the Parliament.[53]

Regardless of intent, the behaviour and media coverage of community leaders such as politicians was seen by stakeholders as impacting negatively on children and young people and their perceptions of what is acceptable behaviour.

Recommendation 4

The Taskforce encourages Members of Parliament and other community leaders to consider the views expressed about their behaviour by stakeholders during consultations, and commit to showing leadership in demonstrating more respectful behaviour.

Reality television programs

During consultations a significant number of people raised concerns about bullying behaviour on reality television programs, and the negative impact on children and young people. Children, especially those whose first language is not English, may not have the critical knowledge and skills to distinguish fact from fiction in reality television programs.

> *The examples being set on reality television do nothing but show bullying at its best…impressionable young people watch appalling behaviours which are often scripted, not reality.*

While it is generally understood that 'reality' programs are deliberately designed to promote and focus on conflict and tension between contestants, many people we consulted were concerned about the behaviour shown on such TV programs.

In March 2018, coincidently when the Taskforce invited submissions, fans of the reality program My Kitchen Rules began criticising the broadcaster for its previews of an episode perceived to promote bullying. Subsequently the bullying on My Kitchen Rules received coverage in mainstream and social media. The 'offenders' were later removed from the program.[54] My Kitchen Rules was a common theme in submissions and in public consultations.

Consumer advice on program content

Broadcast and subscription television content is largely self-regulated under industry developed Codes of Practices[55] and standards.[56] Codes of Practices are largely consistent with the Guidelines for the Classification of Films which specify six elements considered when making classification decisions: themes; violence; sex; language; drug use; and nudity.

The Taskforce considers it would assist parents and carers to guide their children's viewing if 'bullying' was added as a category or element of consumer advice. To assist with parental guidance the Taskforce recommends the government ask television networks, broadcasters and streaming services to include 'bullying' in consumer advice on programs and display it in the same way as other consumer advice.

Recommendation 5

The Taskforce recommends the Queensland Government formally request television networks, broadcasters and streaming services to include the term 'bullying' in program consumer advice.

Where to find help with cyberbullying

You're left feeling there's nowhere to go whether you're a child or a parent.

A consistent theme from consultation was the broad difference in understanding of what is meant by 'bullying' and 'cyberbullying'. Some people – children, young people and adults – understand almost any negative behaviour toward another person to be bullying. Others understand bullying and cyberbullying to mean behaviour that is intended to cause harm, is generally repeated, and involves a misuse of power.

Many people told the Taskforce they were unsure where to start to obtain information, advice or help with how to prevent and recognise cyberbullying, and what to do if a child or young person is cyberbullied.

During consultation many people - particularly parents and carers - told us they feel ill-equipped to address cyberbullying. Many said they do not know what to do or where to go for information, advice or help when their child had been cyberbullied.

The Taskforce was told children and young people and their parents and carers lacked easily accessible information about where to get support and action when cyberbullying occurs.

> *To date the response to cyberbullying has not been coordinated or system-wide and this means despite initiatives, such as the Student Wellbeing Hub, the eSafety Commissioner or Kids Helpline@School (of which the eSafety Commissioner is a partner), more investment in resources to better educate children, young people, adults and stakeholders is still required…we know that children and young people are unsure about what to do and who to turn to for support and action, and feel powerless and isolated. We also know that often they do not feel that their parents or teachers can be confided in or will help them. Hence there is clearly a need to address these gaps.*[57]

Young people, especially LGBTIQ+ youth, also expressed confusion about where to seek help. We heard young people who are not in school, training or work may not be well connected to support services. Young people with disability and their advocates told us that resources that do exist are not always suitable for people with disability. Aboriginal and Torres Strait Islander children and young people, and those from migrant communities told us they need information and advice in formats tailored to meet the needs of their communities.

Existing sources of information and advice

Online information

A number of existing websites provide information, advice and links to sources of help with cyberbullying. They include two national websites: 'Bullying. No Way!', focused on schools; and the eSafety Commissioner, which includes information about how to report bullying and cyberbullying, and guidance for parents and young people. The Queensland Government established a new website in early 2018 which includes information about how to identify bullying and links to further resources including the Queensland Youth Engagement Hub and health support services.[58] Another Queensland Government website provides information about staying safe and what to do if you are bullied, including where to seek help.[59]

Teachers and other school staff who participated in consultations were aware of the 'Bullying No Way!' website. Hardly any adults, organisations or young people were aware of the eSafety Commissioner and its role. This meant there was minimal awareness of the eSafety Commissioner's cyberbullying complaints function and its information resources.

The eSafety Commissioner's functions include responding to reports of serious cyberbullying against children and young people under 18 years. Assistance can be provided to children, young people and adults in relation to image based abuse. A summary of the eSafety Commissioner's role and the legislative scope of 'serious' cyberbullying in the Commissioner's jurisdiction is at Appendix 2. While the eSafety Commissioner's website contains useful information, it is not comprehensive.

A single comprehensive online portal

It is clear to the Taskforce there is a need for a single, comprehensive online portal to provide information and advice on cyberbullying to everyone in the Queensland community including links to relevant advice and support agencies.

Feedback during consultations highlighted the importance of relevant information accessible in one place, with information and advice about online safety, advice on helpful resources for children and young people, parents and carers, schools and others, and reporting of cyberbullying. Schools could provide a link to the online portal through their own websites, allowing easy access to information for all students, school staff and parents and carers. A portal would also assist those young people active on social media, and outside formal education structures, who may have little knowledge on where to report or seek assistance with cyberbullying.

Reporting cyberbullying

Who children and young people talk to about bullying and cyberbullying

Through its consultations and submissions the Taskforce heard many children and young people are reluctant to disclose or report cyberbullying, because they feel reporting will only make the situation worse.

Research evidence suggests that children and young people who are bullied and cyberbullied, if they seek help at all, are most likely to talk to their parents, friends and teachers, in that order. Some of the research is summarised below.

A 2017 survey of 1,000 Australians aged 14 to 25 years found approximately half had sought help or support for their experiences of bullying. Of those who sought help, 48 per cent turned to their parents for support, 33 per cent to their friends, 28.7 per cent to a doctor, and 24 per cent to teachers.[60] An online survey by the Office of the eSafety Commissioner in 2016 found that 12 to 17 year olds who reported cyberbullying were most likely to tell their parents.[61] And a survey of students in years 5 to 10 found approximately half the students who were bullied sought help from another student, approximately half from parents or carers, and approximately 38 per cent from a teacher or school counsellor. Smaller proportions sought help from police or a counsellor outside school.[62]

Where to report

Our consultations showed that the public has limited understanding of how and when to report offending content to social media providers, the eSafety Commissioner and to police. Public awareness of the law that applies to cyberbullying is also low, and how to report to police is even less well understood. People told us they found it difficult to locate information about reporting cyberbullying.

Depending on the circumstances, children and young people (or their parents and carers) may report cyberbullying to school, a social media platform, the eSafety Commissioner or police. Chapter 7 describes social media standards that inform when social media companies remove cyberbullying material. Chapter 8 summarises the criminal law which influences police assessment of whether a crime has occurred.

The Taskforce believes that better access to information about where and how to report cyberbullying is needed. In later chapters of this report the Taskforce has recommended ways to make reporting clearer and more accessible. The public awareness and education campaigns and the information portal recommended at the end of this chapter are mechanisms to provide information to the community.

eSafety Commissioner

The eSafety Commissioner is responsible for promoting online safety and provides a statutory complaints process about cyberbullying.

The Queensland Branch of the Royal Australian and New Zealand College of Psychiatrists (RANZCP) called for increased publicity of the eSafety Commissioner's cyberbullying complaints scheme,[63] and the 2018 Senate Committee Inquiry report recommended that the Australian Government, 'promote to the public the role of the Office of the eSafety Commissioner, including the cyberbullying complaints scheme.'[64] The Taskforce agrees, and urges the Commonwealth Government to ensure the role of the eSafety Commissioner is better publicised.

Awareness and education campaigns

During consultation many people suggested public education campaigns about cyberbullying. The Taskforce believes this is essential. To address the low level of public awareness of cyberbullying, particularly how to prevent cyberbullying, where to obtain help and how to report, the Taskforce has recommended awareness and education campaigns about cyberbullying.

The Taskforce proposes campaigns aimed at:

- parents, carers and the public
- young people, with a particular emphasis on changing bystander behaviour so children and young people take action as 'upstanders'.

Reviews of mass media campaigns for various health-risk behaviours (such as tobacco use, alcohol, road safety, cancer screening and prevention) have concluded campaigns can produce positive changes or prevent negative changes across large populations.[65]

Awareness campaigns should represent the diversity of people in the Queensland community, including gender, ethnicity, language, disability, geographic location and socio-economic status. Campaigns should be multi-focused, convey what cyberbullying is and how it affects children and young people, highlight how parents, carers and bystanders can help, and describe the current law. Messages could promote respect, empathy and constructive ways to resolve conflict, and where to access help. The Taskforce encourages the use of 'ambassadors' in the public awareness and education campaigns, to help spread messages about cyberbullying and its impact on children and young people.

Campaign materials should be made available in multiple formats, including online, mass media, social media, television, and print. Parents from remote areas suggested print materials are important where internet access is poor. Campaign material should be distributed through health, community and volunteer organisations, libraries, local government and other places where people go and through platforms (both online and offline) that people use.

In relation to young people as bystanders, the Taskforce notes the 2017 'Stop the Hurting - End Domestic Violence Youth Campaign Evaluation' reported that as a result of seeing the campaign, 95 per cent of teenagers would feel more comfortable taking action about domestic and family violence.[66] The Taskforce considers a campaign targeted at children and young people could have a positive impact and support children and young people to act when they observe cyberbullying. Promotion of peers as potential sources of support to those who are bullied may also be an effective way to model positive online behaviours, including encouraging 'upstander' behaviour.

During consultations the Taskforce heard children and young people need to have a voice, be heard, and be involved in any initiatives to address cyberbullying. We know from young people that any campaign needs to be developed with them. Students said current education campaigns are sugar-coated and often not taken seriously. They said ordinary students 'like them' should be represented in education campaigns.

Social media role in public awareness and education

The Taskforce heard from many stakeholders that social media should do more to prevent cyberbullying, and social media companies have an obligation, as corporate citizens, to be part of the solution. The Taskforce believes social media companies should fund or resource public awareness and education campaigns related to cyberbullying.

Following the Premier's announcement in February 2018 that she had secured YouTube's cooperation to tackle cyberbullying, the Taskforce proposes YouTube provide support to Queensland YouTube creators to develop content for local social media campaigns. In particular, the focus of these campaigns could be on bystanders and encouraging children and young people to call out bullying and cyberbullying and support their peers.

Recommendation 6

The Taskforce recommends the Queensland Government:

- initiate state-wide public awareness and education campaigns for adults and children and young people about preventing, reducing and responding to bullying and cyberbullying, to be co-created with a diverse group of young Queenslanders
- approach social media companies to provide funding and/or resources for the campaigns.

A Queensland online portal

Stakeholders told us it was difficult to find information about cyberbullying. To address this, the Taskforce recommends development of one online cyberbullying portal which facilitates access to information, resources and advice about reducing, reporting and responding to cyberbullying.

The online portal should provide links to material aimed at parents and carers, educators, children and young people and all Queenslanders. The portal should have links to services particularly for vulnerable population groups such as the LGBTIQ+ community, people with disability, Aboriginal and Torres Strait Islander people, and people from different cultural and language groups.

Information about reporting cyberbullying to social media, the eSafety Commissioner, and police (through the Australian Cybercrime Online Reporting Network (ACORN)) should also be included on the portal.

Health and counselling professionals told us that health, mental health, counselling and community services need more information about cyberbullying and appropriate responses. This could be provided through the proposed portal, along with links to relevant research and educational resources.

Recommendation 7

The Taskforce recommends the Queensland Government deliver a comprehensive online portal which is accessible and inclusive for all members of the community that provides information and advice that links to relevant services and agencies.

Media reporting

During consultations, people advocated responsible media reporting of bullying and cyberbullying, mental illness and suicide. Some were concerned at media reports that suggest a direct causal link between cyberbullying and suicide, and students and teachers told us about the negative impact of news coverage of youth suicide. Some students said media coverage had itself triggered bullying behaviour by students who used the language in media reports when bullying other students. Other stakeholders suggested further standards are needed about media reporting of suicide.

The Taskforce is particularly concerned about media reporting that suggests a direct causal link between cyberbullying and suicide. The causes of suicide are usually complex.[67]

The Taskforce notes the Australian Press Council publishes standards for reporting on issues relating to suicide, and adjudicates on complaints about possible breaches of those standards.[68] The Council urges 'extra caution' in some situations such as when material is likely to be read or seen by people who may be especially vulnerable and relates to suicides by their peers or by celebrities.

Mindframe aims to encourage responsible, accurate and sensitive representation of mental illness and suicide in the mass media. It collaborates with and supports those that work with the media (for example, the mental health and suicide prevention sectors, police, courts and government agencies) about issues to consider when working with the media around mental illness and suicide.[69] Mindframe has memoranda of understanding (MOU) with some Queensland Government agencies that work with the media, particularly in crisis situations. The Taskforce encourages all relevant government agencies to consider entering into a MOU with Mindframe.

Community, youth and sporting organisations

Youth organisations and many sporting and community organisations have a high proportion of children and young people as members. Those organisations can be part of community-led approaches to reducing cyberbullying, strengthened by the camaraderie they encourage and the support they can offer to children and young people. Youth and community organisations can provide positive role models, promote relationships of respect and provide children, young people and their parents and carers with information about where to obtain help.

Sporting organisations

According to the Australian Sports Commission (ASC), 3.2 million Australian children participate in organised sport or physical activity outside school.[70] The Taskforce believes sporting clubs could make an important contribution to reducing cyberbullying by promoting positive behaviour, and notes many sporting bodies have implemented policies aimed at reducing bullying and cyberbullying.

Information, resources and online training about bullying for sporting clubs and participants are available on the *Play by the Rules* portal (a collaboration with major state and federal sporting agencies and other bodies).[71] It includes specific information on social media usage and cyberbullying and emphasises the need for explicit education about cyberbullying.[72]

To assist sporting organisations to ensure members behave appropriately, the ASC has a standardised template which national sporting organisations are encouraged to use for a compulsory Member Protection Policy.[73] This template states bullying behaviour, including abuse, exclusion, and harassment are unacceptable, both in person and online.[74] Netball Queensland, the National Rugby League, Rugby Australia, Football Federation Australia and Basketball Australia all have relevant

content in their Member Protection Policies.[75] AFL Queensland has a social networking policy and Codes of Conduct specifically for players under the age of eighteen, spectators, or coaches.[76]

Other sporting bodies that have not already implemented policies to reduce cyberbullying should be encouraged to do so.

Youth and community organisations

Youth and community organisations told the Taskforce about information and training they had provided that aimed to prevent bullying and cyberbullying. One submission suggested resources provided to schools to reduce cyberbullying should also be made available to community groups to ensure consistency of information provided to children and young people.

Youth and other community organisations in which young people participate should also be asked to have policies to prevent and intervene in bullying and cyberbullying. Like sporting organisations, it should be a condition of Queensland Government funding that organisations have and implement policies to prevent bullying and cyberbullying.

Recommendation 8

The Taskforce recommends the Queensland Government:

- write to state sporting, youth and community bodies requesting policies to prevent and intervene in bullying and cyberbullying be developed and implemented
- ensure sporting and community bodies involving children and young people that receive Queensland Government funding are required to have and implement policies to prevent and intervene in bullying and cyberbullying.

Young people's projects to reduce cyberbullying

The Taskforce noted the Saskatchewan government's annual small grant program for youth initiatives focused on inclusion, positivity and influencing social change.[77] To help provide an opportunity for young people to be directly involved in creating solutions to cyberbullying, the Queensland Government could provide grants to allow young people to undertake projects to help address cyberbullying in their school or local community.

Recommendation 9

The Taskforce recommends the Queensland Government allocate grants to youth organisations, to enable young people to develop and undertake anti-bullying and anti-cyberbullying initiatives in their school or local community.

Support and advice after cyberbullying

A variety of government and non-government services provide advice and assistance about cyberbullying. They include legal, family, youth, health, school-based services, and mental health and counselling services, some of which are described in Appendix 3.

Access and design of services for children and young people

Service design

The Taskforce was told children and young people need services they can access immediately they experience cyberbullying–this means access after-hours, online and by telephone. The Queensland Family and Child Commission's (QFCC) Youth Advisory Council, a group of ten youth champions, is working with the QFCC to identify strategies for young people to identify and report cyberbullying.

The Youth Advisory Council says young people prefer online and social media support services instead of telephone support services.[78]

Secondary students told the Taskforce it would help if schools arranged for service providers to visit schools so teenage students were better informed and more confident about approaching sources of help. The Taskforce heard that children and young people who are distressed may be reluctant to attend face-to-face services and suggested enhanced e-mental health services. We were also told that some children and young people do not want apps linked to help services on their phones because the apps will be seen by their peers.

Access to services

Parents and carers told the Taskforce of their frustration when trying to access counselling and support for young people affected by cyberbullying. In two regional towns parents and carers described long waiting times, and difficulties accessing public youth mental health services and private psychology services.

In one regional area, access to after-hours psychological support was problematic where the only option outside business hours is the local hospital emergency department. Community workers in another region told us that the Child and Youth Mental Health Service received quite a few referrals for teenagers who had experienced cyberbullying and other issues that affected their psychological health. Some stakeholders told us that schools needed to be better resourced to provide counselling and support services to assist with the impact of cyberbullying.

In the private sector, psychologists told us the ten sessions they can provide under the Medicare Benefits Schedule (MBS) 'Better Access Initiative' funding was often insufficient for the child or young person affected by cyberbullying. They also said that Medicare funding arrangements did not support them to organise case conferences with other services and the school to help provide a high-quality service to children and young people affected by cyberbullying.

A number of government, non-government and school-based legal, crisis, counselling and support services relevant to cyberbullying are available. The proposed online portal could provide easy access to relevant services and sources of help.

CHAPTER 4: PARENTS AND CARERS

Digital resilience is important – we need to help parents and carers scaffold children and young people in a digital world.

Introduction

Parents and carers are 'the front line', and have a critical role in addressing cyberbullying as a social and public health issue. While teachers are important, parents and carers are the most important role models for children.[79] Parents and carers' contributions include helping to prevent bullying and cyberbullying, establishing expectations of their children's social media use and online behaviour, monitoring their children's online activity and supporting their children if cyberbullying occurs.

Adequate information and training, positive relationships and communication are key to parents and carers role in reducing and responding appropriately to cyberbullying. The Taskforce heard many parents and carers want more information and advice about cyberbullying, technology and how to discuss online activity with their children. We believe that more support for some parents and carers is needed, to encourage them to be more active in their children's online lives.

Some school leaders and parents had differing perspectives on who has primary responsibility for managing students' online behaviour. It was apparent that schools, parents and carers need to work more closely together to help ensure children and young people have positive online interactions. The Taskforce recommends a whole school approach to bullying and cyberbullying (Chapter 5)—and parental engagement is critical to success of a whole school approach. The Taskforce has recommended improved access to parenting skills training, and its members have an expectation parents and carers will participate in training that is offered.

The Taskforce considers parents and carers should guide their children from the moment a young child is given access to any device. Parents and carers can talk about cyberbullying with their children, reinforcing that it is unacceptable and inappropriate.

Parenting – relationships with children and young people

Research – parenting and bullying behaviour

Research shows that positive parenting is vital and can protect children and young people from the impacts of bullying and prevent them engaging in bullying behaviour. A study found that 'parental warmth is consistently associated with lower cyberbullying', both for children and young people who are bullied or who bully others. The study emphasised parents' role in developing their child's empathy skills to prevent their child bullying or cyberbullying others.[80] The Parenting and Family Support Centre (University of Queensland) submission included research highlighting the important role families can play in protecting and supporting children and young people who have been bullied.

A recent systematic review of the literature found parental surveillance alone is unlikely to be the best approach to preventing cyberbullying. Parents '…who collaboratively work with their adolescent to safely navigate the Internet are more likely to protect against cyberbullying than those who implement restrictions without youth input.'[81]

Consultation

The Taskforce was told some older teenagers and young adults felt they were expected to be resilient and should manage the effects of cyberbullying, without support. They also made it clear their relationship with their parent or carer determined whether they discussed their concerns about cyberbullying.

Parents and carers need to feel comfortable setting guidelines and boundaries and intervening with children and young people as required, and have the ability to 'step in' and 'step out' when appropriate. A relationship which encourages open communication among parents and carers and their children is important, particularly for those outside formal education who do not have the support of a school or educational institution.

