Research on youth exposure to, and management of, cyberbullying incidents in Australia

Part C:
An evidence-based assessment of deterrents to youth cyberbullying

Barbara Spears, Carmel Taddeo, Teresa Swirski, Matthew Keeley, Ilan Katz, Philippa Collin, Tony Daly, Shona Bates

Australian Government

Department of Communications

This research has been prepared for the Department of Communications.

Disclaimer

The material in this research paper is of a general nature and should not be regarded as legal advice or relied on for assistance in any particular circumstance. In any important matter, you should seek appropriate independent professional advice in relation to your own circumstances.

The Commonwealth accepts no responsibility or liability for any damage, loss or expense incurred as a result of the reliance on information contained in this research paper.

This research paper has been prepared for research purposes only and does not indicate the Commonwealth's commitment to a particular course of action. Additionally, any third party views or recommendations included in this discussion paper do not reflect the views of the Commonwealth, or indicate its commitment to a particular course of action.

Copyright

Other use

The use of any material from this publication in a way not permitted or otherwise allowed under the *Copyright Act 1968*, may be an infringement of copyright. Where you wish to use the material in a way that is not permitted, you must lodge a request for further authorisation with the Department.

Contact details

This report can be viewed online at www.communications.gov.au/publications. For more information about the Department and to view other publications visit www.communications.gov.au

If you would like additional information on the report, please contact:

Manager, Cyber Safety Programs
Department of Communications
GPO Box 2154
Canberra ACT 2601, Australia
Phone: 1800 254 649 (free call) or 02 6271 1000 (international +61 2 6271 1000)
Email: enquiries@communications.gov.au

Research Team

Contact for follow up shona.bates@unsw.edu.au or ilan.katz@unsw.edu.au.

Social Policy Research Centre
Professor Ilan Katz (Chief Investigator), Matthew Keeley (Deputy Chief Investigator), Shona Bates, Melissa Wong

University of South Australia
Barbara Spears, Carmel Taddeo, Tony Daly

University of Western Sydney
Teresa Swirski, Philippa Collin

Young and Well Cooperative Research Centre
The Young and Well Cooperative Research Centre (Young and Well CRC), through Dr Michelle Blanchard, provided in-kind support to this research by helping the research team engage with young people and those who care for them in the project, as well as providing access to its participant organisations through a workshop held ahead of the Young and Well CRC's Connect 2014 Conference and through the promotion of surveys.

National Children and Youth Law Centre
Marianne Dakhoul, Kelly Tallon, Ahram Choi

Acknowledgements

Contents

Tables

Abbreviations

CBO	Cyberbullying Offence
CER	Civil Enforcement Regime
GfK	GfK Australia
LGBTI	Lesbian, gay, bisexual, transgender and intersex
PTP	Principal Teacher Parent Survey
SPRC	Social Policy Research Centre
UniSA	University of South Australia
UWS	University of Western Sydney
YCS	Youth Crowdsourcing Survey

Glossary

For the purpose of this report and research:

Cyberbully	The person (perpetrator) conducting the cyberbullying
Victim	The victim of the cyberbullying activity
Cyberbullying	Any communication using a digital device or medium (e.g. smartphones and social media sites) with the intent to coerce, intimidate, harass or cause substantial emotional distress to a person. This may include posting embarrassing or harmful photos, videos, or rumours relating to an individual and can include using social media features to actively promote and spread the harmful content.
Prevalence	The number of people in a given population who are subject to a certain condition in a particular timescale.
Incidence	The number of new occurrences of a condition, in a particular population over a specific time period.
Reported incidence	The number of victims of cyberbullying reported in a specific timescale for a particular population, e.g. the number of victims in incidents reported to schools in 2013. Reported incidence can also refer to the number of incidents themselves, irrespective of the number of victims involved in those incidents.[1]

---

[1] A victim can be involved in a number of incidents in a particular period of time, and similarly one incident can involve several victims.

Executive Summary

This is the third report of a three-part series researching the youth exposure to, and management of, cyberbullying incidents in Australia, commissioned by the Australian Government as represented by the Department of Communications.

The objective of this part of the research was to provide an evidence-based assessment to determine if a new, simplified cyberbullying offence or a new civil enforcement regime were introduced, how such an offence or regime could be implemented, in conjunction with the existing criminal offences, to have the greatest material deterrent effect.

This research draws from a wide range of domestic and international peer reviewed and grey literature, a Youth Crowdsourcing survey; a Principal Teacher Parent Survey; interviews, workshops and focus groups with professionals and policy makers; and an industry expert roundtable. The research provides an evidence-base through young people and stakeholder perspectives in consideration of the proposed response options.

Approaches taken by international jurisdictions

All the jurisdictions examined (USA, UK, Europe and New Zealand) have introduced programs and/or new laws to combat cyberbullying. However, there is no common legal response to cyberbullying across the jurisdictions examined. There are variations with regard to the age of criminal responsibility, the legal response to bullying in general as opposed to specific mention of cyberbullying, the responsibility and legal requirements for schools, and whether national or state laws address bullying and cyberbullying. The majority of the jurisdictions examined can be assigned to one of two categories: those that have explicit laws on cyberbullying; and those who do not, but who do have legislative provisions or other measures, including education, support, and disciplinary actions, that may be applied to cases of cyberbullying. A number of jurisdictions employ more than one approach to addressing the issue of cyberbullying and many are currently building their own evidence-base to inform future directions in this area. No evidence was found of evaluations of media or education campaigns associated with new or existing legislation.

The extent to which Australian minors, their parents and teachers, are aware of the legal consequences of cyberbullying

The survey responses revealed considerable variation both within and across the subsamples with regard to awareness and understanding of cyberbullying and the law. The majority of young people did not feel they knew enough about cyberbullying and the law, highlighting the need for better and more accessible information.

Most participants, adult and young people, understood that some forms of cyberbullying could be seen as breaking the law, but many were not clear about which laws applied and under what circumstances cyberbullying would be considered a criminal offence.

Sentencing options for minors, such as a fine, counselling, restorative justice or community-based orders, or probation

Whilst there were mixed views about the relevance of current penalties, there were a number of sensitivities and complexities around the legal responses and penalties for young people who cyberbully.

Participants recognised the need for clarity and simplicity in any legal response. However, this was weighed against the need for the response to be tailored to the specific situation. The preferred response would minimise harm for the victim and also avoid needlessly criminalising or stigmatising the cyberbully. Participants strongly believed that the law should act as a deterrent rather than a method of retribution. Findings suggested that cyberbullying should be considered within broader patterns of behaviour and that laws should act as a deterrent and not be punitive measures. Support, rehabilitation and restoration were considered to be more effective strategies in building the long-term wellbeing of those involved.

Sentencing options should therefore be calibrated so that interventions such as counselling and restorative justice approaches should be exhausted before criminal sanctions are invoked.

Information campaigns and using appropriate language to describe cyberbullying and the legal response to it

Participants viewed simplicity and clarity of language as important in any legal response as well as information/education campaigns associated with any attempt to prevent and address cyberbullying. The approach and methodology applied when developing a campaign and the delivery methods employed are just as important as the content of the campaign, including:

- Ensuring that diverse cultural perspectives are represented
- Incorporating both offline and online delivery methods
- Engaging with youth in the development of the campaign
- Consulting with all relevant stakeholders.

With regard to content it is important that any campaign addresses prevention, by focusing on respectful, positive behaviours, and also specifically aims to communicate what can happen if you cyberbully or are the victim of cyberbullying.

Responses indicated there is a critical role for schools to play in the delivery of information about cyberbullying and the law. Schools are clearly recognised as

appropriate settings for delivering content in this area, and the findings of the School Principal's survey reported in the Part B Report indicated that the vast majority of schools have anti-bullying policies in place. There may be an opportunity to address cyberbullying as part of the national school curriculum, which would provide an opportunity to apply a nationally consistent framework whilst allowing an integrated approach and flexibility at the local level.

The potential for regulating social media providers and requiring them to comply with any new laws

There was consensus across stakeholder groups that social media sites should comply with any new laws. However, stakeholders identified significant challenges in monitoring and enforcing such compliance. Challenges included identifying which sites should be considered 'large', and whether regulation should only apply to the most commonly used social media sites or should be extended to other platforms such as chatrooms, gaming sites etc.

Some participants suggested that the feasibility of an international code of conduct should be explored, given that many sites are hosted off shore. However, this is likely to be a long-term objective and not likely to eventuate in the near future.

There was strong support for any new laws or civil enforcement regime (CER) to include the power to insist on the prompt removal of any damaging material, suspending accounts of cyberbullies, etc.

How a new simplified cyberbullying offence or civil enforcement regime could be implemented to have the greatest material deterrent effect

Adult participants felt that an information/education campaign about the legal consequences of cyberbullying would have the highest impact. On the other hand, young people felt that keeping the existing laws, and introducing a new CER with lesser penalties, would have the highest impact on reducing incidents of cyberbullying.

There have been a number of education programs in the past which have not achieved the desired impact of reducing cyberbullying, and with few international jurisdictions making specific mention of information campaigns, it is difficult to draw any comparisons or conclusions about how successful campaigns have been in other jurisdictions.

Although young people were sceptical of the potential impact of a campaign, they expressed the view that a campaign could be successful if it contained real life examples, and focussed on behaviours not technologies and on respectful positive behaviours. Most importantly any campaign must address the diverse needs and backgrounds of young people, and be tailored to build a common understanding and language around cyberbullying. Building on these views, there is an opportunity for Australia to pioneer the development of education campaigns for cyberbullying that incorporate young people in their design to reflect stakeholder perspectives.

Young people's preference for a CER also may suggest that the calibrated penalties and efficient response were perceived as benefits of this approach for young people.

The introduction of a new, simplified criminal law against cyberbullying was also considered by both adults and young people as potentially having a significant impact on cyberbullying. it is important to note that many qualifiers and tensions were highlighted, including the potential to criminalise young people who cyberbully.

One potential response would be to model young peoples' decision making and then tailor the approach to address how they make decisions. This would provide an evidence-based approach which is more likely to have the largest impact.

Methodological strengths and limitations

The mixed-method approach allowed for the triangulation of data. In addition, this research reached a broad spectrum of stakeholders, which supported the collection of diverse perspectives.

However, caution is advised when interpreting the findings from this research due to the following limitations:

- Generalisation cannot be expected from this data. The datasets are small and derived from convenience and purposive sampling. The survey was online only (and therefore depended on digital literacy), and was not specifically targeted at those potentially most vulnerable to cyberbullying.

- These findings are snapshots – views of stakeholders may change over time.

Solving the puzzle

The findings from this research highlight the complexities associated with implementing a response to cyberbullying for young people that would achieve the greatest material deterrent effect. Examination of the literature and investigations conducted indicate that multidimensional approaches may be required to 'help solve the puzzle' of cyberbullying, youth and the law.

Experiences of bullying and cyberbullying are confronting and can be damaging, but can be too readily dismissed by those who have had no direct involvement. Building young people's resilience and capacity to deal with cyberbullying should be a fundamental component in any approach. Understanding the role of schools, individuals, families, and the social and legal contexts which surrounds them, is critical if young people are to be supported when impacted by cyberbullying behaviours.

It is advised that these findings be considered in relation to the Part A and Part B Reports of this research and not in isolation.

1 Introduction

The Australian Government, as represented by the Department of Communications, commissioned the Social Policy Research Centre (SPRC) at the University of New South Wales, the University of South Australia, the University of Western Sydney, and the Young and Well Cooperative Research Centre, to research youth exposure to, and management of, cyberbullying incidents in Australia.

Cyberbullying has become a significant issue for young people as they interact increasingly through social media. Yet for many stakeholders, the legal status of cyberbullying is unclear. There is also little empirical, longitudinal evidence to inform policy makers in this area. This research aims to fill an urgent gap by summarising and appraising the current empirical evidence and by adding to it through analysis of new primary and secondary datasets, as well as through consultations with key informants.

The research aims to provide the Australian Government with evidence relating to the desirability of whether to create a new, separate cyberbullying offence and in its consideration of a new civil enforcement regime. The research involves three parts:

> **Part A**: The estimated prevalence of cyberbullying incidents involving Australian minors, based on a review of existing published research including how such incidents are currently being dealt with.
>
> **Part B**: The estimated prevalence of cyberbullying incidents involving Australian minors that are reported to police, community legal advice bodies and other related organisations, the nature of these incidents, and how such incidents are currently being dealt with.
>
> **Part C**: An evidence-based assessment to determine, if a new, simplified cyberbullying offence or a new civil enforcement regime (CER) were introduced, how such an offence or regime could be implemented, in conjunction with the existing criminal offences, to have the greatest material deterrent effect.

This report presents the findings from Part C of the research.

1.1 Research purpose and scope

The purpose of this part of the research was to provide:

> An evidence-based assessment to determine, if a new, simplified cyber-bullying offence or a new civil enforcement regime were introduced, how such an offence or regime could be implemented, in conjunction with the existing criminal offences to have the greatest material deterrence effect.

Part C consists of:

- A review of the Australian and international literature on the approach taken to address cyberbullying by various countries and any evidence of the success of different approaches. The review also described the current legal approach to cyberbullying in Australian jurisdictions.
- Two online surveys; School principals, teachers and parents survey, and a crowdsourcing survey of young people.
- Stakeholder consultations, involving interviews and groups of key stakeholders from different sectors as well as young people.
- Review of survey data provided by the Department.

1.2   Research aims

Through the collection, collation and synthesis of various evidence-based research methods two key questions which underpin this component of the commissioned research are addressed:

1. What would be the potential impact of a new, simplified criminal offence or a new civil enforcement regime?
2. How could the offence or regime be most effectively implemented?

The report assumes that any new cyberbullying offence or civil enforcement regime will be directed towards the circumstance where the victims and cyberbullies are Australian minors at the time of the incidents.