Parental role models

Parents and carers' behaviour in both the real and virtual world demonstrates how we expect children and young people to behave. Parents and carers should model appropriate behaviour for their child, encourage their child to model appropriate behaviour for other children and young people, and challenge inappropriate behaviour. Parents and carers can also model 'upstander' behaviour, showing how to act to intervene or support others who are bullied.

Children and young people who bully

The Taskforce believes some parents and carers may not recognise their child is bullying others. The *Bullying. No Way!* website has advice for parents and carers on how to respond if their child has bullied others. It includes helping the child understand what it is like for the person being bullied, asking what they think will help them to stop bullying, teaching conflict resolution skills, and discussing behaviours with the school.[82]

Many children and young people who bully others have also been bullied. Parents and carers should be mindful of the signs a child or young person may be subject to cyberbullying behaviour. Indicators may include appearing upset after using the internet or mobile phone, changes in personality, becoming withdrawn, anxious, sad or angry, appearing more lonely or distressed, and unexpected changes in friendship groups.[83]

It is important for parents and carers to initiate conversations and keep communication open, so their child feels they can talk to them about cyberbullying. The eSafety Commissioner advises parents and carers to provide reassurance internet access won't be blocked because their child has disclosed a problem. Resources are available at the *iParent* section of the eSafety Commissioner's website.[84]

Disclosing cyberbullying

Chapter 3 describes children's and young people's reluctance to disclose or report cyberbullying due to concern it may become worse. Young people told the Taskforce they feared their parents or carers may over-react, take over and intervene in a situation a young person could manage with support, punish them, confiscate their phone, or remove privileges. A secondary student asked the Taskforce to 'encourage parents to discuss cyberbullying with children to make the issue less awkward.' Another young person said parents and carers should 'give options, not directions–ask if I want you to intervene before you do.'

Some secondary students emphasised that relationships with their parents and carers were a two-way street: '… parents need to come to their kids as well', and '…just be (physically) around to talk to if I need you'.

Parenting skills training

Parents don't have the knowledge they need. We assume that they do.

Educating parents and carers about parenting can contribute to reducing cyberbullying. Education could range from information sharing through informal discussions with other parents and carers, and online information, through to more formal, professionally evaluated parenting skills training programs, such as Triple-P and Circle of Security.

A meta-analysis identified components of parenting skills training that had the greatest benefits for reducing emotional and behavioural problems in children. The components were: increasing positive parent-child interactions, teaching parents how to communicate emotionally with their children, teaching parents the use of time out as a means of discipline, and supporting parents to consistently respond to their children's behaviours.[85]

Parenting skills training should be available in multiple formats (paper, USBs, online, face to face), in community languages, and delivered through diverse locations including public libraries, community organisations, local government and schools. Some people suggested that incentives should be available to encourage parents and carers to participate in parenting skills training.

Parenting vulnerable children and young people

Submissions highlighted the needs of vulnerable children and young people with special needs, such as those with autism or other disability, who identify as LGBTIQ+ or Aboriginal and Torres Strait Islander or other cultural backgrounds, and those in foster care. Children and young people may also be vulnerable during major life transitions, including relocation from home to boarding schools or residential hostels, family breakdown, and major illness.

The Taskforce heard children and young people with special needs may be cyberbullied due to their differences. The Taskforce also heard school students on the autism spectrum may lack the social skills to recognise bullying behaviour when it occurs. This presents a dilemma for their online involvement, given the online community may also provide great support that is not easily accessible in the physical world.

Vulnerable children and young people may need additional support from parents and carers. Children and young people from rural and remote locations at boarding schools or attending residential colleges may also be unfamiliar with, or have had limited access to, social media and therefore be more vulnerable to cyberbullying.

Oversight of children's and young people's online activity

In Taskforce consultations many children and young people understood the need for some oversight of their online activities but emphasised the importance of age-appropriate on-line privacy. A secondary student argued that a different way of interacting with friends should not change the need for privacy:

> *Mum doesn't stand next to me and listen to every conversation I have when friends are at my house, why does she need to know everything I say on-line?*

In 2017, 60 per cent of Australian parents reported they had not monitored their children's social media use in the past year, seven per cent had rarely done so, and 16 per cent had done so sometimes. Only five per cent of parents reported that they monitored their children's social media use 'all of the time' in the last year, and another 12 per cent did so often.[86]

> *Parents may believe that restricting their child's access to social media will solve the problem of cyberbullying. However, this approach fails to understand the importance of accessing social media for young people, and the benefits of exposure to, and appropriate use of, social media for children and young people.*

While some parents and carers the Taskforce consulted were very engaged and supervised their children's online activity, others said they didn't know where to start. A lack of familiarity with devices and social media functions and settings may contribute to this. It may also mean parents and carers are unaware *their* child is cyberbullying others.

Digital education for parents and carers

> *…a lot of parents are struggling with technology. They don't understand the apps, how to turn notifications off, the social media platforms….*

Education about cyberbullying, social media and technology for parents and carers was widely supported in Taskforce consultations. The scope of digital education suggested included: how to monitor social media use; a simple guide to smartphone and other device settings; guidance about age-appropriate social media use at developmental stages; and advice about 'in-app' social media settings.

The public awareness and education campaigns and the single online portal recommended in Chapter 3 could include information and links to sources of advice about some of the topics suggested by stakeholders. Digital education should be offered in multiple formats and venues. The Taskforce notes internet access may be intermittent or unavailable in some locations for parents and carers of children who are away from home at boarding school, and not everyone can afford internet access.

The Taskforce proposes the Queensland Government investigate, in consultation with parents and carers, the most appropriate ways to encourage parents and carers to participate in digital education. Young people suggested they could design information and guidance for parents and carers, which the Taskforce supports.

The Taskforce considers digital education about cyberbullying, social media and technology should be available in multiple formats (paper, USBs, online, face to face), in community languages, including Auslan, and delivered through locations including public libraries, community organisations and schools. Digital information should accompany other information resources that are provided to new parents and carers (e.g. part of the 'Red Book' or 'Bounty bags' provided to all new parents). Regular updates should be provided about technological change and new social media platforms.

Parents and carers should be provided with opportunities for digital education when their children are toddlers, when their children are in primary school, before the transition to secondary school, and again in secondary school before their children reach their mid-teens. Social media should also be included in advice about young children's health 'milestones'. The design of digital education should take account of the particular needs of vulnerable children for culturally appropriate, accessible resources in community languages, delivered in a variety of formats.

Some examples of existing sources of guidance for parents and carers about technology and social media are listed at Appendix 4.

Recommendation 10

The Taskforce recommends that the Queensland Government support parents and carers to engage actively in prevention and management of bullying and cyberbullying behaviour by:

- providing and promoting parenting skills programs, ensuring these programs are accessible to Queensland parents and carers regardless of potential barriers (such as geography, language, and technology access)
- developing accessible and inclusive education resources for parents and carers of vulnerable children or those with specific needs
- funding community groups to deliver parenting skills training
- offering context-specific parenting skills training at regular intervals in the transitional stages of a child's development
- promoting parenting skills programs in broader community awareness campaigns about bullying and cyberbullying
- ensuring children and young people are involved in the design of technology information and digital education programs for parents and carers
- exploring innovative ways to engage parents and carers in relevant skills training relevant to the cycle of child development.

CHAPTER 5: SCHOOLS AND STUDENTS

Introduction

Schools, in partnership with parents and carers, students and others in the community, play an important part in reducing and responding appropriately to cyberbullying. Schools' role includes education in respectful and positive behaviour, and appropriate use of the internet and social media. In Chapter 4 the Taskforce recognised the importance of parents and carers and made recommendations to ensure they have access to parenting skills training and digital education, and are supported in managing their children's online behaviour.

This chapter discusses the role of schools in reducing the prevalence of bullying and cyberbullying, including student education about social and emotional skills and the use of technology. The chapter also discusses whether students' use of mobile phones and other devices should be restricted during school hours.

Responding to incidents of cyberbullying that occur or emerge at school can be complex and time consuming. The Taskforce has made recommendations to better support students, parents and carers and schools.

Reducing cyberbullying

Cyberbullying behaviour is fundamentally about how people relate to each other, and prevention is arguably the most important area to be addressed. Parents and carers are the first teachers, and strategies to prevent bullying and cyberbullying should start in the home, and be further entrenched in pre-school and the early years of school. In schools, prevention activities aimed at primary school children provide the best chance to achieve change in bullying attitudes and behaviours. It is generally agreed that programs based on a whole school approach are needed to maximise the chances of success in reducing bullying.[87]

Whole school approach

A whole school approach involves building a partnership between schools, parents and carers and students to fully understand and agree on how to reduce and respond to cyberbullying. Multi-component interventions targeting all levels of the school community (students, staff, parents and carers, the school's physical environment, the curriculum, school policy and practice, school culture, and links to the wider community) are considered the most effective way to address bullying.[88] A meta-analysis of the evaluations of 44 high-quality school-based intervention programs found that parenting training was an important element of programs associated with decreased bullying behaviour and victimisation.[89]

Many stakeholders called for schools to adopt a holistic approach—one that involves the whole school community–to prevent and respond to cyberbullying. Programs that are episodic, such as an externally provided presentation each term or year, are unlikely to be effective in changing behaviour. Programs which consist only of a limited number of lessons or one off workshops or talks have been shown to be less successful in reducing cyberbullying than a comprehensive whole school approach.

Involving parents and carers in reducing cyberbullying

Involving parents and carers in school-based bullying prevention programs increases the likelihood that bullying-related issues will be effectively addressed at home. It also increases the likelihood that parents and carers will inform the school that their child is being bullied, which enables the school to act appropriately.[90] School strategies to involve parents and carers must take account of the needs of parents and carers from a variety of social, educational and language backgrounds.

School education to reduce and respond to cyberbullying

Many people and organisations told us school education is important to reduce cyberbullying and support children and young people about how to respond if they experience cyberbullying. Stakeholders suggested educational content including: cyber-safety education; how to use devices and interact online responsibly; positive and respectful relationships and empathy skills; student wellbeing; resilience and assertiveness, and ethics and values.

Some argued teaching resilience and assertiveness shifts the focus away from the student who cyberbullied, was used to blame the student who has been bullied, and sends the message that teenagers should be able to cope with cyberbullying. This suggests that resilience programs should reinforce the importance of help-seeking and interdependence.

Other students, parents and educators suggested students could be 'licenced' and have increasing digital access and privileges as the student's knowledge and skills increased and emotional maturity developed.

There was broad agreement among stakeholders that educational programs must be embedded in the curriculum to ensure they are consistent and delivered to all students. The Queensland Teachers Union (QTU) argued that, as well as embedding programs in the core curriculum, they should be prioritised by removal or replacement of other items to create space in the curriculum:

> *It is important, however, to acknowledge that our schools are already managing a curriculum that is overcrowded. In order to give priority and importance to programs that address cyberbullying, it is critical to create space for them in the curriculum. Teachers need to be supported through professional development to understand issues relating to cyberbullying. Programs should be embedded within the core curriculum to ensure they are delivered to all students. Resources need to be developed to support effective delivery of these programs within all schools.*

Importantly, parents of students from remote locations emphasised the need for education relevant to their circumstances.

Current curriculum and programs in Queensland

Queensland schools are transitioning to the Australian Curriculum for students from Prep to Year 10. By the end of 2020, Queensland schools are required to implement all eight learning areas of the Australian Curriculum.[91] Students in Years 11 and 12 are currently taught the Queensland senior school curriculum[92] or approved equivalent.

Health and Physical Education curriculum

One of the eight learning areas in the Australian Curriculum is Health and Physical Education (HPE)[93] which includes two focus areas relevant to cyberbullying:

- a 'Safety' focus area which covers safe practices when using information and communication technologies (ICT) and online services, including dealing with cyberbullying
- a 'Relationships and sexuality' focus area, includes relationships and bullying, harassment, discrimination and violence, and strategies to deal with relationships when there is an imbalance of power (including seeking help or leaving the relationship).[94]

Queensland provides *Curriculum into the Classroom* (C2C) resources to assist teachers and schools in all three school sectors to implement the Australian Curriculum.[95] In the HPE curriculum, the materials for students in Years 3 to 10 include opportunities for students to recognise bullying and inappropriate behaviour, and to explore coping and reporting strategies.[96]

The Department of Education (DoE) says state schools are required to provide health and wellbeing education either as part of the delivery of the Australian Curriculum or as part of the schools' pastoral care program. The DoE says health and wellbeing education may address bullying, including cyberbullying, if appropriate to the context of the school and students.[97] Non-government schools also provide health and wellbeing programs either as part of the delivery of the Australian Curriculum or as part of the schools' pastoral care program.

Education about relationships, bullying and respect

Schools deliver education about relationships as required by the HPE Curriculum, or other relevant curriculum. Despite this, some parents and carers, students and teachers told the Taskforce more education about empathy, positive behaviour, respect and wellbeing is needed to reduce cyberbullying.

There was a variety of suggestions which included digital citizenship, the Respectful Relationships education program, pro-social skills such as empathy, mindfulness and emotional regulation, and adoption of whole school programs that include resources and guidance to involve parents and carers and the school community in cyberbullying reduction, as well as curriculum materials.

The Taskforce understands different approaches will be appropriate in different school communities. In particular, Aboriginal and Torres Strait Islander educators and leaders told us resources and teaching materials need to be culturally relevant and appropriate.

Recommendation 11

The Taskforce recommends the Queensland Government require all schools to deliver evidence-based whole school programs that:

- promote social and emotional competencies among students
- include evaluation of the programs impact
- include professional development for teachers.

External programs

There are many anti-bullying and anti-cyberbullying education resources and programs available on the market. Providers include both commercial and not-for-profit organisations, and include one-off presentations, workshops, theatre and musical resources, whole school programs, and a variety of other approaches. Providers of a number of programs made submissions to the Taskforce. The Taskforce did not consider its role extended to assessment and endorsement of programs.

During consultation some stakeholders recommended the DoE identify effective programs to assist school leaders to select high quality providers that meet the needs of their community.

The Office of the eSafety Commissioner runs the Voluntary Certification Scheme, designed to provide schools with greater certainty about the quality of available online safety programs. Under the Scheme online safety program providers are certified if they satisfy eligibility requirements.[98]

Reporting apps

Some schools and students discussed the anonymous reporting apps used by students to report bullying to the school. There were mixed opinions. Some schools reported the app and associated staffing arrangements worked well and anonymity supported students to overcome a fear of speaking up. Others expressed concerns about the security and confidentiality of information on the app, the cost and the risk of false allegations. The Taskforce was also told that students who used an anonymous reporting app were further victimised as other students inevitably found out who reported through word of mouth.

It is expected that Queensland schools would benefit from support to assess and select anti-bullying and cyberbullying education programs and apps. The Taskforce therefore recommends the Queensland Government commission a rigorous evaluation of the effectiveness of available programs and resources. This could be done in collaboration with the national evidence institute proposed in the *Report of the Review to Achieve Educational Excellence in Australian Schools*; the proposed institute would be able to provide authoritative research evidence on issues relevant to education.[99]

Recommendation 12

The Taskforce recommends the Queensland Government in collaboration with an independent body such as the proposed national education evidence institute, commission a rigorous evaluation of relevant anti-bullying programs and resources in order to assist school leaders and school communities to reduce the prevalence of cyberbullying.

Students' mobile phones and other devices

Current school policy

All Queensland schools decide their policy about student access to mobile devices during school time. State schools are expected to have a *Responsible Behaviour Plan for Students* including a policy on the use of mobile devices at school.[100] The DoE's example policy, *The use of personal technology devices at school*[101] (see Appendix 5) states students must not bring valuable personal technology devices to school as there is a risk of damage or theft. The Taskforce notes the policy appears to be out of date. In contrast, another DoE policy *Advice for State Schools on Acceptable Use of ICT Facilities and Devices,* recognises that schools may encourage educational student use of their own devices under Bring You Own 'x' (BYOx).[102] Under this policy, for example, some primary schools deliver compulsory iPad classes from early grades.

Non-state schools also decide their own policy about students' use of mobile devices during school hours.

Stakeholder views on students' access to mobile phones and devices

Whether student access to mobile phones and other portable devices should be permitted in school hours was regularly raised during consultation. Opinions were often polarised. Some submissions called for schools to reduce cyberbullying by prohibiting or restricting the use of mobile devices. Other submissions urged schools to ban mobile phones and other personal devices except when used in class for learning purposes. Several submissions recommended students hand in their phones at the start of the day and collect them at the end of the day.

In contrast, other stakeholders argued against bans on personal devices. For example, a senior educator argued banning mobile devices could be counterproductive, 'There is no point banning devices as technology is required to be used across the curriculum.' The QTU argued banning devices does not address how students use social media outside school and in the home. It called for an educational approach that teaches students: respect for others; safe behaviour online; what constitutes bullying and how to recognise it; and how to manage and report cyberbullying towards themselves and others.

Some submitters urged school staff to monitor student device use. Independent Schools Queensland told us many schools want guidance on the best approach to managing phones and other mobile devices.

Research on students use of mobile devices at school

Much of the research in this area focused on mobile phones rather than mobile devices generally. It suggests that banning mobile devices in schools may reduce valuable educational opportunities. Some educators agree mobile phones have great potential to enhance teaching and learning.[103] Others argue that advances in technology necessitate a focus on the teaching and learning about the appropriate use of technology.[104]

There is limited Australian research on the impact of mobile device restrictions and bans in schools. A small survey of US teenagers found that in schools that banned all mobile phones, nearly 65 per cent of teens who owned a phone still brought their phone to school every day and 58 per cent sent a text message during class.[105] A German study assessed the rate of cyberbullying in schools over a six-month period. It compared the rates of cyberbullying in schools that had banned mobile phones on school premises with schools that had not and found there was no discernible difference in the rate of cyberbullying between the two groups of schools throughout the study.[106] No recent studies have been located that examine whether there is a link between mobile device bans or restrictions in schools and the prevalence of cyberbullying.

French legislation to ban students up to the age of 15 from using connected devices including phones, tablets and smartwatches came into effect in September 2018. There are exceptions to the law for educational purposes for students with a disability, and individual schools can decide how they will adopt the law. The French education code has reportedly banned the use of phones during teaching hours since 2010.[107]

Taskforce consideration

The Taskforce acknowledges the strong and sometimes polarised stakeholder views about students' use of phones and other mobile devices in schools. It also acknowledges many stakeholders considered a ban on mobile devices would reduce cyberbullying.

The Taskforce accepts, however, banning mobile devices at school would not prevent cyberbullying. A ban could concentrate unwanted behaviour in after-school hours and would do nothing to change the underlying causes of bullying and cyberbullying. Nor would a ban change anti-social behaviour of students at school, or address the concern often raised in consultations, that cyberbullying follows students home.

A requirement that all mobile devices are placed in the school office during the school day was considered. This would work against the many schools which have introduced the BYOx program (described above) and have begun educating students in appropriate use of devices from early grades. The Taskforce recognises some schools incorporate the use of mobile devices in students' learning experiences.

Allowing students to bring so-called 'dumb' phones (with no internet access) to school was another suggestion, however, cyberbullying can still occur by text on those phones.

Other options considered were a specified time and place where students could use their stored devices during breaks, and only be used when instructed by the teacher for use in particular learning exercises.

The Taskforce noted there may be other positive effects on students' activity levels and health if less time is spent on devices during breaks, however, no evidence was available that this will reduce cyberbullying.

While blanket bans at school are unlikely to work, some parents and carers have an expectation schools will proactively manage student use of both personal mobile devices and school-owned devices during school hours. Schools also have an expectation that parents and carers will guide and monitor their children's use of mobile devices. The Taskforce concluded schools should determine their policy about student access to mobile phones and personal devices, in consultation with the school community, and consideration should be given to allocating some time or spaces where phones and other devices are not used by students.

Recommendation 13

The Taskforce recommends schools continue to have autonomy to determine student access to mobile phones and other personal devices at school, and ensure their policies on the use of mobile phones and other personal devices are:

- developed in consultation with the whole school community
- regularly reviewed in light of rapidly changing technology
- give consideration to technology-free spaces and times.

Teacher professional training and development

During consultation, many stakeholders said resourcing of schools' workforce is necessary to effectively address cyberbullying. A submission reflected a common sentiment among stakeholders: 'Schools are called upon to solve issues that often transcend our level of expertise and capacity.'[108] Some stakeholders recommended building the capacity of existing staff to address online behaviours and cyberbullying. Training suggestions included understanding trauma, digital literacy skills and teaching staff to consistently respond to reports of cyberbullying.

Professional development programs could include recognising and responding to cyberbullying. Professional development for teachers on implementation of a cyberbullying education program in Saskatchewan, Canada was delivered via massive online open courses (MOOCs), and had a high take-up rate.[109]

Pre-service teacher training

Many anti-bullying programs which have been evaluated as effective include an element of teacher training.[110] It has also been demonstrated that training of pre-service teachers can improve their responses to bullying scenarios.[111]

Research conducted in 38 school classrooms (15 first grade, 12 third grade, and 11 fifth grade) examined the concept of 'bullies and the kids they pick on' and demonstrated there was little agreement between teachers and students on who were the 'bullies' and who were 'the kids they pick on.' The overall agreement was only 7.9 per cent.[112]

Research suggests pre-service teachers need training to develop an understanding and awareness of cyberbullying.[113] Some stakeholders told us anti-cyberbullying training should be a component of university teaching degrees.

The Office of the eSafety Commissioner told us free presentations are offered to pre-service teachers in their final year of tertiary study.[114] Their submission stated:

> *Over the past two and a half years, we have conducted 13 face-to-face lectures and tutorials to pre-service teachers in five Queensland universities with an education faculty (out of a total of 82 events that we have delivered across Australia). In addition, we have been offering free webinars to all Australian teachers since the start of 2017.*

The Australian Institute for Teaching and School Leadership (AITSL) has national guidelines for the accreditation of initial teacher education programs. One of the AITSL standards concerns the creation and maintenance of a supportive and safe learning environment. The guidelines require 'strategies that support students' well-being and safety working with school and/or system, curriculum and legislative requirements.'[115]

School efforts to reduce cyberbullying and respond appropriately will be enhanced if teachers receive relevant training. The Taskforce considers initial teacher training should include education about reducing and responding to cyberbullying. In the next section the Taskforce recommends a whole school approach to addressing cyberbullying, including training for teachers in the procedures adopted by their school.

Recommendation 14

The Taskforce recommends the Queensland Government work with universities that offer initial teacher education to ensure pre-service teachers receive education in strategies to prevent and intervene in bullying and cyberbullying.

School responses to cyberbullying

Consultation

A significant number of stakeholders want consistent, universal and effective school policies and procedures to respond to cyberbullying. The Taskforce was told some schools respond promptly to cyberbullying and have implemented a whole school approach. It heard that other schools were seen to lack a consistent response when students or parents or carers reported cyberbullying.

Some stakeholders were disappointed or frustrated with a school's response to reports of cyberbullying. Some called for greater consistency in how cyberbullying was managed within schools, and between schools. Parents and carers said they could not obtain clear information from a school about its policy and practice, and teachers and guidance officers said not all schools had clear procedures to respond to students' concerns about cyberbullying.

Many family members told the Taskforce about negative experiences when they or their children reported cyberbullying to schools, while other feedback provided strong affirmation of the proactive support and considered responses of schools. Another concern was that some schools did not protect students who are cyberbullied from further cyberbullying, or that the school did not accurately recognise the behaviour as cyberbullying. Several people told us schools did not take sufficient action against students who bullied or cyberbullied others. The key issue appears to be a lack of consistency both within and between schools, sometimes arising from very clear differences in expectations and understandings of the role of schools in addressing cyberbullying allegations.

Stakeholders' suggestions about improving schools' response to incidents of cyberbullying included increasing school staff numbers, for example, school nurses, student welfare officers, guidance officers and counsellors. Stakeholders also suggested peer programs or networks in schools, empowering young people to act as first responders and introducing anonymous reporting.

Some people and organisations recommended interventions for perpetrators, ranging from support to disciplinary action. As noted previously, those who bully or cyberbully others have commonly been subjected to bullying or cyberbullying.

Uncertainty about the extent of schools' duty of care

Schools' views

During consultation principals and teachers from state and non-state schools told us it was unclear whether principals and schools are obliged to respond and manage reports of cyberbullying that occur outside school hours. Schools' approaches varied considerably. One principal told the Taskforce the deputy principal spent a lot of time on Mondays dealing with the consequences of weekend cyberbullying among students. Some schools consider they have a responsibility to respond to cyberbullying, irrespective of the time it occurs, because it impacts on students' capacity to learn. Others believe their responsibility is more directly linked to schooling. It was apparent to the Taskforce that lack of clarity about the extent of their responsibility was a significant issue for school leaders.

Some school policies and procedures specify when they will take action. For example, one school states 'report your problem to school if you are experiencing bullying in class, in the playground, or on your way to and from school.' In contrast, other schools state they will respond to 'any' incident of cyberbullying.

Common law

Under common law, schools have a duty of care to their students.[116] If a student suffered damage as a result of a school failing to fulfil its duty of care, there is potential for a negligence action. To find that a school was liable to a student in a negligence action, a court must establish: the school had a duty of care; there was a breach of that duty; and there was a recognised form of damage.

A duty of care does not require a school to prevent harm to its students at all costs, but would likely require the school to take and enforce reasonable steps to prevent serious cyberbullying. A 2013 NSW negligence case[117] provides guidance to schools on necessary steps in relation to bullying. Based on the case, schools should implement and enforce anti-bullying policies that are drafted with input from staff, students and experts; staff and students should receive regular training on those policies; schools should implement a consistent and coordinated approach to managing bullying; and training should be provided to those responsible for managing bullying. Overall, if the connection between cyberbullying and the school is sufficiently strong, and the school fails to take reasonable steps, a court in an appropriate case could make an adverse finding of negligence.

Department of Education policy

The *Education (General Provisions) Act 2017* sets out some requirements for state schools. State schools are required to have a *Responsible Behaviour Plan for Students*. The DoE *Example Appropriate use of social media* policy (part of an *Example Responsible Behaviour Plan for Students*) states it is unacceptable for students to bully, harass or victimise another person whether in the school grounds or while online.[118] The scope of a school's responsibility is described as follows:

> *The school will not become involved in concerns of cyberbullying or inappropriate online behaviour where the incident in question does not impact upon the good order and management of the school.*[119]

Non-state school legislation and policy

Non-state schools are regulated primarily under the *Education (Accreditation of Non-State Schools) Act 2006* and *Education (Accreditation of Non-State Schools) Regulation 2017*. The Act and Regulation require non-state schools to have written policies and procedures which demonstrate implementation of best practice procedures to protect children and young people from harm, including compliance with child protection legislation.[120] Most non-state schools have behaviour management policies, including anti-bullying policies, and some have specific policies about the use of social media and online behaviour.

Independent Schools Queensland provides resources and specialist information to member schools on student wellbeing initiatives, including bullying.[121] In the Catholic education sector, Catholic School Authorities have student anti-bullying and other policies to prevent and respond to cyberbullying.[122] The Queensland Catholic Education Commission (QCEC) website indicates that significant policy and program development is occurring about cyberbullying.[123]

Schools' policies and procedures

School policies and procedures about bullying and cyberbullying vary considerably. The Taskforce believes all schools—State, Catholic and independent-should be expected to provide students, parents and carers and the school community with confidence that they will take appropriate steps to reduce bullying and cyberbullying and respond promptly to reported incidents.

School procedures should be developed with the school community as part of a whole school approach to bullying and cyberbullying. The procedures should clearly inform the school community how the school responds to reports of bullying and cyberbullying, the main steps in the school's process, who to contact at the school, when parents and carers are contacted, possible consequences for bullying behaviour, and options for referral to police, social media companies and the eSafety Commissioner. School policies and procedures should be published on school websites and be regularly reviewed and updated.

One submission summarised possible requirements of school policy:

> *Schools must have a very clearly explained policy on bullying whether cyber or not. It must be framed in language that all students and parents/guardians can understand. It must be clear what will and won't be accepted, who students and parents contact if victims have a complaint, how the process of investigation and consequences will operate and also a list of possible consequences.*

The Taskforce notes an empathetic rather than punitive approach to early intervention is more likely to improve school safety.[124] This approach to discipline can halve student suspension rates and markedly increase the respect students show teachers.[125]

School procedures should be readily available to students, parents and carers and staff, and include a flowchart with the main steps and contact details for relevant school staff (see Appendix 6 for an example). Schools should ensure staff are trained to identify and respond to cyberbullying, and students receive education to prevent cyberbullying. Students would also be aware of how to access counselling and support available to students who are bullied and those who bully others. Those measures should be supported by parents and carers who are engaged with their children's online activity.

Measuring effectiveness

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) said some schools may not take responsibility for managing or responding to reports of bullying and cyberbullying. They suggest:

> *Schools should measure the prevalence of bullying each semester and share the results with the school community, via platforms such as the My School website. Overall, a requirement to publish data and plans would serve two purposes: firstly it would make information about bullying that is happening in schools more publicly available, and secondly, encourage schools to take responsibility for bullying that occurs.*

All schools should record data about cyberbullying incidents, which can be considered as part of schools' annual review to assess their effectiveness. The Taskforce considers schools should also undertake an annual student wellbeing survey to support assessment of school responses to cyberbullying. Data about cyberbullying incidents could also be used to identify and act on issues or risks for individual students.

Support for schools, parents, carers and students

After considering what we learnt from consultations, the Taskforce believes support should be available for schools, students, parents and carers, and school system authorities (where applicable) to respond to incidents of cyberbullying. In particular, the Taskforce notes the feedback from educators who told us a significant amount of time is required to gather information about reported cyberbullying incidents. School principals talked about deciding whether a cyberbullying incident required a report to child safety or police. In complex matters, principals wanted ready access to advice and possible support to investigate issues.

There is potential for schools in a 'cluster' or region to collaborate to share ideas and programs about cyberbullying for the benefit of all. The eSafety Commissioner's submission suggested there is scope to improve coordination of responses to cyberbullying across schools through embedding 'cyber safety coordination officers' within schools or districts to act as a first point of contact for students, teachers and parents and carers. During consultation, several stakeholders called for dedicated officers to support schools to address cyberbullying.

The Taskforce heard from schools and parents that the Bullying Response Team established this year in the DoE was helpful and effective in responding and advising about bullying and cyberbullying. The Taskforce believes this team should be continued and appropriately resourced to provide expert advice and assistance to schools, parents, carers and students.

Taskforce view

While the Taskforce has heard from parents and carers, students and schools about the challenges of managing incidents of cyberbullying, it does not have a comprehensive picture of how effectively cyberbullying is managed in schools. We therefore recommend an independent evaluation of the effectiveness of current processes to respond to cyberbullying across all school sectors. The Taskforce notes the Victorian Independent Office for School Dispute Resolution[126] offers an independent dispute resolution service for school disputes that are unable to be resolved by schools or the education department. That evaluation should also consider the merit of establishing an independent dispute resolution body for complex cyberbullying matters that are not able to be resolved at school or system or departmental level.

The Taskforce considers it important to provide schools and principals with greater clarity about their responsibility for responding to incidents of cyberbullying, particularly those that occur outside school, and recommends the Queensland Government provide clear advice on this issue. It is also critically important that the DoE has contemporary best practice policy documents about reducing and responding to cyberbullying, including guides to school processes.

To address the uncertainty raised in consultation by schools, parents and carers and students, schools should have clear, transparent and published procedures for how they will respond to cyberbullying, grounded in a whole-school approach to managing bullying and cyberbullying.

Recommendation 15

The Taskforce recommends the Queensland Government provide clear guidance for all schools on the scope of their responsibilities in relation to cyberbullying, including the circumstances when the principal is and is not responsible.

Recommendation 16

The Taskforce recommends the Queensland Government ensure the Department of Education has contemporary, best practice exemplar policy documents about reducing and responding to cyberbullying, including a complaints management process.

Recommendation 17

The Taskforce recommends the Queensland Government expect all schools to have clear, transparent, readily accessible and easily understood policies and procedures to address cyberbullying, that:

- include a flowchart clearly outlining the school response to incidents and reports of cyberbullying and provide indicative timeframes for school responses
- provide contact details of relevant school staff
- identify when parents and carers will be contacted by the school
- state the possible consequences for the student who has bullied
- identify the support available for the student who has been bullied and the student who has engaged in bullying behaviour.

Recommendation 18

The Taskforce recommends the Queensland Government:

- continue and appropriately resource the Bullying Response Team of Senior Guidance Officers in the Department of Education to provide expert advice and assistance to schools, parents, carers and students when they want advice about addressing and resolving reported incidents of cyberbullying
- commission an independent evaluation of the effectiveness of current processes to address reported incidents of cyberbullying across all school sectors. The evaluation should consider the merit of establishing an independent dispute resolution body for complex matters which are unable to be resolved at school or system level. The approach used by the Victorian Independent Office for School Dispute Resolution in relation to school disputes about bullying and cyberbullying should form part of the evaluation.

Boarding schools and residences

Needs of boarders

Students from remote or isolated locations face particular additional challenges at boarding school or living in other residences due to their home context and the issues encountered in transitioning away from home. During consultations, the Isolated Children's Parents' Association (ICPA) told the Taskforce that children may have left the comforts of a remote environment for a more complex and structured urban school setting. Geographic remoteness may mean students have had fewer peer relationships than their contemporaries, and limited access to mobile devices, the internet and social media.

Research shows that the transition to boarding school impacts on the social, emotional and academic wellbeing of children and young people.[127] This transition commonly occurs at the onset of adolescence, a time when many adolescents experience increased social anxiety, and are developing the capacity to think and reason socially and morally. [128] For students who board, the usual challenges of adolescence are compounded in a totally new environment, away from home and the support of parents and carers.

A student who goes home to a remote location with limited access to the internet may be further affected by cyberbullying because they do not see or respond to social media posts during weekends or school holidays. Those children may be socially excluded when they return to school because they live 'out of range'.

Boarding Standard for Australian schools and residences

The Australian Boarding Schools' Association (ABSA) told us that Queensland does not specifically regulate standards in residential accommodation for school students. The ABSA has worked on an Australian Standard 'Boarding Standard for Australian schools and residences' (the Standard), and advocated adoption of it in Queensland. The ABSA said that the NSW and Western Australian governments had adopted the Standard. Both ABSA and ICPA argued there was a need for increased awareness among boarding school staff in areas such as mental health, the use of technology and how to recognise issues such as the signs of stress in a student. Boarding school students are often more vulnerable due to their absence from parental support from a young age, making the need for highly skilled boarding staff vital.

The Standard requires boarding residences (including those not attached to a school) to have policies and procedures: about age-appropriate education and systems of protection for technology; use of mobile communication devices and cyber activity; and care of boarders, including acknowledgement of culture and heritage from overseas, Aboriginal and Torres Strait Islander communities and isolated country areas. Other requirements include implementing processes to increase boarders' and staff understanding and response to bullying and harassment. The Standard requires residence staff to undertake annual professional learning.

Current regulation of boarding facilities

Boarding facilities attached to a school are subject to the same standards and regulation as the school, for example, the requirements of the *Non-State Schools Accreditation Regulation* to have policies about student welfare and safety. The Regulation also requires that boarding facilities have sufficient staff of the appropriate type to ensure the health, safety and welfare of students.

Standards about student welfare in non-school student residences are applied through funding arrangements under the DoE 'Student Hostel Support Scheme'. Student residences are required to ensure the physical, emotional and psychological safety of students is paramount and must take all reasonable steps to protect students from harm. Like the requirements for boarding facilities attached to non-state schools, residences are required to have policies and processes about the care and

protection of children. Those policies must be readily accessible by parents and carers, staff and students.

The DoE also operates boarding facilities. The Queensland Government's response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse notes that 'Department of Education state-run boarding facilities are currently guided by the Boarding Standard of Australian schools and residences, which provides operators with a framework to deliver safe, healthy and productive environments for boarders.'[129]

Taskforce view

The Taskforce considers the particular needs of boarding students should be addressed in policies and practice to support the reduction of cyberbullying in residences. Policies and procedures should ensure that residence staff are competent and appropriately trained to contribute to reducing and appropriately responding to cyberbullying. The Taskforce notes the 'Boarding Standard for Australian schools and residences' is already applied to DoE run hostels. The Taskforce considers that government should examine the best way to ensure protection of the welfare of school students in all school student residences. The Taskforce also notes the Queensland Government is currently considering implementation of Child Safe Standards, as recommended by the Royal Commission.

Recommendation 19

The Taskforce recommends the Queensland Government ensure schools that provide boarding facilities, and other organisations that provide accommodation for school students, have policies and procedures to ensure the safety and welfare of boarders. Those requirements should include staff training and competencies to prevent and respond to cyberbullying, based on best practice standards.

CHAPTER 6: YOUNG PEOPLE – POST SCHOOL AGE

Introduction

This chapter outlines issues relevant to young people up to age 25 who have left school, including those undertaking further education and training at universities or vocational education and training (VET) providers. It does not include bullying or cyberbullying in the workplace, which is outside the Taskforce terms of reference.

Despite Taskforce efforts to consult with young people in a range of settings, only a small number of young people other than secondary students attended forums facilitated by the Taskforce. Very few university and VET students participated in consultation events or lodged submissions with the Taskforce. We also invited TAFE Queensland, and university student unions and guilds, to make submissions, however none were received.

Acknowledging this gap in the outcomes of Taskforce consultations, it considers further engagement with young people who have left school is essential during implementation of the proposed framework and recommendations in this report. This is discussed in the Chapter 1.

Young people who have left school

The Taskforce held a number of forums targeted at young people undertaking alternative high-school education or who had left school. Young people at these forums said they were reluctant to report bullying behaviour for fear of retaliation or a sense of shame at being the target of such behaviour. Ability to access and confide in a trusted adult was also an issue for some young people.

As many of these young people were not enrolled in education, they often felt there was no formal structure they could use to report bullying and cyberbullying. Given their limited awareness of the eSafety Commissioner, these young people often feel quite isolated when trying to deal with bullying and cyberbullying behaviour. Young people suggested: public awareness campaigns, increasing awareness of the eSafety Commissioner's role, technology training and support for parents and carers, and providing easier ways to report cyberbullying on-line (such as apps and help buttons on every social media page). Some young people also suggested locating a physical hub or 'help' presence in major shopping centres or other areas where young people congregate where young people could seek assistance.

Similar to the high school students consulted by the Taskforce, post-school young people were keen to be actively involved in the implementation of the Framework.

Online teaching and learning

Universities and VET providers are increasingly embracing online teaching. Students may engage with each other and with course materials by email, in blogs, discussion boards, videoconferences, live webinars and social media. The expansion of online learning has increased the potential for cyberbullying between students. However, knowledge of its prevalence in tertiary education organisations is limited. In its submission to the Taskforce, RANZCP stated:

> *There is a paucity of research examining cyberbullying in tertiary settings. Students spend a significant amount of time using the internet and electronic devices to complete work and socialise, while often being subject to less restrictive monitoring than they experienced while at school.*

University and TAFE policies

The Taskforce found little evidence of specific anti-bullying and anti-cyberbullying policies at most Queensland universities and TAFE Queensland centres. We used the search engine function on the websites of each Queensland university and TAFE Queensland to locate relevant policies. Key words used included 'cyberbullying', 'cyber safety', 'welfare', 'safety' and 'harass'. A summary of results of this search are presented in Appendix 7. Bullying was generally mentioned in passing, among a list of unacceptable behaviours. The University of the Sunshine Coast is the only university to include a section that specifically addresses bullying. Cyberbullying is mentioned in passing by only two universities.

Students' reluctance to report

In a study conducted with 282 Australian university students aged between 19 and 25, students were asked questions about perceived blocks to reporting cyberbullying incidents. The responses indicated the majority of students do not know how to make a report of cyberbullying to the university, are unaware of and do not know where to locate university policies. Students also said their university did not provide enough information to students.[130]

University approaches to address cyberbullying

The Taskforce was informed about a James Cook University website, *Take A Stand*, which provides information for higher education students about cyber-safety, the impact of cyberbullying, preventing cyberbullying, and sources of help in the university.[131]

The Taskforce found no information about intervention programs that had been used (either effectively or ineffectively) with higher education students.

The Taskforce notes that after allegations of sexual assault at residential colleges at a number of universities, Universities Australia funded the Human Rights Commission to survey university students about sexual assault and sexual harassment.[132] The Commission's August 2017 report, *Change the Course,* found high rates of sexual harassment and sexual assault.[133] In July 2018, Universities Australia released *Guidelines for University Responses to Sexual Assault and Sexual Harassment* to assist universities to create updated policies about prevention, reporting and response to sexual harassment and sexual assault.[134] The Taskforce recommends Queensland universities take similar action with respect to bullying and cyberbullying.

Recommendation 20

The Taskforce recommends the Queensland Government encourage universities (and their associated residential colleges) and VET providers in Queensland to adopt and implement comprehensive and accessible policies about prevention, reporting and responding to cyberbullying among their students.