The following issues are examined in this report:

- The approaches taken by international jurisdictions where similar offences or regimes have been implemented
- The extent to which Australian minors and their parents and teachers are aware that cyberbullying can be a criminal offence and the penalties involved
- The sentencing options, especially when the offender is a minor, such as a fine, counselling, restorative justice or community-based orders and probation
- The language used in any relevant offence provisions so that young people especially understand what constitutes an offence
- The use of information campaigns
- The potential incorporation of cyberbullying offence and penalties into the national school curriculum, and
- The potential for regulating social media websites and requiring them to comply with any new laws.

1.3   Ethics

Ethics approval was obtained from the UNSW Australia Human Research Ethics Advisory Panel I (Social/Health Research) on 24 February 2014 (Ref 9_14_006) and was ratified by the University of South Australia on 25 February 2014 (Ref 32652) and the University of Western Sydney on 11 March (Ref H10562).

All participants in the research were volunteers and provided consent. All responses have been de-identified.

1.4   Structure of this report

The rest of this report is structured as follows:

- Section 2 describes the research design and methodology, including literature review, stakeholder consultation, data analysis and limitations.
- Section 3 presents the findings of the research.
- Section 4 presents considerations and conclusions.

This report is supported by four appendices, published as separate documents:

- Appendix A provides the full literature review conducted for this part.
- Appendix B contains the detailed findings of the engagement with adult stakeholders.
- Appendix C contains the detailed findings of the engagement with youth.
- Appendix D details the triangulation of findings.

2 Research design and methodology

A mixed-method approach was used to provide comprehensive evidence relating to the desirability of whether to create a new, separate cyberbullying offence, and consideration of a new civil enforcement regime for instances where the victims and cyberbullies are Australian minors at the time of the incidents.

This part of the research incorporates:

- A literature review
- Stakeholder consultation with youth and key stakeholders

A summary of participants in the research is provided in Section 2.2. The methodology for data analysis and limitations of the methodology used are provided in Sections 2.3 and 2.4.

2.1   Literature review

The literature review was designed to contribute to the evidence-base to determine if a new, simplified cyberbullying offence or a new civil enforcement regime were introduced, how such an offence or regime could be implemented, in conjunction with the existing criminal offences, to have the greatest material deterrence effect. It has drawn upon intersecting domains related to understanding the construct of cyberbullying, as embedded within the literatures of aggression and bullying; and the law as employed in international and Australian settings relevant to cyberbullying.

A narrative literature review was conducted due to the short timeframe for this project. Narrative reviews critique or summarise a body of literature, drawing conclusions about the topic under investigation, as well as highlighting gaps or inconsistencies in the extant knowledge. Due to the narrative focus, it was not possible to identify every publication relative to the research questions. The literature review examined peer reviewed studies (noting also any limitations) along with relevant grey literature.

The literature review is presented in full in Appendix A to this report.

2.2   Stakeholder consultations and surveys

A mixed-method research design was employed for this part of the inquiry as it enabled the collection and examination of both numerical and textual data from distinct, yet equally valid perspectives.

2.2.1 Method

Due to the limited timescale and the complexity of the issues under study, the research utilised a number of different methodologies including online surveys, stakeholder interviews and focus groups, and analysis of secondary data. These methods were triangulated with the literature to provide as comprehensive a picture as possible of the views of the diversity of stakeholders and how these relate to the empirical evidence-base on policies and programs aimed at preventing and responding to cyberbullying.

The research methods employed were designed to:

- Maximise stakeholder reach and engagement as part of the public consultation process

- Capitalise on the collective expertise and experiences of stakeholders

- Provide opportunities for stakeholders to unpack the complexities and advantages of the options proposed by the government

- Obtain comprehensive feedback and facilitate engagement with descriptive and numerical data to inform future government directions associated with implementing measures that will effectively enhance online safety for children in Australia.

Table 1 summarises the components of the research used for Part C and the participants involved in each component, and short descriptions follow. Detailed descriptions of the methods and the research instruments used are provided in the relevant appendices.

Table 1 Overview of participants

Component	Method	Participants	n
Principal, teacher and parent survey (PTP)	Short online survey with both quantitative and qualitative (open text boxes) components	Principals, assistant and deputy principals, teachers, counsellors, pre-service teachers and parents	83
Connect 2014 Workshop	3 hour workshop	Industry: media and communications Legal Not-for-profit Government Youth support services Mental health services Research	9
Industry and expert roundtable	2 hour focus group – semi-structured and exploratory	Industry: media and communications University academics/researchers Not-for-profit Government Youth mental health support services	17
Interviews	Semi-structured interviews (approx. 30 minutes)	Industry Indigenous education Not-for-profit Research Government Youth support services Mental health services	18 (12 females 6 males,note:1 paired interview)
Youth Crowdsourcing survey (YCS)	Online Video content Open and closed questions Length: 21 questions	Young people aged 15–24	271
Total			398

2.2.2 Qualitative research methods

The qualitative methods adopted were designed to explore in depth the diversity of stakeholder's perspectives and attitudes towards the various issues highlighted in the Commonwealth Government's discussion paper: *Enhancing Online Safety for Children,* and reflect the research objectives specified in Section 1.2 of this report.

Stakeholders included representatives from:

• Industry: media and communications

- Legal
- Not-for-profit
- Government
- Youth support services
- Mental health services
- University academics/researchers
- Indigenous education

Stakeholders were invited to participate in interviews, a focus group and a roundtable. Recruitment was either through the Young and Well CRC and its members in association with its Connect 2014 annual workshop; inviting people to participate in a pre-conference workshop and/or interviews; through parent associations or via an existing industry/expert roundtable. Participation was voluntary and consent was provided.

Face-to-face and telephone interviews (n=17)
A semi-structured format was adopted as it enabled replication of the interview with multiple interviewers, whilst still providing opportunity for more open-ended discussion. To minimise interviewer bias and to facilitate consistent delivery of questions and coverage of themes, researchers identified interview protocols, including guiding questions as part of the interview framework. Interviews were held at the Connect 2014 conference in person, or after the conference by telephone.

Focus group/workshops/roundtable (Connect 2014 n=9; Industry and Expert Roundtable n=17)
This used a semi-structured exploratory method; guiding questions were used to initiate and generate discussions on identified themes and the format provided the opportunity for interactions to occur between participants rather than solely with the researcher, thereby enabling an interactive discussion. The Connect 2014 workshop was held at the Young and Well CRC offices in Melbourne. A second focus group was conducted with an existing industry/expert roundtable with representatives from government departments and regulatory bodies, mental health and wellbeing service providers, youth leadership organisations, non-government organisations and university researchers. This focus group provided an opportunity to gather additional perspectives from key stakeholders.

The findings of the qualitative component of the research, as well as the full research instruments, are presented in Appendix B to this report.

2.2.3 Quantitative research methods

The quantitative research method utilised online surveys, namely:

- The youth crowdsourcing survey

- The principal, teacher and parent survey.

An additional youth survey provided by the Department of Communications and conducted by GfK Australia was also considered in the triangulation of data.