CHAPTER 7: SOCIAL MEDIA

Introduction

Social media is the most common platform for cyberbullying.[135] Social media includes websites, computer programs, and apps that allow people to communicate and share content, including user-generated content, through messaging services and platforms such as Facebook, Instagram, Twitter, Snapchat, Google+ and YouTube. User-generated content has given people unprecedented access to other people's content, which can be used positively or negatively.

The explosion in use of social media can lead to behaviours which lack empathy and compassion in children. Participation in social media has put children and young people at risk of cyberbullying, which may have profound psychosocial outcomes including depression, anxiety and severe isolation.[136] Stakeholders expressed a lack of trust in social media providers to respond adequately to complaints of online harassment or bullying.

The role of social media in reducing cyberbullying

Stakeholder views

In submissions and consultations people almost unanimously agreed social media companies should take greater responsibility for preventing or reducing cyberbullying. The Queensland Secondary Principals Association said:

> *While it is an individual that places an inappropriate post or comment online, the platform or application hosting that needs to ensure a level of responsibility for the safety and wellbeing of all its users.*

The most common suggestions related to the age at which children may create a social media account and requirements to prevent underage access, as well as how to make reporting of inappropriate content more accessible and responsive.

The Taskforce heard parents and carers did not always understand privacy settings and the social media platforms their children are using; to address this, the Taskforce has recommended digital education for parents and carers (see Chapter 4).

Other suggestions made by stakeholders were greater use of artificial intelligence to identify phrases or patterns of conversation that indicate cyberbullying, blocking of offensive or negative words, and a parent alert if offensive words are used in posts. As the Royal Australian and New Zealand College of Psychiatrists put it:

> *For example, artificial intelligence technology could be used to identify phrases or patterns of conversation indicating the possibility of cyberbullying. This could then trigger an automatic warning such as 'hurtful or inappropriate language has been identified in this post. Please consider whether you wish to continue.' Similarly, victims could be sent a prompt with information about support services and how to report the conversation and block the bully.*

Age-appropriate access to social media

The minimum age to open an account on Facebook, Twitter, Instagram, Pinterest, Tumblr, Kik and Snapchat is 13.[137] YouTube requires account holders to be 18, but someone 13 years or older can sign up with parental permission. These age restrictions are informed by United States (US) legislation which prohibits websites that gather data about users from allowing access to anyone younger than 13.[138] A study of social media use found that over a third of 9 to 12 year-olds who use the internet in the European Union had a social media account.[139]

Creation of an account requires a date of birth that indicates the proposed user is 13 years or older. Consultations confirmed many young people under 13 years of age commonly hold social media accounts, as a date of birth can be easily fabricated. A submitter said: 'At a recent cyber safety night most parents raised their hands and admitted that their primary school children were on sites for 13 years and older'. Some parents told the Taskforce they felt pressure from their child to open social media accounts to enable contact with peers. The age restrictions for social media have limited effectiveness and at most, act as a guide to parents and carers and young people and do not provide a barrier to access.

In consultations and submissions some people argued children and young adolescents should not be allowed access to social media platforms to protect them from cyberbullying and online predators. Others argued the minimum age to access social media and some gaming platforms should be 16 or 18 years of age. Young people told the Taskforce they would 'find a work-around' for any tighter restrictions that might be introduced.

Anonymity and verification of user identity

Some stakeholders suggested the identity of social media accounts should be verified before an account could be opened, both to reduce the number of young children using social media, and to avoid fake accounts and anonymous users who might bully children and young people.

Australia's Facebook and Instagram representative told the Taskforce a large number of privacy checks are undertaken daily over multiple data points before an account is created, and that their systems work constantly to remove fake accounts.

The Taskforce carefully considered the pros and cons of recommending verification of user identity before a social media account is opened. We considered the impact verification of identity would have on children and young people, and the risks to their privacy, including risks of hacking, location disclosure, social profiling, third party personal information disclosure; and public and private organisations' use of social network websites. In light of recent revelations about social media companies' misuse of data, public confidence in their ability to keep data secure is likely to be low.

The Taskforce considers the efficacy of requiring social media companies to implement verification of the identity of proposed account holders should be further explored, which should include consideration of privacy.

Recommendation 21

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and other state and territory governments, undertake or commission research into the efficacy of requiring social media companies to implement identity verification.

Privacy and safety

Safety by design

The concept of 'safety by design' aims to address safety issues during the research, development and design phases of new technologies, including social media platforms.[140] Social media platforms can be designed to minimise risks and manage issues when they arise to protect children and young people. The design of an app or platform can provide the basis for positive and respectful communication by users. For example, trained moderators were employed to implement an extensive code of conduct for users as part of development of a child-focussed app 'Lego Life'.

The eSafety Commissioner is currently working in consultation with industry, academics and young people to develop a 'safety by design' framework. The framework is intended to provide practical guidance for technology companies.[141]

Privacy settings

> *Children's accounts should be required to default to particular terms and conditions and privacy settings that are safe.*

Although cyberbullying still occurs when users have strong privacy practices on social media accounts, weak privacy and protection settings online can expose children and young people to unwanted contact and content. For example, those who bully online may use pictures, messages or videos of a young person to harass or intimidate.

Most social media platforms offer a range of privacy settings and sharing filters. Research shows that while privacy settings are available, knowledge of the risks of disclosing private information has little effect on the behaviour of many users of social media. Generally social media users are willing to use their name, disclose personal attributes and post personal pictures. In addition, the majority of users make decisions about social media accounts without being fully informed by reading the user contract agreements or terms of service.[142] Terms and conditions are often lengthy and impenetrable; as one submitter put it: 'Terms and Conditions on websites and apps in modern society are often treated as a joke and remain unread by many.'

Recent changes in Facebook privacy settings

During the first half of 2018, there was significant media coverage of Facebook's use of individual user information. It was criticised for breaches of privacy, use of data about users, and as a platform for 'fake news'. In response Facebook introduced tools intended to make privacy settings easier to find.[143] The privacy settings page features shortcuts with images to make it easier to navigate. Users can enable two-factor authentication, control what they share or have shared, manage who can see their posts, and learn more about their advertisement preferences. None of these features are new; they simply improve accessibility of the privacy settings on their platform.

Educational resources – privacy and safety

Most social media have some educational material about safety and privacy, however, it can be difficult to locate and the public may not be aware of it. YouTube, Facebook and Instagram have a tab which links to safety and privacy information. Facebook and Instagram have developed resources including:

- Bullying Prevention Hub–a resource for teens, parents and educators about bullying; including guidance on how to start important conversations[144]
- Think before you Share Guide–a one-page infographic guide on online safety and urges users to ask themselves questions before sharing material[145]
- Help a friend in Need Guide–provides information to help identify potential warning signs that a friend might be in emotional distress and in need of help[146]
- A parent's guide to Instagram–provides tips and advice for parents and carers, which is localised to Australia in collaboration with Headspace.[147]

Google and YouTube's Australian representative told the Taskforce they are working with the eSafety Commissioner to develop creative ways to make their safety information and guidance more accessible.

The Taskforce considers safety and educational resources can provide practical strategies to assist children and young people to reduce and respond to cyberbullying.

Recommendation 22

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and state and territory governments, require social media platform providers to:

- make the maximum privacy settings the default settings for all users
- make a link to privacy settings clearer, up front and more user accessible, including regular promotion of privacy settings to users
- make blocking more readily viewable and available
- implement 'safety by design' principles
- make their educational and safety materials easy to find, and regularly promote those materials to users.

Social media response when cyberbullying occurs

Community guidelines and standards

Most social media platforms operate under terms of service, community standards or guidelines.

Facebook's Standards describe their policy for determining whether posts should be removed.[148] The Standards list six categories of unacceptable posts and content; bullying is part of the 'safety' category. It states:

> *We don't tolerate bullying or harassment. We allow you to speak freely on matters and people of public interest, but remove content that appears to purposefully target private individuals with the intention of degrading or shaming them.*

YouTube's Community Guidelines state that any kind of threatening or menacing behaviour is prohibited on their platform.[149] YouTube's *Harassment and cyberbullying policy* states that in 'cases where harassment crosses the line into a malicious attack it can be reported and will be removed'.[150] In other cases, 'users may be mildly annoying or petty and should simply be ignored'. Google and YouTube's Australian representative told the Taskforce that less than one per cent of content violates YouTube's policy and a small number of people are blocked from the service. The threshold for blocking is persistent and consistent violation of policy.

Snapchat's Community Guidelines state they have 'zero tolerance for bullying or harassment of any kind', and advise users not to 'send a Snap with the intention of making someone feel bad'.[151] Snapchat servers are designed to automatically delete Snaps after they've been viewed by all recipients, and to automatically delete unopened Snaps after 30 days. However, users are able to save Snaps, and potentially share them with others. Users can also delete Snaps.[152]

Detecting cyberbullying

Representatives from social media companies told the Taskforce it is difficult to detect material that could be labelled as cyberbullying as it is context-dependent, and sometimes impossible to know whether content is harmful. However, as early as 2012, an American study was able to detect language patterns used by children and young people involved in bullying and develop rules to automatically detect cyberbullying content with 78.5 per cent accuracy.[153]

Facebook has machine algorithms in place that automatically remove content found to violate its community standards. Between October 2017 and March 2018, the following content was removed by the algorithms prior to being reported by users:

- 85.6 per cent of graphic violence
- 99.5 per cent of terrorist propaganda
- 99.7 per cent of spam
- 95.8 per cent of adult nudity and sexual activity
- 38 per cent of hate speech
- 98.5 per cent of fake accounts.

Recommendation 23

The Taskforce recommends the Queensland Government, through Advance Queensland or other sources and in collaboration with social media companies, universities and business, examine opportunities to support the development of applications and machine-learning algorithms to detect cyberbullying.

Reporting inappropriate content

> *Reporting of cyberbullying should be much easier to do on social media.*

The eSafety Commissioner told the Australian Senate Committee only 12 per cent of young people report content to a social media platform.[154] Another study indicated children and young people's responses to cyberbullying varied. They included: doing nothing (25 per cent), reporting the cyberbullying (31 per cent), asking the person to stop (29 per cent), cyberbullying back (13 per cent), making fun of the perpetrator to other people (11 per cent), saving the evidence (18 per cent) and blocking them on social media (34 per cent).[155]

Reporting mechanisms differ between and within social media platforms. After content is reported or flagged by a user, it is assessed against the social media platform's standards or guidelines, and may be removed if it is contrary to those standards.

YouTube relies exclusively on reports from users to trigger review of content and potential removal of offensive content. Facebook proactively reviews content as well as assessing user reports. Once a report is made to Facebook, a 'support dashboard' allows the user to monitor progress. The dashboard lists what was reported and its status in the review process; users can cancel a report before it has been reviewed.

Researchers in the US did informal tests on the time taken by social media platforms to respond to complaints; a response was usually received within 24 hours.[156] Facebook informed the Australian Senate Committee it receive millions of reports each week, which are triaged to deal more quickly with reports of harassment and harm. Facebook's representative advised the Taskforce they aim to deal with reports within 24 hours. Facebook has arrangements with education departments, the eSafety Commissioner and child safety organisations so content can be reported by those bodies and actioned promptly.

Taskforce consultations indicated some people are unsure about how to report inappropriate content to social media platforms. Stakeholders, including students, wanted simple and accessible reporting mechanisms. Others stated social media needed to better monitor their platforms and remove offending content more promptly, for example:

> *Complaints to social media, and requests to remove them, often take time and the damage is done and the post may have gone viral.*

We also heard people's expectations about removal of cyberbullying content were not always met. The Taskforce suggests social media platforms consider more clearly defining what content they will remove and the thresholds for action. More explicit standards would enable monitoring and would create a greater level of public understanding about what content will and will not be removed. It

would also be helpful if social media companies collaborated to achieve consistency across social media standards.

Some people argued for a generic 'report button' on all social media platforms with a direct link to the eSafety Commissioner. As the eSafety Commissioner recommends, the first step in reporting cyberbullying content is direct to the social media platform.[157] If the issue is not resolved within 48 hours, it can then be reported to the eSafety Commissioner.

The Taskforce recommends social media platforms should make the link to their reporting function visible at all times.

Recommendation 24

The Taskforce recommends the Queensland Government, individually and/or in collaboration with the Commonwealth Government and state and territory governments, take steps to ensure social media companies:

- improve the visibility, consistency and accessibility of reporting tools on their platforms
- include a link directly to the eSafety Commissioner for users who are not satisfied with action taken by the social media company
- include messages on their platforms to remind users of the harm cyberbullying can cause and steps on how to report.

Data on enforcement of social media community standards

One of the Australian Senate Committee's recommendations was that the Commonwealth Government consider requiring social media platforms to publish relevant data, including data on user complaints and the platforms' responses.[158]

In May 2018, Facebook published an international 'Community Standards Enforcement Preliminary Report'.[159] The report does not include any country specific data, and both Facebook and Google representatives advised the Taskforce that country-specific data is not collected.

Until recently, there has been limited incentive for social media companies to record and publish data about cyberbullying or online harassment. Country-specific data on the number of reports about posts and profiles and the outcome of those reports would help improve understanding the scope of cyberbullying among children and young people in Australia and inform future policy proposals to reduce cyberbullying.

Taskforce view

The Taskforce supports the Australian Senate Committee's recommendation that the Commonwealth Government consider requiring social media platforms to publish relevant data, including data on user complaints and the platform's responses, as specified by the eSafety Commissioner and in a format specified by the eSafety Commissioner.

Recommendation 25

The Taskforce recommends the Queensland Government call on the Commonwealth Government to amend the *Enhancing Online Safety Act 2015* to provide the eSafety Commissioner with powers to require annual publication of detailed data on complaints and response times by social media platforms.

CHAPTER 8: LEGAL APPROACHES TO CYBERBULLYING

Introduction

Australian criminal law currently applies to serious cyberbullying, however, most people the Taskforce consulted were not aware that offences in the Queensland *Criminal Code Act 1899* (the Criminal Code) and the Commonwealth *Criminal Code Act 1995* apply to serious bullying and cyberbullying. Statistics currently collected about charges, prosecutions and outcomes under the Criminal Code do not specify the number of matters that relate to cyberbullying.

A significant number of people who were consulted suggested that cyberbullying perpetrators should face tougher legal penalties or other consequences for their actions. Others suggested specific consequences for those who cyberbully, including: community service, fines for children (and their families), regular reporting to police, mandatory counselling, social media 'bans' for children who misuse social media, holding parents and carers accountable, and court orders that restrict an individual's internet access.

It is important to note that a child or young person who cyberbullies may also be cyberbullied or be a bystander; there are not separate categories of children and young people who engage in bullying behaviour, or who are subject to it.

In consultations we heard people wanted cyberbullying content removed permanently and as quickly as possible from both social media platforms and search engines. In Chapter 7 we have recommended action by social media companies about privacy and safety, including the removal of cyberbullying content.

As well as community views, the Taskforce has considered the current law in Queensland, Australia and elsewhere, and the recommendations of the Senate Committee Inquiry into the *Adequacy of existing offences in the Commonwealth Criminal Code and of state and territory laws to capture cyberbullying* (2018).

The Taskforce notes amendments to the Criminal Code were introduced into the Queensland Parliament in August 2018 to create new offences about non-consensual sharing of intimate images. The Taskforce does not believe further criminal offences about bullying and cyberbullying are required in Queensland. The Taskforce recommends the Queensland Government advocate to the Commonwealth Government that it introduce 'right to erasure' or 'right to be forgotten' laws.

Law as a deterrent?

Punishment for an offence can be a deterrent, either for the known offenders to prevent them from committing further offences, or as an example to others. However, young people's lack of maturity impedes their decision-making processes and means they are less likely to be deterred by harsher penalties.[160] Little research exists to support the view that stricter laws and harsh punishments are effective in deterring youth crime. In addition, punishment can have negative effects, such as increased rates of recidivism.[161]

Legal consequences – young people and serious cyberbullying

If a young person, under 18 years of age, is prosecuted under the Criminal Code, they are dealt with by the Children's Court. If a young person is found guilty of an offence there is a range of potential sentencing options under the *Youth Justice Act 1992* which are similar to those proposed during consultation. Consequences may include fines, mandatory reporting to youth justice officers, counselling, community service and restorative justice conferencing.[162]

The Taskforce has considered the impact of cyberbullying on children and young people and the need for consequences for those who cyberbully, balancing the potential negative effects of criminalising young people. The Taskforce prefers that a non-criminal approach is used in most circumstances. This should occur in schools, families and communities.

If a case of cyberbullying is sufficiently serious, and meets the threshold for a criminal offence where a young person is found guilty, the perpetrator should be subject to community-based sentencing options under the *Youth Justice Act 1992.* It is important to note, however, a young person who cyberbullies may also have been bullied or cyberbullied (see Chapter 2: Prevalence and impact). Criminal sanctions have significant implications for young people and the Taskforce considers they should be used as a last resort.

Criminal offences

Senate Committee inquiry - criminal offences and cyberbullying

In March 2018 the Senate Committee reported on the *Adequacy of existing offences in the Commonwealth Criminal Code and of state and territory laws to capture cyberbullying*. The Senate Committee did not recommend any changes to existing State or Commonwealth criminal law. It concluded that existing criminal laws adequately cover serious cyberbullying and:

> *…criminal offences should only be applied in the most serious cyberbullying cases. In general, other avenues to address the problem should be exhausted before criminal action is taken, particularly where the perpetrator is a child. The committee also acknowledges that criminal charges can only be applied after the damage has been done.*[163]

The Senate Committee recommended 'that the Senate not legislate to increase penalties for cyberbullying offences committed by minors beyond the provisions already in place.'[164]

The Senate Committee was concerned that some serious cyberbullying had not been pursued in the courts. It suggested this may be due to a lack of awareness of offences among the public and possibly understanding of the law by the police. It also recognised there may be difficulties in investigating cyberbullying cases, specifically the anonymity of perpetrators.[165]

Commonwealth Criminal Code

Offences under the *Criminal Code Act 1995 (*Cth) can be applied to cyberbullying. The most relevant offence is section 474.17 – 'Using a carriage service to menace, harass or cause offence.' The High Court has held that:

> *…the words 'menacing' and 'harassing' imply a serious potential effect upon an addressee, one which causes an apprehension, if not a fear, for that person's safety. For consistency, to be 'offensive', a communication must be likely to have a serious effect upon the emotional well-being of an addressee.*[166]

The Commonwealth Attorney-General's Department advised the Senate Committee that 927 charges had been proven against 458 defendants under this section between August 2004 and October 2017.[167] The number of cases about 'use of a carriage service' that could be categorised as cyberbullying could not be identified.[168] None of the charges were laid against school aged children.[169]

Queensland Criminal Code

A number of provisions of the Criminal Code can apply to cyberbullying.

- *Making threats*–it is an offence under section 359 to threaten to cause any 'detriment' (for example serious mental, psychological or emotional harm), of any kind to another with intent to prevent or hinder any person from doing any act, compel any person to do any act or cause public alarm or anxiety. An example of cyberbullying that resulted in a person being charged with 'making threats' was a teenager who used social media to threaten to kill teachers and a fellow student.
- *Stalking*–unlawful stalking is an offence under section 359B; it involves intentional repeated conduct, or protracted conduct on any one occasion that intimidates or frightens a person. It may include emails, texts and messages on social media. Stalking has been argued to be one of the relevant provisions for cyberbullying because the absence of an immediate physical threat is not an impediment to prosecution.[170]
- *Aiding suicide*–it is a crime under section 311 to procure, counsel or aid someone to kill themselves.
- *Sexting–images of young people*–while sexting (sharing intimate images) between young people is commonly consensual, it is an offence if the image is of a child (a person under 16). This includes the sharing of images between children. The relevant offences are:
  - involving a child in making or attempting to make child exploitation material (section 228A)
  - making or attempting to make child exploitation material (section 228B)
  - distributing child exploitation material (section 228C)
  - possessing child exploitation material (section 228D)
  - without legitimate reason, taking any indecent photo or recording of a child under 16 years of age (section 210(1) (f)).
- *Defamation*–section 365 provides for criminal defamation; prosecution may be warranted if a person publishes derogatory or denigrating material that reaches a high level of criminality. It is a misdemeanor for a person to publish defamatory matter about another person if they:
  - know the matter to be false or have no regard to whether the matter is true or false
  - intend to cause serious harm to the relevant person or any other person, or have no regard to whether serious harm to the relevant person or any other person is caused.

Data – cyberbullying and the Criminal Code

The Queensland Department of Justice and Attorney-General advised statistics are not collected about bullying and cyberbullying separately from other charges and prosecutions under each of the provisions of the Criminal Code summarised above. Without data about the number of charges, prosecutions and outcomes of charges under the Criminal Code, it is difficult to have a complete and accurate picture of the prevalence of cyberbullying in Queensland. The Taskforce considers statistics about bullying and cyberbullying should be recorded separately from other matters under the Criminal Code to inform policy and practice to prevent cyberbullying now and in the future.