Youth Crowdsourcing Survey (online) (n=271)

Crowdsourcing was selected to explore young people's opinions about cyberbullying, youth and the law:

> [Crowdsourcing] is a process that exists both on and offline, where a person or organisation taps into a network of people (i.e. the 'crowd') to solve a problem, come up with an idea or develop a solution.

> Crowdsourcing can be used at any point in a project to collect ideas, concepts, prototypes, contributions, or user-generated content. It is best suited to campaigns and projects where there is value in content having been developed and selected by users, where authenticity of voice and ownership by users is central, or where collective-content helps to shape the project. In effect, crowdsourcing is asking for input from members of the public for free. As such, transparency and clarity is required around questions of intellectual property, ownership, copyright, how the material contributed will be used, and plans for ongoing communication/participation. (Hagen et al., 2012, p 15)

Seven short videos were created and uploaded to YouTube explaining each of the seven aspects of the crowdsourcing topic, the target age group, how to access the portal, and its duration. These short videos were developed in consultation with Project Rockit. Seven digital postcards with information about the study (its different aspects, target age group, duration and web-link) were distributed via social media and the Young and Well CRC project partners. The concepts for these postcards were developed in consultation with Project Rockit.

The survey was promoted (via email, online videos and digital postcards) via Young and Well CRC project partners, Project Rockit, social media and traditional media.

The findings of the crowdsourcing survey, as well as the full research instrument, is presented in Appendix C to this report.

Principal, Teacher and Parent Survey (online) (n=83)

The survey instrument used in this component of the research aimed to examine and measure principal, teacher and parent perspectives related to what is known about cyberbullying; how to deal with cyberbullying; education/information campaigns; penalties and impact of social and legal consequences; and the response by social media to cyberbullying.

Likert scales were used to measure participants' responses. Specifically, the Likert scale was incorporated to capture extent of impact. Text boxes of unlimited length were also included for qualitative responses and to provide participants with opportunities to elaborate and clarify their responses if needed.

Organisations across the education sector were invited to support this research by promoting the online Principal Teacher Parent survey via avenues available to them. Promotion generally occurred via the organisation's website, social media pages or via their email distribution lists. Organisations that supported the study included:

- Parents Victoria
- Australian College of Educators
- Independent Education Union SA
- Independent Education Union Australia
- Australian Council of State School Organisations
- University of South Australia (School of Education).

The findings of the survey, as well as the full research instrument, are presented in Appendix B to this report.

2.3   Data analysis

The data from this mixed-method research were analysed according to:

- Descriptive statistics, including frequencies, cross-tabulations and examination of levels of significance
- Thematic content analysis
- Analysis of geo-spatial information
- Analysis of word clouds.

The data and findings from this research were then triangulated. The overall findings were then triangulated with the GfK survey and aligned with the key areas presented in the discussion paper, *Enhancing Online Safety for Children*.

The detailed data analysis is presented in Appendix D to this report.

2.4   Limitations of methodology

A general limitation in this research was that, under the time constraints, the datasets did not specifically access those most vulnerable to being cyberbullied (e.g. LGBTI and allied youth; Autism Spectrum Disordered youth), meaning that these voices are not represented. This is an important area for future consideration. In addition, there were a number limitations specific to individual components of the research.

2.4.1 Limitations: Principal teacher parent survey

Biases
In conducting the online survey, there was a prior assumption that the target audience for this study had access to the internet to complete the survey. Additionally, the quantitative data collection method required participants to feel confident and competent to engage with an online survey. There is a possibility therefore, that participants with low digital literacy were not represented in the sample; in addition, those who volunteered to be part of the study are individuals who are comfortable with online surveys and who may have a prior interest in issues related to cyberbullying and the law. This was a small, descriptive sample, designed to contribute to the research and was not intended to be generalisable.

Sample recruitment
Although the required sample numbers were achieved, time constraints limited the opportunity to establish a larger sample for Part C of the study. Additionally, while a number of sampling and recruitment strategies were employed on a national scale, it is unlikely that the sample is quantitatively representative of the wider population.

It is however purposeful, as the recruitment and sampling strategies were such that parents and teachers were specifically targeted. This method is based on the "law of requisite variety", which says that any research should represent the variety of characteristics present in the population (Davis et al., 2012). However, due to the relatively small sample size these findings are not generalisable to the wider population.

The beginning of this research coincided with the death of Charlotte Dawson, a media personality who was a victim of trolling (a form of cyberbullying). This increased online discussion and awareness may have influenced some of our findings, in particular enabling the call for more punitive responses from some participants in relation to the response to cyberbullies. However there is no evidence in the responses that this was the case.

Survey length
In order to ensure comprehensive coverage of the required content in the survey instrument, the survey was reasonably lengthy with an estimated completion time of 15 to 20 minutes. This may have impacted on completion rates.

Lack of consensus regarding a cyberbullying definition
Legislating against cyberbullying is difficult due to a lack of consensus around an internationally accepted legal definition of cyberbullying.

2.4.2 Limitations: Crowdsourcing online survey

One effort to ensure data quality was to make the responses to questions one through to four 'lock' after the first two pages were completed. However, a technical error was made in this process, which led to the questions being locked from submission to the database. This information (from questions 1–4 was lost) and has meant that the responses cannot be described (fully across the whole data-set) by age, by language, by presence of disability, by Indigenous identity, or by perceived level of understanding about cyberbullying. As soon as this error became apparent, the fields for the first four questions were unlocked. This has provided an additional subset group of data based upon questions 1–4.

In an anonymous online survey people may lie about their age. Of the 279 completed surveys, 8 of them were either under or over the age limit (visible from either age data received once the demographics/first 4 questions were unlocked – or by the date of birth information requested in the option to be contacted for future research). The data from the respondents outside of the age-range was not incorporated into the analysis.

In addition, the Likert Scale of survey analysis has a bias to central tendencies because subjects tend to avoid extremes. It also tends to have an acquiescence bias because subjects tend to agree with certain phrasings. We sought to avoid this by phrasing questions neutrally. There is also potential for a social desirability bias; that is, since we are saying how much do you know about cyberbullying, some participants may provide answers which present themselves favourably.

3 Findings

This section provides a summary of the findings for each of the key issues investigated in Part C of this research project. The full detailed findings of the literature review, the adult, and youth engagement in this research are presented in full in Appendices A-C respectively.

3.1 Approaches taken overseas

Investigations suggest there is no obvious approach that is common across each of the jurisdictions which were examined. Variations occur with regard to age of criminal responsibility, the legal response to bullying in general as opposed to specific mention of cyberbullying, the responsibility and legal requirements for schools, and whether federal or state laws are used to address bullying and cyberbullying (where applicable). A brief summary for each of the jurisdictions, which were examined follows.

3.1.1 US and Canada

All laws relating to cyberbullying in the US are at the state level. Of the 49 states that have a bullying law: 19 include cyberbullying specifically; cyberbullying laws have been proposed in four states; 48 states included some form of harassment; and 14 states had criminal sanctions for bullying or cyberbullying, with five states having criminal sanctions proposed. No evaluations have been conducted on the impact of these laws. However, legislation without support for education campaigns and resources in schools was found to be counterproductive in the US.