Recommendation 26

The Taskforce recommends the Queensland Government investigate collecting and reporting on the number of bullying and cyberbullying related charges, prosecutions and outcomes under the relevant offences in the Criminal Code.

Image-based abuse (non-consensual sharing of intimate images)

As noted above, it is an offence to possess or distribute an intimate image of a child under the age of 16 years in a sexual context. Consensual sharing of intimate images is common among young people.[171] It can have serious social and legal consequences. Non-consensual sharing of intimate images sometimes occurs after a relationship ends, and can be a form of cyberbullying. It can have a harmful impact on the children, young people and adults whose intimate image is shared.

To limit the impacts of criminalisation of young people, the Queensland Police Service (QPS) advised the Taskforce that, in relation to potential offences under the Criminal Code, police preference cautioning and other techniques rather than charging young people.

The Taskforce notes that children and young people may be victims of non-consensual sharing of intimate images. On this basis, we support in principle a proposed offence of non-consensual sharing of an intimate image, as it may increase accountability of adults who share images without consent. However, the Taskforce does not want proposed legislation to result in increased criminalisation of young people under 18 years. As noted above, amendments to the Criminal Code were introduced into the Queensland Parliament in August 2018.

Other Australian jurisdictions

Australian states and territories have similar offences to those in the Queensland Criminal Code that can apply to cyberbullying. They include offences such as making threats, stalking, defamation and encouraging suicide. Victoria has enacted a more specific provision. In 2011, the application of the offence of stalking in the *Crimes Act 1958* (Vic) was extended to include all forms of behaviour that involve serious bullying. New South Wales has a specific offence directed at bullying in schools in the *Crimes Act 1900 (NSW)*.[172] The offence applies to staff and students while 'attending the school', which limits the provision to cyberbullying in school hours.[173]

Taskforce view

The Taskforce agrees with the Senate Committee's view that criminal prosecution of young people should be a last resort. The Taskforce wants a stronger prevention approach including school and public community education, improved prevention efforts by social media platforms, and community organisations, and a more consistent and transparent response to cyberbullying incidents by schools.

The Taskforce considers improving the community's understanding of existing criminal offences relating to cyberbullying behaviours should be included in the proposed public awareness campaigns (see Chapter 3).

Reporting cyberbullying to police

Reporting to police

Serious cyberbullying which may be a crime can be reported on the website of Australian Cybercrime Online Reporting Network (ACORN). ACORN is a national cybercrime reporting and referral service; it is delivered in collaboration with police services, the eSafety Commissioner and other agencies.[174] ACORN does not have investigative powers; it assesses reports of cybercrime to determine whether they are appropriate to refer to police or other bodies.[175] ACORN assesses the type and severity of the incident, the suspect's location, whether the report contains sufficient information about the offender and other factors to decide whether and where to refer a complaint. Investigation and prosecution are at the discretion of the law enforcement agency that receives a referral from ACORN.[176]

The QPS Operational Procedures Manual states QPS members should refer the public to ACORN to report cybercrime, or to their local police station, where QPS members can complete a report on behalf of the complainant on the ACORN website. Cybercrime reports that warrant criminal investigation are referred by ACORN to the QPS. Reports that do not warrant further criminal investigation may also be received from ACORN for the purpose of intelligence reporting.[177]

Police response

The Senate Committee was told by the Australian Law Council that, 'research shows that police often refuse to lodge complaints from disgruntled victims of cyberbullying because of their lack of knowledge of various laws applicable to incidents of cyberbullying.'[178] The Senate Committee was concerned that some serious cyberbullying had not been pursued in the courts. It suggested this may be due to a lack of awareness of offences among the public and possibly understanding of the law by the police. The National Children's Commissioner told the Senate Committee there is 'a problem in the cyberworld because people don't think laws apply in that space when they clearly do. We think the main issue is: people don't understand the law, they don't know laws exist…'.[179]

The Senate Committee recommended:

> *…that Australian governments ensure that:*
>
> - *the general public has a clear awareness and understanding of how existing criminal offences can be applied to cyberbullying behaviours;*
> - *law enforcement authorities appropriately investigate and prosecute serious cyberbullying complaints under either state or Commonwealth legislation, coordinate their investigations across jurisdictions where appropriate, and make the process clear for victims of cyberbullying.*[180]

During consultations the Taskforce heard of differing police responses to reports of cyberbullying in different regions of Queensland. Members of the public told the Taskforce that they felt dismissed by police when they attempted to report cyberbullying. School principals talked about attitudes that ranged from police who were highly responsive and willing to work with the school, student and parents; to police who showed no interest in concerns about cyberbullying among students.

Taskforce view

The Taskforce considers QPS should ensure responses to reports of cyberbullying are both supportive and consistent across the state. The Taskforce considers reporting should be as accessible as possible, and that any unnecessary barriers to reporting should be removed. To this end, we recommend the relevant police operational procedures are reviewed.

Recommendation 27

The Taskforce recommends the Queensland Police Service review its Operational Procedures Manual to ensure reports of cyberbullying incidents are appropriately and consistently investigated.

Protecting children from harm

Consultation

Principals, teachers and school guidance staff raised concerns about the complexity of mandatory reporting obligations under legislation in Queensland, particularly as they relate to reporting cyberbullying incidents. They spoke of their experience of responding to incidents of cyberbullying that affected or caused harm or risks of harm to students.

Principals talked about the notifications made by staff to the Department of Child Safety Youth and Women (Child Safety) or police following some incidents of cyberbullying. Some principals commented that assessing cyberbullying incidents and the harm or risk of harm to students can be complex, time-consuming and requires skills and expertise beyond their capacity. Others commented that legal advice is increasingly sought to assess whether mandatory reporting requirements applied to particular incidents of cyberbullying.

Child protection legislation and harm resulting from cyberbullying

The Taskforce recognises child protection is a complex area of law and practice. The Taskforce also recognises some serious cyberbullying raises child protection issues which warrant closer examination. It is unlikely the current child protection legislation would have contemplated the harm or risk of harm a child may suffer as a result of cyberbullying when mandatory reporting obligations were first enacted.

Guidance currently available for schools and school staff about reporting a suspicion that a child has been harmed or is at risk of suffering harm as a result of cyberbullying is not sufficiently clear. School staff are not authorised to formally investigate harm or suspected harm under student protection procedures.[181] Specified personnel currently must report harm, and risks of harm to Child Safety, and report sexual abuse or likely sexual abuse to police.

The legislation relevant to schools and teachers obligations is:

- *Child Protection Act 1999*–defines 'harm'; includes a requirement for teachers to report to Child Safety if they form a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering significant harm and may have no parent willing or able to protect them from the harm.
- *Education (General Provisions) Act 2006*–includes a requirement for staff members to make a report to police through the school principal where they become aware, or reasonably suspect that a student under 18 years has been sexually abused or is likely to suffer sexual abuse.
- *Education (Accreditation of Non-State Schools) Regulation 2017*–includes a requirement for non-state school governing bodies to ensure schools have written processes about how the school will respond to harm or allegations of harm to students under 18 years, including a process for reporting:
    - sexual abuse and likely sexual abuse in compliance with the *Education (General Provisions) Act 2006,* and
    - a 'reportable suspicion' of harm under the *Child Protection Act 1999.*

Taskforce view

The Taskforce acknowledges the concerns raised by principals and school staff. It considers clear guidance is needed for schools (and others) about the way child protection legislation applies to the harm (including sexual abuse or likely sexual abuse) and risk of harm from cyberbullying of children. The Taskforce recognises that teachers and schools have legal obligations to make certain reports, and notes that reports to Child Safety or QPS may have a significant impact on families and on the relationship between a child's family and the school.

Recommendation 28

The Taskforce recommends the Queensland Government:

- provide clear guidance to teachers, school staff and mandatory reporters on the application of child protection and other relevant legislation and guidelines for reporting requirements relating to harm and risk of harm from cyberbullying of a child
- provide additional support and resources to schools to assist with any changed expectations relating to any revisions to legislation, guidelines and procedures.

Need for 'right to be forgotten' law

Consultation

People who have had cyberbullying material posted and shared, including those whose intimate image has been shared without consent, experience considerable distress. Even if the image or content is removed from the original website or platform, it may still be available in web search results if it has been saved by others. The Taskforce heard of examples of material removed from social media, which some years later was easily found through a search engine.

European law

Following a 2014 case involving Google, the European Union General Data Protection Regulation (GDPR) was amended to include a 'right to be forgotten' or 'right to erasure'.[182] Under the GDPR, individuals have a right to request the removal of links to personal information from internet search engines.

A data controller (e.g. Google, Bing and Yahoo) must remove personal information where a person requests its removal. The personal data may include videos, photographs and other information.[183]

The right to erasure does not apply if the data processing is necessary to exercise the right of freedom of expression and information, comply with legal obligations, is in the public interest (i.e. scientific, historical, statistical research) or for the establishment, exercise or defence of legal claims. The right to erasure applies to the search engine (data controller) and does not extend to content that may be on a website, social media platform or elsewhere on the internet. As a consequence, the cyberbullying content will not be removed from the internet, but would not be accessible through a search engine. This would make it more difficult to locate.

Between May 2014 and February 2018 Google delisted 901,656 URLs (43.8 per cent of total requests). The majority of requests (88.6 per cent) were from individuals.[184]

Taskforce view

The Taskforce considers legislation to require removal of data from search engines would help to reduce the distress and harm that can result from cyberbullying material being readily found through search engines.

Recommendation 29

The Taskforce recommends that the Queensland Government advocate that the Commonwealth Government introduce 'right to be forgotten' or 'right to erasure' legislation in Australia.

APPENDICES

Appendix 1: Terms of Reference – Queensland Anti-Cyberbullying Taskforce

Context

The Queensland Government maintains a zero tolerance for bullying, in particular cyberbullying, and is committed to working with children, parents, schools, communities and experts to address this complex and pervasive issue.

Role of the Taskforce

The Queensland Anti-Cyberbullying Taskforce (the Taskforce) will provide advice and coordination in relation to developing and implementing an anti-cyberbullying framework for Queensland that will bring together children, parents, schools, communities and experts to counter cyberbullying of children and young people up to the age of 25. The Taskforce will work to foster creative community-driven solutions that use contemporary ways of engaging, including social media platforms and multimodal communication. Members will harness grassroots ideas and best-practice research to develop and oversee strategies and initiatives that address the complex causes of cyberbullying in the community. Workplace cyberbullying will be excluded from consideration.

Taskforce members will be key in developing and drawing on community relationships to ensure that everyone can be part of addressing these challenges. Empowering and engaging young people in particular, is a significant part of delivering effective solutions.

Responsibilities will include:

- develop a proposed Framework for Addressing Cyberbullying (the Framework), presenting recommendations for community and government action to reduce the incidence of cyberbullying, by 31 August 2018
- advise government on the development of a program of activities under the Framework
- advise government on resources, best practices and other strategies to prevent and address cyberbullying behaviour in order to provide appropriate training and intervention
- consult with the Queensland community to gain the insights of those affected by cyberbullying and harness grassroots ideas on ways to tackle the is
- educate and engage Queenslanders to create a community that practises positive attitudes and behaviours and promotes a culture of non-violence and respectful relationships
- act as a liaison point between the community and government to encourage ownership of initiatives.

Composition and membership

Membership will comprise of up to 16 members including:

- at least one member with expertise in each of the following areas:
    - education
    - social media/online communication
    - child and youth mental health
    - parenting
    - community groups, such as community sporting or youth clubs
- an MP nominated by the Premier and the Leader of the Opposition
- at least three youth representatives.

Additional representatives can be invited to attend to provide advice as required (including those from relevant Queensland Government agencies).

Appendix 2: Summary of eSafety Commissioner's role

The Office of the eSafety Commissioner was established by the *Enhancing Online Safety Act 2015* (Cth). The Office responds to reports of serious cyberbullying and offensive and illegal content (for example, child sexual abuse material, material that advocates a terrorist act or gratuitous, exploitative and offensive depictions of violence or sexual violence).

Reports of serious cyberbullying

Section 5 (1) of the *Enhancing Online Safety Act 2015* (Cth) specifies the conditions that material must satisfy to be 'cyberbullying material' or serious cyberbullying:

> *a) the material is provided on a social media service or relevant electronic service;*
> *b) an ordinary reasonable person would conclude that:*
> *i. it is likely that the material was intended to have an effect on a particular Australian child; and*
> *ii. the material would be likely to have the effect on the Australian child of seriously threatening, seriously intimidating, seriously harassing or seriously humiliating the Australian child;*
> *c) such other conditions (if any) as are set out in the legislative rules*[185]

Subsection 5(2) of the Act provides that the effect of cyberbullying material on a child may be direct or indirect, and subsections (3) and (4) exclude material posted lawfully and reasonably by a parent or other person in a position of authority over the child.[186]

The Office of the eSafety Commissioner takes 'a flexible approach so that children who are genuinely affected by cyberbullying material are protected.'[187] The cyberbullying material is considered, including its sensitivity, the language used, the impact of any audio or visual material, the number of potential views and how often it was posted. To be pursued material must be more than merely offensive or insulting.[188]

Making a report

Before a young person (or an adult on their behalf) reports cyberbullying to the Office of the eSafety Commissioner, a report must have been made to the social media service at least 48 hours earlier. Evidence of the cyberbullying material is required, and the eSafety website has videos about how to take screenshots, a guide to collecting evidence, and can help with collection.[189] Complaints can be made online, and an email to the complainant confirms receipt and notifies if the report will be investigated.[190] State school students, when using school computers, have access to a 'Report cyberbullying' icon which enables students to link to the eSafety Commissioner's website.

Response to reports of serious cyberbullying

The Office of the eSafety Commissioner most commonly responds to reports of serious cyberbullying under its Tier scheme. The Commissioner also has powers to require a person who posts serious cyberbullying material to remove it (under the end-user scheme). Some matters may be referred to a school or to law enforcement agencies.[191] The eSafety Commissioner has not used its formal powers to require a person who posts serious cyberbullying to remove it, and has not issued any civil penalties.

Tier scheme

Under the Tier scheme, the Office of the eSafety Commissioner works with social media services to help ensure the rapid removal of cyberbullying material. A social media service may volunteer to participate in 'Tier 1', and must comply with basic online safety requirements (the requirements under section 21 of the Act are that the social media terms of use prohibit cyberbullying, have a complaints scheme, and notify the Commissioner of a contact person). The Office of the eSafety Commissioner

and Tier 1 social media work cooperatively. Large social media services that are declared 'Tier 2' by the Minister may be subject to legally binding notices and civil penalties for non-compliance with requests from the Commissioner.[192]

If a complaint is made about material on a 'Tier 1' service, the Commissioner can ask the service to remove the material within 48 hours. 'Tier 2' services may be subject to more interventionist measures for failing to remove offending material, including civil penalties. To date, the Commissioner has not used its formal powers or issued any civil penalties.[193]

End-user notice scheme

Under the end-user notice scheme, the Commissioner can give notice to a person who posted cyberbullying material to remove it, refrain from posting cyberbullying material or apologise for posting the material.[194] If a person fails to comply with an end-user notice, the Commissioner may seek an injunction.[195] To date, the Commissioner has not issued any end-user notices. Instead, a hybrid approach has been taken, arranging for material to be taken down quickly and working with schools, parents and the relevant children and young people.[196]

Appendix 3: Summary of key support services for children and young people affected by cyberbullying

Some of the key support services that provide advice and support to young people affected by cyberbullying are described below.

School-based support services

Support service staff in state schools include guidance officers, speech-language pathologists, youth support coordinators, Community Education Counsellors, chaplains and student welfare workers, success coaches and registered nurses. Regional offices have dedicated coaches to work with schools in the areas of mental health, behaviour, autism and inclusion.

A similar range of student support services is provided by non-government schools. The range of staff varies between schools, and includes psychologists, social workers, personal and career counsellors, and chaplains and other pastoral care staff. Health services in non-government schools are often staffed by registered nurses employed by the school or governing organisation.

School based youth health nurses–state schools

School based youth health nurses are employed by Hospital and Health Services; 176 nurses are based in state secondary schools to deliver services in partnership with the Department of Education. School based nurses offer health assessment and support, health information and referrals.

Non-government services

Family support services

A wide range of non-government organisations (NGOs) provide family support, relationship counselling, crisis support and related services in locations across Queensland. They include large NGOs with services in multiple metropolitan and regional locations to small NGOs that provide services in a single location.

Legal advice

The National Children's and Youth Law Centre (NCYLC) is a community legal service for children and young people in Australia. Its services include *Lawmail,* which provides legal advice, assistance and referrals through an online portal. It also provides factsheets on a range of legal issues.[197]

NCYLC's *Lawmail* service responded to 538 legal matters from Queensland in 2017. Of these, 30 related to bullying, harassment or stalking matters, 23 related to image-based abuse and five related to consensual sexting matters.[198]

NCYLC told the Taskforce that information and advice-seeking about cyberharm make up about 11 per cent of all Queensland-based matters; cyberbullying appears to be the most prevalent form of cyberharm encountered, followed by image-based abuse.

Virtual support services

Kids Helpline is a 24/7 telephone and online counselling and support service for 5 to 25-year-olds. Kids Helpline and Parentline, a telephone counselling service for parents and carers, are provided by yourtown, a national non-government organisation.[199] yourtown told the Taskforce that cyberbullying has been the most common cyber safety concern that people have disclosed to Kids Helpline since 2016.[200] In 2017, five per cent of the 66,386 counselling contacts Kids Helpline responded to involved cyber safety concerns. Of these 31 per cent related to cyberbullying.[201]

Youth support services

Non-government youth support services are funded by the Department of Child Safety, Youth and Women to provide information and referral, and one-to-one support to young people aged 10 to 25 who are risk of disconnecting from family or support networks or disengaging from school or employment. Some young people may seek information, referral or support because of bullying or cyberbullying.

Aboriginal and Torres Strait Islander Family Wellbeing Services

The Department of Child Safety, Youth and Women funds Aboriginal and Torres Strait Islander Family Wellbeing Services, which are delivered by Aboriginal and Torres Strait Islander community controlled organisations. These services are culturally safe and responsive to their local communities and work alongside Aboriginal and Torres Strait Islander families to improve their social, emotional, physical and spiritual wellbeing.

LGBTIQ+ services

QLife provides counselling and referral services for lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) people. Early intervention and peer-supported services are delivered by telephone, web chat and internet forums.

Other relevant support services directly delivered by the Queensland Government

Ed-LinQ

Ed-LinQ aims to improve links between the education, primary care and mental health sectors to support early detection and collaborative management of mental health issues among school-aged children. Ed-LinQ coordinators are based in twelve Hospital and Health Services.

Child and Youth Mental Health Services (CYMHS)

CYMHS specialises in children and young people up to 18 years who have complex mental health needs. CYMHS offers both acute inpatient and community-based services across Queensland.

Appendix 4: Examples of existing sources of guidance for parents and carers about technology and social media

Some advice and guidance about technology and social media is available, however Taskforce consultations indicated that parents and carers are not aware of them, or the information is not readily accessible. Some examples of existing resources are provided below.

Guide to age appropriate screen time and social media use

- The Queensland Government's 'Early Years Count' website contains advice on managing children's screen time. http://www.earlyyearscount.earlychildhood.qld.gov.au/age-spaces/managing-childrens-screen-time/
- 'iParent', eSafety Commissioner website, contains infographics on "Should my child be on social media?" and "Is there an age limit for kids on social media?" https://esafety.gov.au/education-resources/iparent/staying-safe/social-networking/social-media-readiness
- The Australian Government Department of Health also provides advice on screen time. http://www.health.gov.au/internet/publications/publishing.nsf/Content/gug-indig-hb~inactivitiy

Smartphone and social media settings

- Some schools regularly make an IT teacher or expert available (such as two hours every week in the school library), to assist parents and carers with issues such as privacy settings or disabling certain features on smartphones.
- The eSafety Commissioner's website has a 'Games, apps and social network' page providing advice on the latest apps, how to protect personal information, and where to get further safety guidance. https://esafety.gov.au/esafety-information/games-apps-and-social-networking
- Popular social media platforms have online advice about settings and safety.

Appendix 5: Department of Education: Example policy – 'The use of personal technology devices at school'

[*Attachment to Exemplar Responsible Behaviour Plan*]

This policy reflects the importance the school places on students displaying courtesy, consideration and respect for others whenever they are using personal technology devices.