Whilst there are currently no bullying laws at the federal level, a Bill was introduced into US Congress in 2009, *the Megan Meier Cyberbullying Prevention Act*, which is still under review.

In Canada, cyberbullying can be dealt with under civil and criminal law depending upon the situation. Several provinces and territories have laws specifically dealing with online and offline bullying. Amendments to the Education Acts have been used rather than criminal law provisions.

3.1.2 European Union

There is no EU legal framework regarding violence in schools; however, in several Member States there are laws that may be used to deal with specific forms of bullying. A self-regulatory charter titled *Safer Social Networking Principles for the EU* (SSNPs) has been developed by the European Commission and Social Network Providers following public consultation on online social networking by the European Commission (European Social Networking Task Force, 2009).

The UK has no specific law that makes cyberbullying illegal and no legal definition of cyberbullying; however, there are a number of existing criminal and civil laws that can be applied to cases of cyberbullying in terms of harassing, menacing and threatening communications. There is a legal requirement for all schools to have an anti-bullying policy. In addition, schools in the UK have the power to regulate the conduct of students outside of school grounds where it affects life in school. The age of criminal responsibility starts at the age of 10.

In Belgium, a number of existing legislative provisions can be applicable to cases of cyberbullying on social networking sites: 'most are formulated in a technology-neutral manner, which implies that they may be applied in a social networking site environment'. The *Youth Protection Act* does impose, instead of the punishments of the Criminal Code, other measures, including supervision, education, disciplinary measures, guidance, advice or support, which can be imposed on parents or on the minors themselves. The age of the minor in question is considered: different measures are imposed before and after the age of 12 (article 37). In addition, a Judge may give preference to victim offender mediation. Parents and teachers may in certain circumstances be held liable for the acts of their children or pupils (article 1384 of the Civil Code).

In the Netherlands, the government is planning to have legislation on bullying in which they intend to include an obligation for schools to deal with bullying problems by, e.g. having effective anti-bullying programs in place.

In Portugal, there are no specific legal actions against bullying/school violence outside the general law about children and youth.

In Ireland, there is no legislation that expressly deals with the issue of cyberbullying. There are a number of criminal law and education law provisions and guidelines given to schools, which implicitly include these behaviours.

3.1.3 Australia and New Zealand

In Australia, the *UN Convention of the Rights of the Child* (UNCRC) enshrines in international law that children have the same rights as adults, while also having the right to special care and assistance due to their vulnerability. A number of Australian civil and criminal laws are relevant to cyberbullying including:

- the duty of care of schools
- crime compensation schemes
- communications law
- criminal proceedings

Police in every Australian jurisdiction have discretion to use diversionary methods for juvenile offenders in preference to using criminal proceedings. These include:

- assistance

- warnings

- cautions

- youth justice conferencing

Criminal proceedings are only used in the most serious cases or when a young person prefers to go to court. Very few such prosecutions have occurred. The full legal provisions in Australia are summarised in Appendix A to this report.

The New Zealand Government introduced the *Harmful Digital Communications* Bill in November 2013. The Bill was referred to the Justice and Electoral Select Committee for consideration; the Committee's report is due by 3 June 2014. The Bill paves the way to amend and clarify existing legislation regarding digital communications, create new criminal offences to deal with the most serious acts, and create a new civil enforcement regime to deal effectively and quickly with harmful digital communications. In establishing the offence of causing harm by posting a digital communication, the Bill provides that a person found to have committed this offence is liable to imprisonment for up to 3 months, or a fine not exceeding NZ$2,000. Within the civil enforcement regime, individuals may make initial complaints about harmful digital communications to an Approved Agency. There is no specific mention of an information and education campaign to accompany the introduction and implementation of the new legislation.

3.1.4 Summary

The majority of the jurisdictions examined can be assigned to one of two categories:

- those that have explicit laws on cyberbullying, and

- those who do not have specific cyberbullying laws but have a number of existing legislative provisions or other measures, including education, support, and disciplinary actions that may be applied to cases of cyberbullying.

A number of jurisdictions have more than one solution to addressing the issue of cyberbullying and many are currently building their own evidence-base to inform future directions in this field.

3.2   Other research

The international and Australian literature on cyberbullying highlights several issues with definition, which attest to the difficulty of operationalising and measuring this phenomenon. In addition, there is little empirical evidence that changes in criminal law are effective in deterring potential cyberbullies or changing cyberbullying

behaviour. Young people involved in cyberbullying are unlikely to be impacted by a legal response to cyberbullying due to their impulsive nature, their belief that they are unlikely to be caught, their belief in their superior knowledge of technology (compared with adults), and their lack of legal awareness.

Few international jurisdictions specifically mention information/education campaigns; as such it is difficult to draw any comparisons or conclusions about what has constituted successful campaigns in other jurisdictions.

The literature indicated that using the law as a social norm would need the majority of people affected to ascribe to the social consensus of upholding it. An alternative approach to changing young people's behaviours would involve modelling young people's decision-making processes to examine the motivations behind the behaviours.

Both 'traditional' bullying and cyberbullying can cause significant negative outcomes for victims and their families in relation to mental health, depression, anxiety, suicidal ideation and self-esteem.

3.3   Understanding of cyberbullying

The overwhelming majority of young people were aware of cyberbullying. Most adults who participated in this research knew about cyberbullying, but had not dealt with it very often in the past 12 months. Adults described characteristics of cyberbullying as mostly involving harassment, abusive language, lies, hurtful comments, and insulting or degrading posts and name calling behaviours, which only rarely involved death threats, blackmail or sexting.

There was more uncertainty among young people with regard to whether hacking accounts or sabotaging sites was cyberbullying.

3.4   Australian awareness of penalties and offences in relation to cyberbullying

Examination of the data revealed considerable variation both within and across the subsamples with regard to awareness and understanding of cyberbullying and the law.

Young people surveyed showed varying levels of understanding and awareness about cyberbullying and the law. About two-thirds understood that cyberbullying can be considered an offence under existing laws. Young people identified that they were not adequately informed about the current laws relevant to cyberbullying.

Just over half of principals, teachers and parents were unsure if cyberbullying can be considered an offence under existing laws. The majority of respondents did not have any experience of young cyberbullies and the law, yet the majority had at least

some understanding about the legal consequences for young people (under the age of 18) who cyberbully.

Responses suggest that knowledge or understanding about cyberbullying and the law cannot be assumed, and that any efforts to increase awareness in this area needs to begin from this premise. Furthermore, whilst the term awareness is often used in concert with understanding, increasing awareness and building understanding are two different objectives and should be addressed as such.

3.5   Impact of a new cyberbullying offence

3.5.1 Current penalties and laws

Seventy per cent of young people and fifty per cent of adults believed that the current penalties are appropriate and sufficient to discourage cyberbullying.

Most adults thought that existing laws were ambiguous and needed clarification to align with current practices, behaviours and technologies, and to reflect the increasingly networked global community.