Personal Technology Devices include, but are not limited to, games devices (such as Portable gaming devices, Tamagotchis®, laptop computers, PDAs, Blackberrys®, cameras and/or voice recording devices (whether or not integrated with a mobile phone or MP3 player), mobile telephones, IPods® and devices of a similar nature.

Certain personal technology devices banned from school

Students must not bring valuable personal technology devices like cameras, digital video cameras orMP3 players to school as there is a risk of damage or theft. Such devices will be confiscated by school staff and may be collected at the end of the day from the school office. Breaches of this prohibition may result in discipline.

Confiscation

Permitted personal technology devices (describe these) used contrary to this policy on school premises will be confiscated by school staff. They will be made available for collection from the school office at the end of the school day unless required to be kept for purposes of disciplinary investigation, when it will only be returned in the presence of a parent.

Devices potentially containing evidence of criminal offences may be reported to the police. In such cases police may take possession of such devices for investigation purposes and students and parents will be advised to contact Queensland Police Service (QPS) directly.

Students who have a personal technology device confiscated more than once will not be permitted to have a personal technology device at school for at least one month, or longer if deemed necessary by the Principal.

Personal technology device etiquette

Bringing personal technology devices to school is not encouraged by the school because of the potential for theft and general distraction and/or disruption associated with them. However, if they are brought to school, they must be turned off and out of sight during assemblies or classes. Personal technology devices may be used at morning tea and lunch breaks and before and after school.

Recording voice and images

Every member of the school community should feel confident about participating fully and frankly in all aspects of school life without concern that their personal privacy is being invaded by them being recorded without their knowledge or consent.

We uphold the value of trust and the right to privacy at (school name). Students using personal technology devices to record inappropriate behaviours or incidents (such as vandalism, fighting, bullying, staged fighting or pranks etc) for the purpose of dissemination among the student body or outside the school, by any means (including distribution by phone or internet posting) builds a culture of distrust and disharmony.

Students must not record images anywhere that recording would not reasonably be considered appropriate (e.g. in change rooms, toilets or any other place where a reasonable person would expect to be afforded privacy). Recording of events in class is not permitted unless express consent is provided by the class teacher.

A student at school who uses a personal technology device to record private conversations, ordinary school activities (apart from social functions like graduation ceremonies) or violent, illegal or embarrassing matter capable of bringing the school into public disrepute is considered to be in breach of this policy.

Even where consent is obtained for such recording, the school will not tolerate images or sound captured by personal technology devices on the school premises or elsewhere being disseminated to others, if it is done for the purpose of causing embarrassment to individuals or the school, for the purpose of bullying or harassment, including racial and sexual harassment, or where without such intent a reasonable person would conclude that such outcomes may have or will occur.

Students may be subject to discipline (including suspension and recommendation for exclusion) if they breach the policy by being involved in recording and/or disseminating material (through text messaging, display, internet uploading or other means) or are knowingly the subject of such a recording.

Students should note that the recording or dissemination of images that are considered indecent (such as nudity or sexual acts involving children) are against the law and if detected by the school will result in a referral to QPS.

Text communication

The sending of text messages that contain obscene language and/or threats of violence may amount to bullying and or harassment or even stalking, and will subject the sender to discipline and possible referral to QPS. Students receiving such text messages at school should ensure they keep the message as evidence and bring the matter to the attention of the school office.

Assumption of cheating

Personal technology devices may not be taken into or used by students at exams or during class assessment unless expressly permitted by staff. Staff will assume students in possession of such devices during exams or assessments are cheating. Disciplinary action will be taken against any student who is caught using a personal technology device to cheat during exams or assessments.

Recording private conversations and the *Invasion of Privacy Act 1971*

It is important that all members of the school community understand that under the *Invasion of Privacy Act 1971*, 'a person is guilty of an offence against this Act if the person uses a listening device to overhear, record, monitor or listen to a private conversation'. It is also an offence under this Act for a person who has overheard, recorded, monitored or listened to a conversation to which s/he is not a party to publish or communicate the substance or meaning of the conversation to others.

Students need to understand that some conversations are private and therefore to overhear, record, monitor or listen to such private conversations may be in breach of this Act, unless consent to the recording is appropriately obtained.

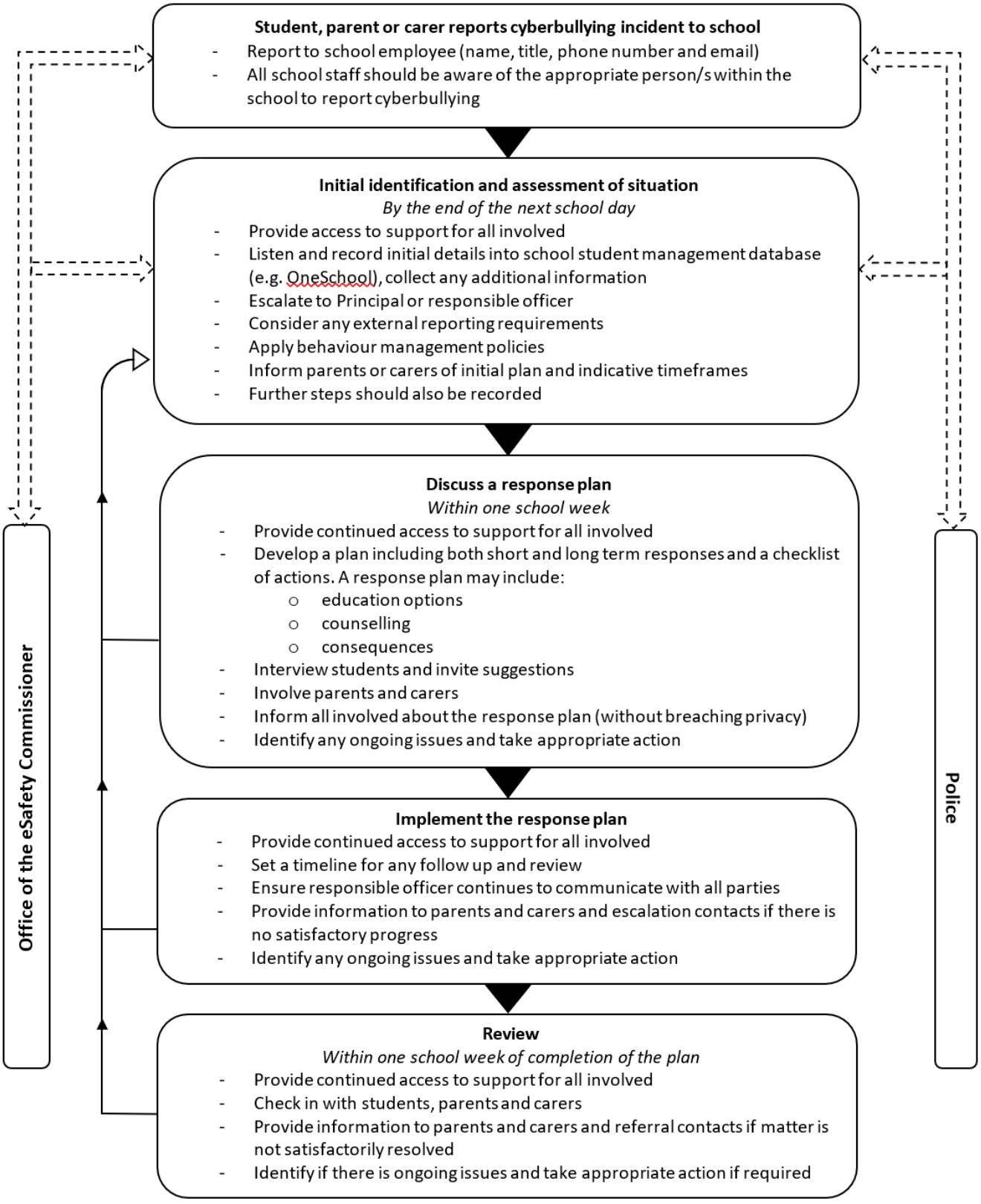
Special circumstances arrangement

Students who require the use of a personal technology device in circumstances that would contravene this policy (for example to assist with a medical condition or other disability or for a special project) should negotiate a special circumstances arrangement with the Deputy Principal or Principal.

Reference: Appendix 1 of 'Exemplar of a Responsible behaviour plan for students',
http://behaviour.education.qld.gov.au/disciplinary-decisions/responsible-behaviour-plan/Pages/default.aspx

Appendix 6: Example school response flowchart: reports of cyberbullying

Adapted from the Bullying. No Way! *School response flow chart: student bullying*, viewed 22 August 2018, https://bullyingnoway.gov.au/RespondingToBullying/Documents/flowchart-for-responding.pdf



Appendix 7: Extracts from university and TAFE policies relevant to cyberbullying

University of the Sunshine Coast

Social Media – managerial policy[202] encourages students who are being bullied to address their concerns through Student Grievance Resolution – Governing Policy, which may include mediation or lodging a formal grievance. Students are able to contact Student Wellbeing for personal assistance and support.

Anti-Discrimination and Freedom from Bullying and Harassment (Students) – Governing Policy[203] is a detailed policy which defines bullying, asserts the University's lack of tolerance of bullying behaviour, and outlines consequences and mechanisms for resolution of grievances. Some extracts from this policy appear below.

1. Purpose of policy

USC has a legal and moral responsibility to ensure that students are not subjected to behaviours or practices that may constitute discrimination, bullying or harassment.

3. Definitions

Bullying is repeated and unreasonable behaviour directed towards an individual or a group that creates a risk to health and safety.

Detailed below are examples of behaviours, whether intentional or unintentional, that may be regarded as bullying if they are repeated, unreasonable and create a risk to health and safety. This is not an exhaustive list – however, it does outline some of the more common types of behaviours. Examples include:

- Abusive, insulting or offensive language or comments
- Unjustified criticism or complaints
- Deliberately excluding someone from study-related activities
- Withholding information that is vital for effective study performance
- Denying access to information, supervision, consultation or resources to the detriment of a student
- Spreading misinformation or malicious rumours

Bullying can be carried out in a variety of ways including through email and text messaging or social media channels; directly or indirectly.

4. Principles

4.2 The University will not tolerate bullying, discrimination or harassment under any circumstances and the University will take all reasonable steps to eliminate such behaviours or actions towards students in reference to the USC Student Charter, or by students in accordance with the Student Conduct – Governing Policy.

4.5 The University will use educative approaches for the prevention of bullying, discrimination and harassment, ensuring students know their rights and responsibilities, and to encourage the reporting of behaviour that breaches this policy. The University will actively seek to adopt and promote inclusive and non-discriminatory language in all academic programs and in all communications to students, staff and the community.

4.6 Students who believe they are being bullied, harassed or discriminated against may address their concerns through the options for mediation in the initial informal steps of the Student Grievance Resolution – Governing Policy and associated Procedures. Normally decision makers should seek to resolve grievances of this nature through conciliation/mediation between the parties involved. However, there may be circumstances where this initial step is not appropriate.

4.7 If the bullying, harassment or discrimination persists without resolution through conciliation/mediation or more formal grievance processes, the respondent's behaviour may constitute misconduct. The University will take timely and appropriate action through the following procedures:

- in the case of a student making an allegation against a member of staff or other member of the University community – the Staff Code of Conduct – Governing Policy.
- in the case of a student making an allegation against another student – the Student Conduct – Governing Policy and Student General Misconduct – Procedures.

4.10 If bullying, harassing or discriminatory behaviour involves physical assault or the threat of physical assault, it should be reported to USC Security or Police, and support is available through Student Wellbeing.

University of Southern Queensland

Student Code of Conduct[204] states students will not engage in bullying conduct.

Central Queensland University

Social Media Policy[205] provides that the University takes a zero-tolerance approach to social media posts which engage in harassment or bullying and will remove content that is deemed unsuitable.

Student Behavioural Misconduct[206] procedures state that students have a responsibility to avoid bullying, aggressive, threatening, and abusive behaviour, including using social networking websites and University webpages and forums.

Student Charter[207] designates harassing behaviour as misconduct.

The University of Queensland

Acceptable use of UQ IT resources[208] provides that users of University ICT resources must be aware of bullying and cyberbullying procedures within the University and laws within Australia.

Australian Catholic University – Brisbane

Acceptable Use of IT Facilities[209] states that users of University IT resources must not use them inappropriately, including sending harassing messages or offensive material.

Southern Cross University

Anti-bullying/anti-harassment procedures found online were only relevant to the University workplace environment.

TAFE Queensland

Use of Facilities and Resources – Information technology and electronic resources[210] defines misuse of technology as including using IT resources to harass or bully.

Bond University

Social Media Policy[211] prohibits the publication of offensive comments about Bond University staff and students online. If these comments amount to cyberbullying, they could be deemed a disciplinary offence. Bullying and harassment is not tolerated and if proven will be deemed misconduct subject to disciplinary action.

Student Acceptable Use of ICT Facilities Policy[212] prohibits students from engaging in social media activities on the University network which are offensive or harassing as named in the policy.

Student Charter[213] provides that students should be able to expect to enjoy a bullying-free environment, and are expected to avoid bullying behaviour.

Griffith University

Information Technology Code of Practice[214] provides that communication systems including social media to engage in harassment or degradation, and overall that students should not create an atmosphere of harassment to others.

Student Charter provides that students can expect to engage with the University free from harassment and bullying, and that students must observe reasonable standards of behaviour including refraining from bullying.

James Cook University

Student Code of Conduct[215] requires students to not engage in bullying behaviour.

Student Charter[216] requires students to avoid conduct which may be perceived as or considered bullying.

REFERENCES

[1] Office of the eSafety Commissioner 2018, *Deal with sextortion*, viewed 8 August 2018, https://www.esafety.gov.au/image-based-abuse/action/remove-images-video/deal-with-sextortion

[2] Bullying. No Way! 2018, *Definition of bullying*, viewed 4 July 2018, https://bullyingnoway.gov.au/WhatIsBullying/DefinitionOfBullying

[3] United Kingdom Government 2018, *Government response to the Internet Safety Strategy Green Paper*, p. 13, viewed 4 July 2018, https://www.gov.uk/government/consultations/internet-safety-strategy-green-paper

[4] The Royal Foundation 2017, *The Duke of Cambridge Launches National Action Plan to tackle Cyberbullying*, viewed 30 July 2018, https://www.royalfoundation.com/duke-cambridge-launches-national-action-plan-tackle-cyberbullying/

[5] Province of Nova Scotia 2013, *Speak Up: An Action Plan To Address Bullying and Cyberbullying Behaviour*, viewed 4 July 2018, https://antibullying.novascotia.ca/sites/default/files/R1240223-AntibullyingActionPlan-WEB2.pdf

[6] Ministry of Education, Government of Saskatchewan 2013, *Saskatchewan's Action Plan to Address Bullying and Cyberbullying*, viewed 4 July 2018, http://publications.gov.sk.ca/documents/11/85652-Campeau%20Report%20on%20Bullying%20and%20Cyberbullying%20Final.pdf

[7] Council of Australian Governments 2018, *Meeting of the Council of Australian Governments*, communique, 9 February, Canberra, Australia, viewed 4 July 2018, https://www.coag.gov.au/sites/default/files/communique/coag-communique-february-2018.pdf

[8] Parliament of Australia, Senate Standing Committee on Legal and Constitutional Affairs, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 7, viewed 6 June 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying

[9] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 7, viewed 6 June 2018,

[10] Queensland Family and Child Commission, submission; Queensland Family and Child Commission 2018, *Youth Advisory Council*, viewed 2 August 2018, https://www.qfcc.qld.gov.au/our-people/youth-advisory-council

[11] Grace, 2018, G 'Students get the ear of the Education Minister', media release, viewed 2 August 2018, http://statements.qld.gov.au/Statement/2018/6/7/students-get-the-ear-of-the-education-minister

[12] Engagement Hub, Queensland Government 2018, *Queensland Youth eHub*, viewed 2 August 2018, https://e-hub.engagementhub.com.au/

[13] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 59, viewed 6 June 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying

[14] Australian Communications and Media Authority 2016, *Aussie teens and kids online*, viewed 9 July 2018, https://www.acma.gov.au/theACMA/engage-blogs/engage-blogs/Research-snapshots/Aussie-teens-and-kids-online

[15] Australian Bureau of Statistics 2018, *Household Use of Information Technology, Australia, 2016-17*, cat. no. 8146.0, viewed 9 July 2018, http://www.abs.gov.au/ausstats/abs@.nsf/mf/8146.0

[16] Sensis 2017, *Sensis Social Media Report 2017*, viewed 9 July 2018, https://www.sensis.com.au/asset/PDFdirectory/Sensis_Social_Media_Report_2017-Chapter-1.pdf

[17] Australian Psychological Society 2017, *Digital Me – a survey exploring the effect of social media and digital technology on Australians' wellbeing*, viewed 9 July 2018, https://compassforlife.org.au/wp/wp-content/uploads/2017/11/2017-APS-Digital-Me-survey-report.pdf

[18] Australian Psychological Society 2017, *Digital Me – a survey exploring the effect of social media and digital technology on Australians' wellbeing*, viewed 9 July 2018, https://compassforlife.org.au/wp/wp-content/uploads/2017/11/2017-APS-Digital-Me-survey-report.pdf

[19] Echeburua, E de Corral, P 2010 'Addiction to new technologies and to online social networking in young people: A new challenge', *Adicciones*, vol. 22, no. 2, pp. 91-95.

[20] Thomas, HJ, Connor, JP, Lawrence, DM, Hafekost, JM, Zubrick, SR & Scott, JG 2017, 'Prevalence and correlates of bullying victimisation and perpetration in a nationally representative sample of Australian youth', *Australian & New Zealand Journal of Psychiatry*, vol. 5, no. 9, pp. 909-920.

[21] Mundy, LK, Canterford, L, Kosola, S, Degenhardt, L, Allen, NB & Patton, GC 2017, 'Peer Victimization and Academic Performance in Primary School Children', *Academic Pediatrics*, vol. 17, no. 8, pp. 830-836.

[22] Cross, D, Shaw, T, Hearn, L, Epstein, M, Monks, H, Lester, L & Thomas, L 2009, *Australian Covert Bullying Prevalence Study*, Edith Cowan University, viewed 9 July 2018, https://docs.education.gov.au/system/files/doc/other/australian_covert_bullying_prevalence_study_executive_summary.pdf

[23] Ford, R, King, T, Priest, N & Kavanagh, A 2017, 'Bullying and mental health and suicidal behaviour among 14- to 15-year-olds in a representative sample of Australian children', *Australian & New Zealand Journal of Psychiatry*, vol. 51, no. 9, pp. 897–908.