However, adults and young people felt that keeping existing laws unchanged would be the least effective option to prevent and address cyberbullying, and would have little impact on reducing cyberbullying. Amending current laws to specifically mention cyberbullying was considered by the majority of both young people and adults as a more effective solution to discourage cyberbullying. Respondents perceived that an amendment could provide an opportunity to achieve clarity about cyberbullying, the law and consequences and further raise the profile of cyberbullying; however, it was noted that in reality it might not change the behaviours of bullies.

3.5.2 Impact of a new offence

There was moderate support for a new simplified offence, with around half of the young people and two-thirds of adults believing that a new, simplified cyberbullying offence (CBO) would discourage cyberbullying. However, nearly a third of young people and a fifth of adults remained unsure.

A new cyberbullying offence was seen as a way of providing an opportunity to incorporate relevant sanctions in youth friendly language, reduce the uncertainty about the legal consequences of cyberbullying, and as such could be more easily understood and therefore a more effective deterrent.

Sentencing options considered, focussing on when the offender is a minor, included a fine, counselling, restorative justice, community-based orders, and probation. Whilst there were mixed views about the relevance of current penalties, this highlights the sensitivities and complexities around legal responses and penalties for

young people who cyberbully. However, some young people felt that treating cyberbullying as a crime was somewhat harsh. Adults concurred and considered that young people may not have the cognitive capacity to fully process the consequences of their behaviour, especially when they are acting 'in the moment'.

3.5.3 Implementing a new simplified offence

Stakeholders reinforced that most cyberbullying would be dealt with by schools; therefore any new approach should be communicated in this setting. This could encourage schools to be more proactive in addressing cyberbullying by providing an opportunity to inform students about the law and the consequences of cyberbullying – this would also provide teachers greater leverage when dealing with students.

Young people thought that parents, the school and the police were responsible for delivering penalties; community service featured strongly as an alternative penalty. Principals, teachers and parents believed the type of penalty should consider the severity of the cyberbullying behaviour and the age of the bully; alternative penalties such as community service and lower sanctions should be considered for first offenders. Survey participants advocated for supporting young people; criminal convictions could result in broader negative complications, be ineffectual, or draw attention away from fostering positive practices. Industry and other experts suggested that law and penalties should be a deterrent (rather than be punitive or criminalise children); any legal response should be consistent and simple, and incorporate some form of restoration and rehabilitation. Stakeholders believed that the consequences of cyberbullying are not common knowledge for youth and that any new penalty or offence should acknowledge personal, social and cultural contexts and consider the best use of resources.

3.5.4 Tensions and problems with a criminal response to cyberbullying

Survey responses on this issue revealed a number of conflicting dilemmas. For example, survey participants recognised the need for clarity and simplicity in any legal response, but also highlighted the need for discretion and lower level sanctions for first time offenders, as well as the need for the law to exist as a deterrent rather than being seen as criminalising young people. In addition, would a criminal conviction of a young person who has cyberbullied achieve the desired productive and positive outcomes for the victim and cyberbully? What are the implications and what will be the lifetime trajectory be for a young person who has a criminal conviction for an incident which occurred when they were a minor? With limited evidence about the effectiveness of cyberbullying laws in reducing incidents of cyberbullying, careful consideration of how legal responses are structured and enforced is therefore essential. This is to ensure that responses to cyberbullying do not compromise the short or long-term wellbeing of those involved in cyberbullying, and that the foundation for pursuing a satisfactory outcome for victims is more about being empowered than retribution.

A law would not address the reason why bullying is occurring in the first place and some stakeholders commented that it reflected a reactive rather than proactive response to cyberbullying; any new offence must therefore be complimented by proactive measures to promote good online behaviours. In the development of any new offence, consideration should be given to the development and cognitive state of young people and their capacity to fully understand the consequences and impact of their behaviours. Suggested penalties were wide ranging, involving a suite of penalties that were developmentally relevant and dependent upon the severity of the offence. Community service was a favoured mechanism whereas other suggestions included a mix of civil and criminal responses such as serious warnings by police, banning from social media, counselling, restorative justice, and a digital citizenship program for first time offenders. Over 85 per cent of adults felt that each of the responses outlined in the non-criminal and criminal categories were suitable; however, there was greater variation in response patterns evident in the court imposed categories.

Ultimately laws should act as a deterrent and not as a punitive measure; laws must be supported by other measures such as support, rehabilitation and restoration which are more likely to be effective in building the long-term wellbeing of those involved.

Another issue raised in Part B Report is the reluctance of state and territory police to respond to incidents.

3.6   The potential impact of a new civil enforcement regime

A clear majority of young people were in favour of a new civil enforcement regime (CER) being introduced. However, fewer than half the adults were of this view. Approximately one-third of participants in this research were unsure as to the deterrent impact of a civil enforcement regime. The perceived advantages of a civil enforcement regime included that it could empower schools to respond to cyberbullying incidents and be a clear simple structure providing opportunities for positive interventions that were less punitive, more relevant, and with meaningful consequences for victims and bullies.

There is a potential to offer a range of options for supporting victims that provide reassurance and support the wellbeing of victims. This might include a sequential approach linked to the increasing severity of an incident. Appropriate remedies under a new CER included:

- community service
- education programs
- restorative justice

- mediation processes

- formal sanctions

- removal of damaging material

- fines.

Participants also suggested that the focus of the Children's e-Safety Commissioner should not be simply to respond to complaints but should encompass a more proactive preventative role.

However, the success will be dependent upon the strategies and resources a school has in place. The CER may not provide a strong enough deterrent or deliver a clear enough message to be effective in reducing cyberbullying incidents. Such an approach would also be difficult to monitor and could place increasing demands on schools. The need for clear and inclusive complainant criteria was also noted.

Overall the idea of a CER was consistent with the prevailing view of the vast majority of stakeholders that the response to cyberbullying should be calibrated to reflect the needs of victims; the seriousness of the offence; and the circumstances of the offenders, including their age, intentions and understanding. The CER should dovetail with current processes which have been put in place in schools and by the police that encourage restorative approaches; this should include clear procedures for referrals to and from the Children's e-Safety Commissioner. The links between the CER and the criminal and civil laws, both of the Commonwealth and the states and territories, need to be clear and transparent.

3.6.1 Potential for regulating social media websites and requiring them to comply with any new laws

Participants strongly endorsed the imperative to act in order to achieve better outcomes and to deter bullying behaviour online. Requiring social networking sites to take down offensive material was considered to be a priority for a range of stakeholders. Responses highlight that whilst stakeholders support the ideal that social media sites should comply with any new laws, it is evident that in reality, monitoring and enforcing such compliance is fraught with challenges.

Young people indicated that social media and chat websites should be required to comply with any Australian cyberbullying laws, but that enforcing and monitoring compliance should take into account the context of the online environment.

Principals, teachers and parents indicated that social media and chat websites should be required to comply with any Australian cyberbullying laws and that there should be adequate mechanisms to enforce and monitor compliance and remove damaging material. They recommended exploring feasibility of an international code of conduct so that social media sites outside of Australia would have to adhere to similar standards.