[24] Rigby, K & Johnson, K 2016, *The prevalence and effectiveness of anti-bullying strategies employed in Australian schools*, University of South Australia, viewed 9 July 2018, https://www.unisa.edu.au/Global/EASS/EDS/184856%20Anti-bullying%20Report-FINAL-3large.pdf
[25] Royal Children's Hospital National Child Health Poll 2018, *Childhood bullying: How are parents coping?*, viewed 9 July 2018, https://www.rchpoll.org.au/polls/childhood-bullying-how-are-parents-coping/
[26] Office of the eSafety Commissioner 2016, *Young people's experience with online hate, bullying and violence*, viewed 9 July 2018, https://www.esafety.gov.au/education-resources/iparent/online-hate-infographic
[27] Katz, I, Keeley, M, Spears, B, Taddeo, C, Swirski, T & Bates, S 2014, *Research on youth exposure to, and management of, cyber-bullying incidents in Australia: Synthesis report*, Commonwealth Department of Communications, viewed 9 July 2018, https://www.communications.gov.au/publications/research-youth-exposure-and-management-cyber-bullying-incidents-australia-synthesis-report-june-2014
[28] Royal Children's Hospital National Child Health Poll 2018, *Childhood bullying: How are parents coping?*, viewed 9 July 2018, https://www.rchpoll.org.au/polls/childhood-bullying-how-are-parents-coping/
[29] yourtown, submission.
[30] Queensland Family and Child Commission 2018, *Growing up in Queensland*, viewed 30 August 2018, https://www.qfcc.qld.gov.au/kids/listening/growing-queensland
[31] Department of Communications and the Arts, Australian Government 2014, *Research on youth exposure to, and management of, cyber-bullying incidents in Australia: Synthesis report*, report, viewed 9 July 2018, https://www.communications.gov.au/publications/research-youth-exposure-and-management-cyber-bullying-incidents-australia-synthesis-report-june-2014
[32] Ford, R, King, T, Priest, N & Kavanagh, A 2017, 'Bullying and mental health and suicidal behaviour among 14- to 15-year-olds in a representative sample of Australian children', *Australian & New Zealand Journal of Psychiatry*, vol. 51, no. 9, pp. 897–908.
[33] Wensley, K & Campbell, M 2012, 'Heterosexual and Nonheterosexual Young University Students' Involvement in Traditional and Cyber Forms of Bullying', *Cyberpsychology, Behavior, and Social Networking*, vol. 15, no. 12, pp. 649-654.
[34] Faucher, C, Jackson, M & Cassidy, W 2014, 'Cyberbullying among University Students: Gendered Experiences, Impacts, and Perspectives', *Education Research International*, vol. 2014, viewed 9 July 2018, https://www.hindawi.com/journals/edri/2014/698545/
[35] Watts, LK, Wagner, J, Velasquez, B & Behrens, PI 2017, 'Cyberbullying in higher education: A literature review', *Computers in Human Behavior*, vol. 69, pp. 268-274.
[36] Katz, I, Keeley, M, Spears, B, Taddeo, C, Swirski, T & Bates, S 2014, *Research on youth exposure to, and management of, cyber-bullying incidents in Australia: Synthesis report*, Commonwealth Department of Communications, viewed 9 July 2018, https://www.communications.gov.au/publications/research-youth-exposure-and-management-cyber-bullying-incidents-australia-synthesis-report-june-2014
[37] Ford, R, King, T, Priest, N & Kavanagh, A 2017, 'Bullying and mental health and suicidal behaviour among 14- to 15-year-olds in a representative sample of Australian children', *Australian & New Zealand Journal of Psychiatry*, vol. 51, no. 9, pp. 897–908; Office of the eSafety Commissioner 2016, *Young people's experience with online hate, bullying and violence*, viewed 9 July 2018, https://www.esafety.gov.au/education-resources/iparent/online-hate-infographic; Cross, D, Shaw, T, Hearn, L, Epstein, M, Monks, H, Lester, L & Thomas, L 2009, *Australian Covert Bullying Prevalence Study*, Edith Cowan University, viewed 9 July 2018, https://docs.education.gov.au/system/files/doc/other/australian_covert_bullying_prevalence_study_executive_summary.pdf
[38] Elipe, P 2017, 'Homophobic Bullying and Cyberbullying: Study of a Silenced Problem', Journal of Homosexuality, vol 65, no. 5, pp672-686.
[39] Rigby, K & Johnson, K 2016, *The prevalence and effectiveness of anti-bullying strategies employed in Australian schools*, University of South Australia, viewed 9 July 2018, https://www.unisa.edu.au/Global/EASS/EDS/184856%20Anti-bullying%20Report-FINAL-3large.pdf; Children and Young People with Disability Australia 2017, *CYDA Education Survey 2017*, viewed 9 July 2018, http://www.cyda.org.au/education-survey-results-2017
[40] Campbell, M, Hwang, Y-S, Whiteford, C, Dillion-Wallace, J, Ashburner, J, Saggers, B & Carrington, S 2017, Bullying Prevalence in Students With Autism Spectrum Disorder, *Australasian Journal of Special Education*, vol. 41, no. 2, pp. 101-122.
[41] Campbell, M, Hwang, Y-S, Whiteford, C, Dillion-Wallace, J, Ashburner, J, Saggers, B & Carrington, S 2017, Bullying Prevalence in Students With Autism Spectrum Disorder, *Australasian Journal of Special Education*, vol. 41, no. 2, pp. 101-122.
[42] Rigby, K & Johnson, K 2016, *The prevalence and effectiveness of anti-bullying strategies employed in Australian schools*, University of South Australia, viewed 9 July 2018, https://www.unisa.edu.au/Global/EASS/EDS/184856%20Anti-bullying%20Report-FINAL-3large.pdf
[43] Campbell, M., Spears, B., Slee, P., Butler, D., Kift, S. n.d., *Victim's perceptions of traditional and cyberbullying, and* the *psychosocial correlates of their victimisation*, Queensland University of Technology, viewed 9 July 2018, https://eprints.qut.edu.au/53597/1/53597_CAMPBELL_Victims'_perceptions_ARTICLE.pdf
[44] Ford, R, King, T, Priest, N & Kavanagh, A 2017, 'Bullying and mental health and suicidal behaviour among 14- to 15-year-olds in a representative sample of Australian children', *Australian & New Zealand Journal of Psychiatry*, vol. 51, no. 9, pp. 897–908.

[45] Denham, R, McGee, TR, Eriksson, L, McGrath, J, Norman, R, Sawyer, M & Scott, J 2016, 'Frequent peer problems in Australian children and adolescents', *Journal of Aggression, Conflict and Peace Research*, vol. 8, no. 3, pp. 162-173.
[46] Queensland Family and Child Commission 2018, *Child Death Register Key Findings: Youth suicide in Queensland*, p. 3, viewed 9 July 2018, https://www.qfcc.qld.gov.au/sites/default/files/child-deaths-annual-report2016-17/Youth%20suicide%20in%20Queensland%20factsheet.pdf
[47] Borschmann, R, Stark, P, Prakash, C & Sawyer, SM 2018, 'Risk profile of young people admitted to hospital for suicidal behaviour in Melbourne, Australia' *Journal of Paediatrics and Child Health*, viewed 12 July 2018, https://onlinelibrary.wiley.com/doi/epdf/10.1111/jpc.13938
[48] Abdinasir, K, Hussey, M, Blow, M 2017, *Safety Net: Cyberbullying's impact on young people mental health Inquiry Report*, viewed 9 July 2018, https://www.childrenssociety.org.uk/sites/default/files/social-media-cyberbullying-inquiry-full-report_0.pdf
[49] Mundy, LK, Canterford, L, Kosola, S, Degenhardt, L, Allen, NB & Patton, GC 2017, 'Peer Victimization and Academic Performance in Primary School Children', *Academic Pediatrics*, vol. 17, no. 8, pp. 830-836.
[50] Young-Jones, A, Fursa, S, Byrket, JS, and Sly, JS 2015, 'Bullying affects more than feelings: the long-term implications of victimization on academic motivation in higher education', *Social Psychology of Education*, vol. 18, pp. 185–200.
[51] Royal Children's Hospital National Child Health Poll 2018, *Childhood bullying: How are parents coping?*, viewed 9 July 2018, https://www.rchpoll.org.au/polls/childhood-bullying-how-are-parents-coping/
[52] Thomas, HJ, Connor, JP, Lawrence, DM, Hafekost, JM, Zubrick, SR & Scott, JG 2017, 'Prevalence and correlates of bullying victimisation and perpetration in a nationally representative sample of Australian youth', *Australian & New Zealand Journal of Psychiatry*, vol. 5, no. 9, pp. 909-920.
[53] Queensland Parliament 2018, *Standing Rules and Orders of the Legislative Assembly*, viewed 4 July 2018, https://www.parliament.qld.gov.au/documents/assembly/procedures/StandingRules&Orders.pdf; Queensland Parliament 2018, *Ethics Committee*, viewed 4 July 2018, https://www.parliament.qld.gov.au/work-of-committees/committees/ETHICS
[54] See for example: Bucklow, A, 'My Kitchen Rules: Channel seven accused of promoting bullying', *News.com.au*, viewed 4 July 2018, https://www.news.com.au/entertainment/tv/reality-tv/my-kitchen-rules-channel-seven-accused-of-promoting-bullying/news-story/8dd68cd7feba5715adb264bedda0316b; Teh, M, 'Fans accuse My Kitchen Rules of bullying', *Over Sixty*, viewed 4 July 2018, https://www.oversixty.com.au/entertainment/tv/2018/03/fans-accuse-my-kitchen-rules-of-bullying/
[55] Australian Subscription Television & Radio Association 2013, *Australia Subscription Broadcast Television Codes of Practice*, viewed 4 July 2018, https://www.astra.org.au/pdf/news/ASTRA_Subscription_Broadcast_Television_Codes_of_Practice_2013_with_new_Appendix_A.pdf; Free TV 2018, *Commercial Television Code of Practice*, viewed 4 July 2018, http://www.freetv.com.au/media/Code_of_Practice/Free_TV_Commercial_Television_Industry_Code_of_Practice_2018.pdf; Australian Broadcasting Corporation 2016, *Code of Practice*, viewed 4 July 2018, http://about.abc.net.au/wp-content/uploads/2016/05/ABCCodeOfPractice2016-1.pdf; Special Broadcasting Service 2018, *SBS Codes of Practice*, viewed 4 July 2018, http://media.sbs.com.au/home/upload_media/site_20_rand_813673600_sbs_codes_of_practice_2014_30_march_2018_.pdf
[56] Australian Broadcasting Corporation 2014, *Television Program Classification Associated Standard*, viewed 4 July 2018, http://about.abc.net.au/wp-content/uploads/2014/01/ASTVClassification2014POL.pdf
[57] yourtown submission.
[58] Queensland Government 2018, *Bullying is not ok!*, viewed 27 August 2018, https://campaigns.premiers.qld.gov.au/antibullying/
[59] Queensland Government 2018, *Bullying*, viewed 27 August 2018, https://www.qld.gov.au/youth/being-safe-knowing-your-rights/bullying
[60] ReachOut Australia 2017, *Bullying and young Australians*, viewed 9 July 2018, http://about.au.reachout.com/wp-content/uploads/2017/01/Bullying-Research-Summary_FINAL.pdf
[61] Office of the eSafety Commissioner 2016, *Young people's experience with online hate, bullying and violence*, viewed 9 July 2018, https://www.esafety.gov.au/education-resources/iparent/online-hate-infographic
[62] Rigby, K & Johnson, K 2016, *The prevalence and effectiveness of anti-bullying strategies employed in Australian schools*, University of South Australia, viewed 9 July 2018, https://www.unisa.edu.au/Global/EASS/EDS/184856%20Anti-bullying%20Report-FINAL-3large.pdf
[63] Royal Australian and New Zealand College of Psychiatrists, submission.
[64] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 61, viewed 6 June 2018,
[65] Wakefield, M, Loken, B & Hornik, R 2010, 'Use of mass media campaigns to change health behaviour', *The Lancet*, vol. 376, no. 9748, pp. 1261–71, viewed 9 July 2018, http://www.ncbi.nlm.nih.gov/pubmed/20933263
[66] Domestic and Family Violence Implementation Council, 2017, *Stop the Hurting – End Domestic Violence Youth Campaign Evaluation.*
[67] See for example, Commonwealth of Australia 2011, *Before it's too late: Report on early intervention programs aimed at preventing youth suicide*, viewed 19 July 2018, p. 17, https://www.aph.gov.au/parliamentary_business/committees/house_of_representatives_committees?url=haa/./youthsuicide/report.htm

[68] Australian Press Council, *Specific Standards on Coverage of Suicide*, viewed 5 July 2018, https://www.presscouncil.org.au/uploads/52321/ufiles/SPECIFIC_STANDARDS_SUICIDE_-_July_2014.pdf
[69] Mindframe, *Program objectives*, viewed 19 July 2018, http://www.mindframe-media.info/home/about-mindframe
[70] Australian Sports Commission 2018, *Child Safe Sport Toolkit*, viewed 19 July 2018, https://www.ausport.gov.au/supporting/integrity_in_sport/child_safe_sport/child_safe_sport_framework_toolkit
[71] Play by the Rules 2018, *About Play by the Rules*, viewed 6 July 2018, https://www.playbytherules.net.au/about-pbtr
[72] Play by the Rules 2018, *Social media issues*, viewed 11 July 2018, https://www.playbytherules.net.au/got-an-issue/social-media/social-media-issues; Play by the Rules 2018, *eSafety and sport – using technology to best advantage*, viewed 11 July 2018, https://www.playbytherules.net.au/resources/articles/esafety
[73] Australian Sports Commission 2016, 'Member Protection Policy Template for National Sporting Organisations', *Member Protection*, viewed 4 July 2018, https://www.ausport.gov.au/supporting/integrity_in_sport/member_and_child_protection
[74] Australian Sports Commission 2018, *Child Safe Sport Toolkit*, viewed 19 July 2018, s. 6.9 and 6.10 https://www.ausport.gov.au/supporting/integrity_in_sport/child_safe_sport/child_safe_sport_framework_toolkit
[75] Netball Queensland 2014, 'Netball Queensland Member Protection Policy', *Resources, Policies and Guidelines*, viewed 4 July 2018, https://s3-ap-southeast-2.amazonaws.com/netball-wp-assets/wp-content/uploads/sites/9/2013/09/18154448/Netball-QLD-Member-Protection-Policy.pdf; National Rugby League 2015, 'National Rugby League Member Protection Policy', *Policies and Guidelines*, viewed 4 July 2018, https://playnrl.com/media/1939/nrl-member-protection-policy-revised-27072015-002.pdf; Rugby Australia 2015, 'Rugby AU Member Protection Policy', *Policy Register*, viewed 4 July 2018, http://www.rugbyaustralia.com.au/Portals/33/Policy%20Register/Governance/Rugby%20AU%20Member%20Protection%20Policy.pdf; Basketball Australia 2018, 'Member Protection Policy', *National Integrity Framework*, viewed 4 July 2018, http://basketball.net.au/wp-content/uploads/2018/06/BA-Member-Protection-Policy-Revised-June-2018.pdf
[76] AFL Queensland 2018, 'AFL Queensland Social Networking Site Policy', *Polices, Rules & Regulations*, viewed 4 July 2018, http://aflq.com.au/wp-content/uploads/2015/03/AFL_Queensland_Social_Networking_Site_Policy.pdf; AFL Queensland 2018, 'AFL Queensland Representative Under Age Code of Conduct', *Politics, Rules & Regulations*, viewed 4 July 2018, http://aflq.com.au/wp-content/uploads/2015/03/Representative_Under_Age_Code_of_Conduct_Booklet.pdf
[77] Sasktel 2018, *I Am Stronger Grant Criteria*, viewed 20 July 2018, http://iamstronger.ca/pages/grants
[78] Queensland Family and Child Commission, submission.
[79] MacKay, W A 2012, 'Respectful Relationships: There's No App for That (The Report of the Nova Scotia Taskforce on Bullying and Cyberbullying)', Nova Scotia Task Force on Bullying and Cyberbullying, February 29, viewed 6 July 2018, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2123494
[80] Isaesser, C, Russell, B, McCauley Ohannessian, C & Patton, D 2017, 'Parenting in a digital age: A review of parents' role in preventing adolescent cyberbullying' *Aggression and Violent Behavior*, vol. 35, pp. 62-72.
[81] Isaesser, C, Russell, B, McCauley Ohannessian, C & Patton, D 2017, 'Parenting in a digital age: A review of parents' role in preventing adolescent cyberbullying' *Aggression and Violent Behavior*, vol. 35, pp. 62-72.
[82] Bullying. No Way!, *If your child is bullying others*, viewed 31 July 2018, https://bullyingnoway.gov.au/RespondingToBullying/Parents/Pages/ChildBullyingOthers.aspx
[83] Office of the eSafety Commissioner 2018, *How do I know if my child is being cyberbullied?*, viewed 30 July 2018, https://esafety.gov.au/education-resources/iparent/online-risks/cyberbullying/how-do-i-know-if-my-child-is-being-cyberbullied
[84] Office of the eSafety Commissioner 2018, *Cyberbullying*, viewed 30 July 2018, https://esafety.gov.au/education-resources/iparent/online-risks/cyberbullying
[85] Kaminski JW, Valle LA, Filene JH, Boyle CL, 2008; A meta-analytic review of components associated with parent training program effectiveness, *J. Abnormal. Child Psychology*. 36: 567 – 89 vol. 36, pp. 567-589
[86] Australian Psychological Society 2017 *Digital Me – a survey exploring the effect of social media and digital technology on Australians' wellbeing*, viewed on 1 August 2018, http://compassforlife.org.au/wp/wp-content/uploads/2017/11/2017-APS-Digital-Me-survey-report.pdf
[87] Rigby, K & Griffiths, C 2018, 'Addressing traditional school-based bullying more effectively', in Campbell, M & Bauman, S (eds.) 2018, *Reducing Cyberbullying in Schools: International Evidence-Based Best Practice*, Elsevier, London; NSW Centre for Education Statistics and Evaluation 2017, *Anti-bullying interventions in schools – what works?*, viewed 12 July 2018, https://education.nsw.gov.au/student-wellbeing/media/documents/attendance-behaviour-engagement/behaviour/Anti-Bullying-in-Schools_What-Works.pdf
[88] Ttofi, MM & Farrington, DP 2011, 'Effectiveness of school-based programs to reduce bullying: a systematic and meta-analytic review', *Journal of Experimental Criminology*, vol. 7, pp. 27-56, viewed 9 July 2018, http://njbullying.org/documents/ttofifarrington2011.pdf
[89] Ttofi, MM & Farrington, DP 2011, 'Effectiveness of school-based programs to reduce bullying: a systematic and meta-analytic review', *Journal of Experimental Criminology*, vol. 7, pp. 27-56, viewed 9 July 2018, http://njbullying.org/documents/ttofifarrington2011.pdf
[90] Axford, N, Farrington, DP, Clarkson, S, Bjornstad, GJ, Wrigley, Z & Hutchings, J 2015, 'Involving parents in school-based programmes to prevent and reduce bullying: what effect does it have?', *Journal of Children's Services*, vol. 10, no. 3, pp. 242-251.
[91] Department of Education 2018, *Providing the Australian Curriculum in Prep to Year 10 in Queensland state schools from 2017*, viewed 2 July 2018, http://education.qld.gov.au/curriculum/framework/p-12/docs/providing-curriculum.pdf