Industry representatives and experts in this area identified the need for an evidence-based scheme that should be applicable to all forms of media, including gaming sites; and should not focus just on large platforms. In doing so, representatives proposed that definitions reflect current social media – the current proposed definitions are too broad and outdated. Wherever possible, social media providers need to be part of the solution and not just the problem. The representatives recognised the issues of managing compliance in an online context and the need for eligible complainant criteria.

Other stakeholders highlighted that the complexity of the social responsibilities for social media are clear, but the legal responsibilities are less so: these responsibilities need to be aligned. In developing any response, stakeholders highlighted the territorial complexities as well as commercial imperatives of providers. The rapid emergence of new platforms means that any response must be flexible enough to accommodate the changes in internet usage. It should also be consistent across different media and platforms. Stakeholders suggested building on current capacities and exploring options that may be more effective/practical.

The first hurdles in addressing compliance and regulation are to determine what constitutes a 'large social media site' and consequently which sites should be expected to comply with any new laws or regulatory processes.

Hence there may be merit in the first instance in promoting accountability of all social media sites, regardless of size or function (e.g. chat, gaming) from the perspective that social media sites have a social responsibility to address cyberbullying as part of a collaborative, long-term solution to the issue. This could include promoting a responsibility to practically respond to instances of cyberbullying by removing any damaging material and suspending accounts of cyberbullies.

However, how this is communicated, promoted and operationalised to best achieve support will require further investigation. In responses directly about new laws, it is evident that any new compliance scheme including complainant criteria will need to be informed by evidence. Given the potential boundaryless reach of social media sites, exploring the feasibility of an international code of conduct may provide a way to resolve this issue.

3.7   Possible information campaign to address cyberbullying

The international evidence provided in the literature review indicates that a preventative component in addressing cyberbullying is a critical element in formulating a holistic response. Findings also indicate that the approach and methodology applied when developing a campaign, and the delivery methods employed, are just as important as the content of a campaign.

Young people identified the need for a holistic program that emphasises respectful, positive behaviours and empowerment, focusing on the behaviour rather than the technology. This should be supported by a common understanding and language around cyberbullying. Other stakeholders identified the need for a tailored language and messaging focused on behaviour change, delivered online, offline and through other ongoing approaches. This should build on current resources and other knowledge bases, with cross agency collaboration to achieve both reach and impact. This stakeholder group also identified the need for youth focus and agreement; these strategies could help the messages integrate fully into the community. Indigenous perspectives should also be considered.

The content should resonate with young people using 'real life' examples. A range of strategies should be used to connect with diverse groups; schools and social media avenues should be used to distribute messages.

Principals, teachers and parents also identified the need for a holistic approach with content that addresses positive relationships and how victims can be empowered to respond. Again, this group advocated for the use of real examples. Information about the legal consequences of cyberbullying and explanations about the penalties for cyberbullying should also be conveyed in any campaign.

Industry and experts identified the need for evidence-based education and information campaigns, tailored to suit the target audience.

The notion of a 'holistic' approach was a key theme for each group of respondents. Any campaign should be holistic in that it is inclusive and considers diverse cultural perspectives, and should use both online and traditional methods for communication. Responses also indicate that holistic is about collaboration, with youth engagement as well as cross agency and stakeholder input. Holistic is further implied in discussions about campaign content, specifically content that addresses prevention by focusing on respectful, positive behaviours, right through to information about legal responses and consequences of cyberbullying.

Reference to holistic in the various contexts suggests the focus of any information education campaign should be on building young people's resilience and wellbeing, This should be alongside building their knowledge base about the social and legal consequences of cyberbullying and developing their skill set to be able to respond to incidents of cyberbullying.

3.7.1 Possible incorporation of cyberbullying campaign into national school curriculum

As is evidenced in the summary below, responses indicate there is a critical role for schools to play in the delivery of information about cyberbullying and the law, and an opportunity to address this as part of the national school curriculum.

Young people suggested that schools are an appropriate avenue for distributing information about cyberbullying. Different strategies should be used as part of the curriculum, e.g. guest speakers, law enforcement officers, and young people who have experienced cyberbullying. This should be supported by a range of resources, including written material and YouTube videos relevant to young people.

Principals, teachers and parents suggested that schools are appropriate avenues for delivering information and education campaigns. Schools should work together with law enforcement officers to communicate the serious messages.

Industry representatives and experts in this area suggested that the role of schools is critical; it is important to build young people's resilience and capacity to respond to, and manage, incidents of cyberbullying within the school curriculum.

Stakeholders also called for an integrated approach and that young people should be encouraged to participate in the process and bring their creativity to address cyberbullying. Stakeholders also recommended the development of a whole school culture around guidance in relation to cyberbullying, whilst considering any implications for educators. In particular, they considered it important to build young people's resilience and capacity to respond to, and manage, incidents of cyberbullying within the school curriculum.

Schools are clearly recognised as appropriate settings for delivering content in this area. Advantages for incorporating information about cyberbullying and the law into the national curriculum include an opportunity to apply a nationally consistent and common framework, whilst allowing an integrated approach and flexibility to leverage available resources, expertise and partnerships at the local level. The National Safe Schools Framework and the Safe Schools Hub, are obvious avenues for developing content.

Responses suggest the information considered for inclusion into the national curriculum should include content designed with youth engagement that also addresses ways to help build young people's resilience and capacity to respond to, and manage, incidents of cyberbullying.

4 Considerations and conclusions

The discussion in Section **Error! Reference source not found.** highlights the complexities associated with implementing a response to cyberbullying for young people that would achieve the greatest material deterrent effect. Conclusions which have emerged from this study also highlight that multidimensional approaches, integrating social and legal responses, may be required to 'help solve the puzzle' of cyberbullying, youth and the law.

4.1   Proposed options

With regard to the proposed response options, the findings suggest young people felt that keeping the existing laws and introducing a new CER with lesser penalties would have the highest impact on reducing incidents of cyberbullying.

It is important to keep in mind, however, that the majority of young people did not feel that they knew enough about cyberbullying and the law and there were varying levels of awareness and understanding about the legal consequences of cyberbullying. Remembering that this is snapshot data, there were varying levels of awareness and understanding about the legal consequences of cyberbullying. This does suggest that there is potential merit and perhaps even a necessity to develop and deliver an 'authentic' information/education campaign that specifically aims to communicate what can happen if you cyberbully or are the victim of cyberbullying.

Building a knowledge base is a fundamental requirement in empowering young people to understand bullying of any kind, and cyberbullying in particular, and to build the capacity to deal with it should the need arise. It is important to note that this is still quite a recent phenomenon – cyberbullying has come about in approximately the last ten years. In terms of what is known and understood about traditional bullying, there is good evidence from many studies internationally of a decline in traditional bullying across the world over the last ten or twenty years (see Smith, 2014, p 97). Early indicators are that while there has been a rapid increase in cyberbullying in recent times with the advent of new technologies, there is little evidence of it either continuing to increase nor is there evidence of it subsiding (see Smith, 2014).