[92] Department of Education 2017, *Curriculum*, viewed 2 July 2018, http://education.qld.gov.au/curriculum/
[93] Australian Curriculum, Assessment and Reporting Authority 2017, *Learning areas*, viewed 2 July 2018, https://australiancurriculum.edu.au/f-10-curriculum/learning-areas/
[94] Australian Curriculum, Assessment and Reporting Authority, *Australian Curriculum: Health and Physical Education focus areas*, n.d., viewed 2 July 2018, http://docs.acara.edu.au/resources/HPE_-_Focus_Areas.pdf
[95] Department of Education 2018, *Curriculum into the Classroom*, viewed 2 July 2018, http://education.qld.gov.au/c2c/
[96] Department of Education 2018, 9 March, Correspondence.
[97] Department of Education 2018, 9 March, Correspondence.
[98] Office of the eSafety Commissioner 2018, *Find an online safety program*, viewed 5 July 2018, https://www.esafety.gov.au/education-resources/certified-training-providers/find-an-online-safety-program
[99] Australian Government 2018, *Through Growth to Achievement – Report of the Review to Achieve Educational Excellence in Australian Schools*, report, viewed 13 August 2018, https://docs.education.gov.au/system/files/doc/other/662684_tgta_accessible_final_0.pdf
[100] Department of Education 2018, *Responsible behaviour plan for students*, viewed 25 July 2018, http://behaviour.education.qld.gov.au/disciplinary-decisions/responsible-behaviour-plan/Pages/default.aspx
[101] Department of Education, 'The use of personal technology devices at school' Appendix 1 in 'Exemplar of a Responsible behaviour plan for students', viewed 25 July 2018, http://behaviour.education.qld.gov.au/disciplinary-decisions/responsible-behaviour-plan/Pages/default.aspx
[102] Department of Education 2018, *Bring Your Own 'x'*, viewed 25 July 2018, https://byox.eq.edu.au/Pages/default.aspx
[103] Fisher, D & Frey, N 2010, 'Preparing students for mastery of 21st century skills', in JA Bellanca & RS Brandt (eds.), *21st century skills: Rethinking how students learn,* Solution Tree, Bloomington, pp. 221–240; Katz, JE 2005, 'Mobile phones in educational settings', in K Nyiri (ed.), *A sense of place: The global and the local in mobile communication*, Passagen Verlag, Vienna, pp. 305–317; Sharples, M, Taylor, J & Vavoula, G 2007, 'A theory of learning for the mobile age', in R Andrews & C Haythornthwaite (eds.), *The Sage handbook of e-learning research*, Sage Publications, London, pp. 221–247; Walker, R 2013, '"I don't think I would be where I am right now": Pupil perspectives on using mobile devices for learning', *Research in Learning Technology*, vol. 21, pp. 1-12.
[104] Couvillon, MA & Ilieva, V 2011, 'Recommended practices: A review of school wide preventative programs and strategies on cyberbullying', *Preventing School Failure*, vol. 55, no. 2, pp. 96-101; Thomas, KM & McGee, CD 2012, 'The only thing we have to fear is…120 characters', *TechTrends*, vol. 56, no. 1, pp. 19-33.
[105] Lenhart, A, Ling, R, Campbell, S & Purcell, K 2010, 'Teens and Mobile Phones', *Pew Research Center*, viewed 23 July 2018, http://www.pewinternet.org/2010/04/20/teens-and-mobile-phones/
[106] Pfetsch, Steffgen, & Konig 2009, cited in Chen, B 2017, *The New Era of Bullying: A Phenomenological Study of University Students' Experience with Cyberbullying*, Department of Communication – University of Ottawa, viewed 7 August, https://ruor.uottawa.ca/bitstream/10393/35772/1/Chen_Bowie_2017_Thesis.pdf
[107] ABC News 2018, 'France passes new law banning smartphones, tablets and smartwatches in schools', *ABC News*, 1 August, viewed 7 August 2018, http://www.abc.net.au/news/2018-08-01/france-bans-smartphones-and-tablets-in-classrooms/10060590
[108] Catholic Secondary Principals Association of Queensland, submission.
[109] Officials from Ministry of Education, Saskatchewan 2018, Communication with Taskforce secretariat
[110] Ttofi, MM & Farrington, DP 2011, 'Effectiveness of school-based programs to reduce bullying: a systematic and meta-analytic review', *Journal of Experimental Criminology*, vol. 7, pp. 27-56, viewed 9 July 2018, http://njbullying.org/documents/ttofifarrington2011.pdf
[111] Benitez, JL, Garcia-Berben, A & Fernandez-Cabezas, M 2009, 'The Impact of a Course on Bullying within the Pre-Service Teacher Training Curriculum', *Electronic Journal of Research in Educational Psychology*, vol. 7, no. 1, pp. 191-207, viewed 9 July 2018, https://eric.ed.gov/?id=EJ836578; Ihnat, L & Smith, JD 2013, 'Solutions for Bullying: Intervention Training for Pre-service Teachers', *Journal of Teaching and Learning*, vol. 9, viewed 9 July 2018, https://www.researchgate.net/publication/316056068_Solutions_for_Bullying_Intervention_Training_for_Pre-service_Teachers
[112] Ahn, H-J, Rodkin, PC & Gest, S 2013, 'Teacher–Student Agreement on "Bullies and Kids They Pick On' in Elementary School Classrooms: Gender and Grade Differences', *Theory Into Practice*, vol. 52, no. 4, pp. 257-263.
[113] Redmond, P, Lock, J & Smart, V 2017, 'Pre-Service Teachers' Perceptions about Identifying, Managing and Preventing Cyberbullying', viewed 9 July 2018, https://eprints.usq.edu.au/33162/1/cyberbullying.docx
[114] Office of the eSafety Commissioner, *Pre-service Teacher program*, viewed 9 July 2018, https://www.esafety.gov.au/education-resources/outreach/pre-service-teacher-program
[115] Australian Institute for Teaching and School Leadership, *Accreditation of initial teacher education programs in Australia: Standards and Procedures*, December 2015, viewed 28 August 2018, https://www.aitsl.edu.au/tools-resources/resource/accreditation-of-initial-teacher-education-programs-in-australia---standards-and-procedures
[116] *Commonwealth v Introvigne* (1982) CLR 258.
[117] *Oyston v St Patrick's College* [2013] NSWCA 135.
[118] Department of Education 2018, *Responsible behaviour plan for students*, viewed 16 July 2018, http://behaviour.education.qld.gov.au/disciplinary-decisions/responsible-behaviour-plan/Pages/default.aspx
[119] Department of Education 2018, *Responsible behaviour plan for students*, viewed 16 July 2018, http://behaviour.education.qld.gov.au/disciplinary-decisions/responsible-behaviour-plan/Pages/default.aspx

[120] *Education (Accreditation of Non-State Schools) Regulation 2017*, s 16.
[121] Independent Schools Queensland, *Student Support*, viewed 16 July 2018, https://www.isq.qld.edu.au/our-work-with-schools/student-support
[122] See for example: Catholic Education Diocese of Cairns 2013, *Student Anti-Bullying Policy*, viewed 16 July 2018, http://www.cns.catholic.edu.au/wp-content/uploads/2013/10/Student-Anti-Bullying.pdf; Brisbane Catholic Education 2014, *Preventing and Responding to Student Bullying in Schools*, viewed 16 July 2018, http://www.bne.catholic.edu.au/students-parents/Pages/Preventing-and-Responding-to-Student-Bullying-in-Schools.aspx
[123] Queensland Catholic Education Commission, *Student Wellbeing*, viewed 16 July 2018, https://www.isq.qld.edu.au/our-work-with-schools/student-support
[124] Hall, W 2016, *The Effectiveness of* Policy Interventions for School Bullying: A Systematic Review, *Journal of the Society for Social Work and Research*, viewed 22 July 2018, https://www.journals.uchicago.edu/doi/full/10.1086/690565
[125] Okonofua, JA, Paunesku, D, & Walton, GM 2016, 'Brief intervention to encourage empathic discipline cuts suspension rates in half among adolescents', *Proceedings of the National Academy of Sciences*, vol. 113, no. 19, pp. 5221-5226, viewed 9 July 2018, http://www.pnas.org/content/pnas/113/19/5221.full.pdf
[126] Independent Office for School Dispute Resolution viewed 9 August 2018, https://www.schoolresolution.vic.gov.au/Pages/default.aspx
[127] Hadwen, K 2015, *Leaving home: Investigating transitioning challenges faced by boarding students and their families*, Edith Cowan University.
[128] Hadwen, K 2015, *Leaving home: Investigating transitioning challenges faced by boarding students and their families*, Edith Cowan University.
[129] Queensland Government response to the Royal Commission into Institutional Responses to Child Sexual Abuse, June 2018, p. 50, viewed 27 July 2018, http://www.parliament.qld.gov.au/documents/tableOffice/TabledPapers/2018/5618T902.pdf
[130] Wozencroft, K, Campbell, M, Orel, A, Kimpton, M, and Leong, E, 2015, 'University Students' Intentions to Report Cyberbullying', *Australian Journal of Educational & Developmental Psychology*, vol. 15, no. 1, pp. 1-12.
[131] For example, James Cook University, *Take a Stand*, viewed 10 July 2018, http://www.preventcyberbullyingjcu.com.au/;
[132] Australian Human Rights Commission 2017, *Change The Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, viewed 31 July 2018, https://www.humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and-sexual
[133] Australian Human Rights Commission 2017, *Change The Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, viewed 31 July 2018, https://www.humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and-sexual; Universities Australia 2017, *10-Point Action Plan,* viewed 20 July 2018, https://www.universitiesaustralia.edu.au/uni-participation-quality/students/Student-safety/Respect--Now--Always-#.W1GAVtIzaUk
[134] Universities Australia 2018, *Guidelines for university responses to reports of sexual assault and sexual harassment*, viewed 20 July 2018, https://www.universitiesaustralia.edu.au/Media-and-Events/media-releases/Students-at-the-centre--new-guidelines-for-university-responses-to-sexual-harassment-and-sexual-assault#.W1FlkdIzaUk
[135] Whittaker, E & Kowalski, R 2014, 'Cyberbullying Via Social Media', *Journal of School Violence*, vol. 14, no. 1, pp. 11-29.
[136] Hinduja S, Patchin JW. 2010. 'Bullying, cyberbullying, and suicide'. Arch Suicide *Res.* viewed https://www.ncbi.nlm.nih.gov/pubmed/20658375
[137] Facebook, *Terms of Service*, viewed 11 June 2018, https://www.facebook.com/terms.php; Graber, D 2014 '3 Reasons Why Social Media Age Restrictions Matter' *Huffington Post*, viewed 11 June 2018, https://www.huffingtonpost.com/diana-graber/3-reasons-why-social-media-age-restrictions-matter_b_5935924.html
[138] *Children's Online Privacy Protection Act of 1998* (US).
[139] Livingstone, S & Olafsson, K & Staksrud, E 2011, 'Social Networking, Age and Privacy', *EU Kids Online*, viewed 29 June 2018, http://www.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20II%20(2009-11)/EUKidsOnlineIIReports/ShortSNS.pdf
[140] Van de Poel, I & Robaey, Z 2017, 'Safe-by-Design: from Safety to Responsibility', NanoEthics, vol. 11, no. 3, pp. 297-306.
[141] Office of the eSafety Commissioner, *Safety by design – embedding protection for online users at the design stage*, viewed 7 June 2018, https://esafety.gov.au/about-the-office/newsroom/blog/safety-by-design-embedding-protection-for-online-users-at-the-design-stage
[142]Aljohani, M, Nisbet, A, & Blincoe, K 2016, 'A survey of social media users privacy settings & information disclosure', *Edith Cowan University Research Online*, viewed 20 June 2018, http://ro.ecu.edu.au/cgi/viewcontent.cgi?article=1198&context=ism
[143] Facebook 2018, *It's Time to Make Our Privacy Tools Easier to Find*, viewed 21 June 2018, https://newsroom.fb.com/news/2018/03/privacy-shortcuts/
[144] Facebook 2018, *Safety Center*, viewed 15 June 2018, https://www.facebook.com/safety/bullying
[145] Facebook & Media Smarts 2013, *Think Before you Share Guide*, viewed 16 June 2018, https://mediasmarts.ca/sites/mediasmarts/files/pdfs/tipsheet/TipSheet_Think_Before_You_Share.pdf
[146] Facebook and Samaritans 2014, *Help A Friend in Need Guide*, viewed 16 June 2018, http://www.samaritans.org/sites/default/files/kcfinder/files/help-a-friend-in-need.pdf

[147] Instagram and Headspace 2014, *A Parents' Guide to Instagram*, viewed 16 June 2018, https://scontent-syd2-1.xx.fbcdn.net/v/t39.2365-6/10574680_582159911917452_1678490151_n.pdf?_nc_cat=0&oh=7526eef5d362dba16d0dd87747a67ce4&oe=5BBAB83E
[148] Facebook 2018, *Community Guidelines*, viewed 21 June 2018, https://www.facebook.com/communitystandards
[149] YouTube 2018, *Community Guidelines*, viewed 21 June 2018, https://www.youtube.com/yt/about/policies/#community-guidelines
[150] YouTube, *Harassment and cyberbullying policy*, viewed 17 July 2018, https://support.google.com/youtube/answer/2802268?hl=en
[151] Snap Inc. 2018, *Community Guidelines*, viewed 21 June 2018, https://support.snapchat.com/en-US/a/guidelines
[152] Snap Inc. 2018, *When does Snapchat delete Snaps and Chats*, viewed 13 August 2018, https://support.snapchat.com/en-US/a/when-are-snaps-chats-deleted
[153] Reynolds, K & Kontostathis, 2012, 'Using Machine Learning to Detect Cyberbullying', *Ursinus College*, viewed 23 June 2018, http://webpages.ursinus.edu/akontostathis/ReynoldsHonors.pdf
[154] Parliament of Australia, 2018, *Senate Standing Committee on Legal and Constitutional Affairs – Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, public hearing, 9 February, Ms. Inman Grant, eSafety Commissioner, p. 61, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying/Public_Hearings
[155] Whittaker, E & Kowalski, R 2014, 'Cyberbullying Via Social Media', *Journal of School Violence*, vol. 14, no. 1, pp. 11-29.
[156] Crawford, K & Gillespie, T, 2016, 'What is a flag for? Social media reporting tools and the vocabulary of complaint', *SAGE Publications*, viewed 20 June 2018, http://journals.sagepub.com/doi/abs/10.1177/1461444814543163
[157] Office of the eSafety Commissioner, *Report cyberbullying*, viewed 1 July 2018, https://www.esafety.gov.au/reportcyberbullying
[158] Parliament of Australia, Senate Standing Committee on Legal and Constitutional Affairs, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, ch. 5 https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[159] Facebook 2018, *Community Standards Enforcement Preliminary Report*, viewed 8 June 2018, https://transparency.facebook.com/community-standards-enforcement
[160] See for example: Kids Matter, *Making decisions*, viewed 9 July 2018, https://www.kidsmatter.edu.au/mental-health-matters/social-and-emotional-learning/making-decisions
[161] See for example: Ontario Ministry of Children and Youth Services 2008, *Review of the Roots of Youth Violence: Literature Reviews*, viewed 9 July 2018, http://www.children.gov.on.ca/htdocs/English/professionals/oyap/roots/volume5/preventing04_deterrence.aspx
[162] *Youth Justice Act 1992 (Qld),* s 175.
[163] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 60 https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[164] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 60 https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[165] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 60 https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[166] *Monis v The Queen; Droudis v The Queen* [2013] HCA 4, [310].
[167] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 32 https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[168] Attorney-General's Department (Cwth), Submission 20 to Senate Legal and Constitutional Affairs References Committee, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 7, viewed 12 July 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying/Submissions
[169] Attorney-General's Department (Cwth), Submission 20 to Senate Legal and Constitutional Affairs References Committee, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 167, viewed 12 July 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying/Submissions
[170] Kift, S, Campbell, M, Butler, D 2010, 'Cyberbullying in Social Networking Sites and Blogs: Legal Issues for Young People and Schools', *Journal of Law, Information and Science*, vol. 20, no. 2, viewed 12 July 2018, http://www.austlii.edu.au/au/journals/JlLawInfoSci/2010/13.html
[171] See for example: Horyniak, D et. al 2015, Prevalence, correlates and attitudes towards sexting among young people in Melbourne, Australia, *Sexual Health*, viewed 24 July 2018, http://dx.doi.org/10.1071/SH14032
[172] *Crimes Act 1900 (*NSW*)*, s 60E.

[173] *Crimes Act 1900 (*NSW), s 60 D(2).
[174] ACORN is an initiative of Commonwealth, state and territory governments, and includes state and territory police agencies, the eSafety Commissioner, the Australian Communications and Media Authority, Attorney-General's Department, and the Australian Criminal Intelligence Commission. Australian Government 2018, *About the ACORN*, viewed 17 July 2018, https://www.acorn.gov.au/about-acorn
[175] Australian Government 2018, *Cyber-bullying*, viewed 17 July 2018, https://www.acorn.gov.au/learn-about-cybercrime/cyber-bullying
[176] Australian Government 2018, *FAQs*, viewed 17 July 2018, https://www.acorn.gov.au/faq
[177] Queensland Police Service 2018, *Operational Procedures Manual, Issue 64, Public Edition*, 25 May, Chapter 2, viewed 22 July 2018, https://www.police.qld.gov.au/corporatedocs/OperationalPolicies/opm.htm
[178] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p.387, viewed 6 June 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying p.
[179] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 41, viewed 6 June 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[180] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 60, viewed 6 June 2018, https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Cyberbullying
[181] For example, the Department of Education *Student protection* procedure states that employees are not authorised to investigate a student protection concern; 'investigation' is defined to include 'carrying out a systematic or formal inquiry into a student protection matter, including interviewing people, examining the facts of a student protection report; or making a determination about whether a child is in need of protection.' Department of Education 2018, *Student protection Procedure*, viewed 2 August 2018, http://ppr.det.qld.gov.au/education/community/Procedure%20Attachments/Student%20Protection/student-protection.pdf
[182] *Google Spain SL and Google Inc. v Agencia Española de Protección de Datos (AEPD) and Mario Costeja González* (C-131/12) [2014] ECJ 317. See also case summary: Vassall-Adams, G 2014 *Case comment: Google Spain SL, Google Inc v Agencia Espanola de Proteccion de Datos, Mario Costeja Conzalez*, viewed 12 July 2018, https://eutopialaw.com/2014/05/16/case-comment-google-spain-sl-google-inc-v-agencia-espanola-de-proteccion-de-datos-mario-costeja-gonzalez/
[183] Minc, A 2017, *Is the "Right to be Forgotten Law"* Ever Coming to America?, *Minc*, viewed 6 July 2018, https://www.minclaw.com/right-to-be-forgotten/
[184] Google 2018, *Google Transparency Report*, viewed 6 July 2018, https://transparencyreport.google.com/eu-privacy/overview?delisted_urls=start:1401321600000;end:1519862399999;country:IT&lu=submitter_types&submitter_types=&lu=delisted_urls
[185] *Enhancing Online Safety Act 2015* (Cth).
[186] *Enhancing Online Safety Act 2015* (Cth).
[187] Office of the eSafety Commissioner 2018, *Information Guide: Cyberbullying complaints handling, Version 4*, viewed online 9 July 2018, https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/complaint-resolution-process
[188] Office of the eSafety Commissioner 2018, *Information Guide: Cyberbullying complaints handling, Version 4*, viewed online 9 July 2018, https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/complaint-resolution-process
[189] Office of the eSafety Commissioner 2018, *Cyberbullying complaints,* viewed 9 July 2018, https://submit.esafety.gov.au/Produce/wizard/ca3acccd-07bf-4a12-9c0e-f93e50a46ab6?portal=1
[190] Office of the eSafety Commissioner 2018, *Information Guide: Cyberbullying complaints handling, Version 4*, viewed online 9 July 2018, https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/complaint-resolution-process
[191] Office of the eSafety Commissioner 2018, *Information Guide: Cyberbullying complaints handling, Version 4*, viewed online 9 July 2018, https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/complaint-resolution-process
[192] Office of the eSafety Commissioner 2018, *About Tier 1 of the scheme*, viewed 22 July 2018, https://www.esafety.gov.au/social-media-regulation/about-tier-1-of-the-scheme
[193] Parliament of Australia, Senate Legal and Constitutional Affairs References Committee, 2018, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, p. 7, viewed 6 June 2018,
[194] Office of the eSafety Commissioner, submission 13 to Senate Legal and Constitutional Affairs References Committee, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, viewed 12 July 2018.

[195] *Enhancing Online Safety Act 2015* (Cth), s 48.
[196] Office of the eSafety Commissioner, submission 13 to Senate Legal and Constitutional Affairs References Committee, *Adequacy of Existing Offences in the Commonwealth Criminal Code of State and Territory Criminal Laws to Capture Cyberbullying*, viewed 12 July 2018.
[197] National Children's and Youth Law Centre, submission.
[198] National Children's and Youth Law Centre, submission.
[199] yourtown, submission.
[200] yourtown, submission.
[201] yourtown, submission.
[202] University of the Sunshine Coast 2017, *Social Media – Managerial Policy*, visited 31 July 2018, https://www.usc.edu.au/explore/policies-and-procedures/social-media-managerial-policy
[203] University of the Sunshine Coast 2017, *Anti-Discrimination and Freedom from Bullying and Harassment (Students) – Governing Policy*, visited 31 July 2018, https://www.usc.edu.au/explore/policies-and-procedures/anti-discrimination-and-freedom-from-bullying-and-harassment-students-governing-policy
[204] University of Southern Queensland 2018, *Student Code of Conduct*, viewed 31 July 2018, https://policy.usq.edu.au/documents/142753PL
[205] CQUniversity 2016, *Social Media*, viewed 31 July 2018, https://www.cqu.edu.au/search-cqu?collection=cqu-meta&form=rest&query=Social+Media+Policy&sort
[206] CQUniversity 2015, *Student Behavioural Misconduct*, viewed 31 July 2018, https://www.cqu.edu.au/policy?collection=policy&form=policy&query=Student+Behavioural+Misconduct&sort
[207] CQUniversity 2018, *Student Charter*, visited 31 July 2018, https://www.cqu.edu.au/policy?collection=policy&form=policy&query=Student+Charter&sort
[208] The University of Queensland 2017, *Acceptable Use of UQ ICT Resources – Policy*, viewed 31 July 2018, https://ppl.app.uq.edu.au/content/6.20.01-acceptable-use-uq-ict-resources
[209] Australian Catholic University 2014, *Acceptable use of IT Policy*, viewed 31 July 2018 http://www.acu.edu.au/policy/it/computer_and_internet_acceptable_use
[210] TAFE Queensland 2018, *Use of Facilities and Resources*, viewed 31 July 2018, https://tafeqld.edu.au/about-us/policy-and-governance/policies-and-procedures/student-rules-and-policies/facilities-and-resources.html
[211] Bond University 2017, *Social Media Policy*, viewed 31 July 2018, https://bond.edu.au/files/927/COR403.pdf
[212] Bond University 2017, *Student Acceptable Use of ICT Facilities Policy*, viewed 31 July 2018, https://bond.edu.au/files/937/TEC101.pdf
[213] Bond University 2013, *Bond University Student Charter*, viewed 31 July 2018, https://bond.edu.au/files/870/student-charter.pdf
[214] Griffith University 2018, *Information Technology Code of Practice*, viewed 31 July 2018, http://policies.griffith.edu.au/pdf/Information%20Technology%20Code%20of%20Practice.pdf
[215] James Cook University 2018, *Student Code of Conduct*, viewed 31 July 2018, https://www.jcu.edu.au/policy/student-services/student-code-of-conduct
[216] James Cook University 2018, *Student Charter*, viewed 31 July 2018, https://www.jcu.edu.au/students/support/student-charter