Young people have told us in this study what is specifically needed for an effective campaign such as real life examples, a focus on behaviours not technologies, and on promoting respectful positive behaviours.

Most importantly perhaps, they do not expect a 'one size fits all' solution/campaign. The campaign must acknowledge that young people have diverse needs and come from diverse backgrounds. Consideration of how a tailored campaign can be developed that builds a common understanding and language around cyberbullying is critical. This then also provides an opportunity to develop campaigns that align

with the developmental needs of young people and to be delivered in places and from people whom youth consider appropriate.

On the other hand, adults' understanding and appreciation of the benefits of education and the importance of a solid knowledge base may have underpinned the finding in this study that adult participants felt that an information/education campaign about the legal consequences of cyberbullying would have the highest impact.

With few international jurisdictions making specific mention of information campaigns, it is difficult to draw any comparisons or conclusions about what has constituted successful campaigns in other jurisdictions. There is, however, opportunity for Australia to pioneer the field in the area of education campaigns for cyberbullying beyond adult-driven, information-only initiatives, and towards youth-driven, youth owned, culturally and developmentally relevant campaigns.

Young people's preference for a CER may suggest that the perceived benefits, including penalties that would be more suitable for young people and the potential for a more efficient response to cyberbullying incidents, were characteristics of a response that resonated well with young people. The finding suggests that young people are very much looking for responses or solutions that are tailored to their needs.

The introduction of a new, simplified criminal law against cyberbullying was also considered by both adults and young people as potentially having some impact or a high impact on reducing incidents of cyberbullying (second highest percentage). However, it is important to note that many qualifiers and tensions were highlighted.

Whilst this option potentially could provide clarity about the law and cyberbullying behaviours, both adults and youth raised concerns about criminalising young people who cyberbully. Findings suggested that cyberbullying should be considered within broader patterns of behaviour and that laws should act as a deterrent not a punitive measure, with support, rehabilitation and restoration considered to be more effective strategies in building the long-term wellbeing of those involved.

4.2 Issues raised

A number of issues were raised in this research that will be relevant to the efforts to address cyberbullying irrespective of which option is implemented.

There is an urgent need for clarity with regard to:
- what constitutes cyberbullying behaviour, particularly as technologies change
- the current options available, both legal and social, for responding to incidents of cyberbullying.

No single response is likely to effectively address this complex issue and tensions are evident across all options proposed, therefore a combination of responses would be the most effective approach. Most importantly, any changes in the law or the introduction of a CER will need to be accompanied by clear and targeted information for young people.

Young people identified a need for 'real life examples' in any information campaign which targets youth. This suggests that youth involvement in conversations and developments to help inform the creation of resources that meaningfully align with the needs of young people may help improve uptake and reach of any initiatives. Genuine youth engagement may also help to achieve a positive shift in young people's attitudes and behaviours around cyberbullying.

It is important to enhance communication and awareness for all, in particular for young people, by utilising traditional and social media, to:

- Deliver clear messaging about social norms and positive relationships and online behaviours

- Share 'real life' examples of cyberbullying

- Communicate the seriousness of cyberbullying, including the potential legal and social consequences

- Present strategies, advice and tips for addressing cyberbullying

- Provide information about available support

- Build the capacity of parents and carers, educators, stakeholders, and members of the community to respond and support young people to deal with incidents of cyberbullying.

Although the research found that there is an important role for criminal and civil law in responding to cyberbullying, this needs to be within the context of a holistic approach which addresses cyberbullying from a proactive, preventative lens as opposed to a reactive, punitive approach. Criminalising young people does not address the cause of the behaviour. Any intervention or response to cyberbullying should also take into account traditional bullying behaviours as well, due to the overlap between on and offline behaviours identified in research. The response should therefore not just rely on apprehending and dealing with traditional and cyberbullies, but should be aimed at creating safe online and offline environments for children and young people.

Technology should be utilised to form part of the solution rather than viewing it as the cause of the problem.

An opportunity exists for schools, with support of law enforcement officers, to play an important role in addressing cyberbullying.

Whilst many participants, both young people and adults, indicated that a new law could be introduced to simplify and clarify the current penalties related to cyberbullying, concerns and issues were highlighted. These included:

- Any new law will be counter-productive if it simply serves to criminalise vulnerable young people who act impulsively or unthinkingly and who do not have the capacity to process the consequences and impact of their behaviours.

- Any variation to existing laws should be introduced as part of a structured approach which deals with offences in a way that is appropriate to the developmental stage of the cyberbully and is also sensitive to the needs of the victim.

- The primary purpose of such a law for minors should be deterrence rather than punishment, and it should be used as an opportunity to raise awareness amongst young people, parents and carers, and relevant authorities, about the causes and consequences of bullying and cyberbullying and the most effective ways of preventing, managing and combating it.

- In the long-term, the law should become part of a general effort which includes media campaigns and ongoing education. This effort should be aimed at establishing and monitoring appropriate norms across both online and offline environments.

- Inter-jurisdictional boundaries should be considered in developing and implementing any response or intervention for the management and deterrence of cyberbullying.

An imperative is to ensure that any intervention or response should not negatively impact on young people who are already marginalised, including young Indigenous Australians, young people with cognitive disability, and other already socially isolated or marginalised youth. Every child needs to be in a safe and supportive learning and social environment where they can maximise their potential. Experiences of bullying and cyberbullying are confronting and can be damaging, but can be too readily dismissed by those who have no direct involvement and therefore little understanding of the complexities surrounding the behaviour. Understanding the role of individuals, families, schools, and the social and legal contexts which surround them, is significant if young people are to be supported when impacted by cyberbullying.

4.2.1 Research issues

The research identified significant gaps in the evidence-base relating to the most appropriate response to cyberbullying. While there is now a large body of research which can underpin evidence-based policy making in relation to traditional bullying, this is not the case for cyberbullying; although there are significant overlaps between traditional bullying and cyberbullying, it has not been established that programs and policies that impact on one impact on the other in the same way.

With this in mind it is important to continue to carefully consider and reviewing international experience and approaches to inform any response or intervention. In particular, it is important to examine robust evaluations of international policies and programs in relation to how they affect the overall prevalence of cyberbullying in the population of young people and within sub groups of the population. In particular there is very little empirical evidence for the effectiveness of criminal laws or civil regimes in combating cyberbullying or similar behaviours in young people. The evidence-base related to the effectiveness of awareness campaigns is still unclear.

Research is also needed to inform what constitutes relevant and current definitions of 'large' social media sites.

5 References

Ajzen I. (2005). *Attitudes, Personality and Behavior* . 2nd edn. Berkshire: Open University Press.

Almeida A, Correia I, Marinho S (2010). Moral disengagement, normative beliefs of peer group, and attitudes regarding roles in bullying. *Journal of School Violence*, 9: 23-36.

Arseneault L, Milne B, Taylor A, Adams F, Delgado K, Caspi A, Moffitt T (2008). Being bullied as an environmentally mediated contributing factor to children's internalizing problems. *Archives of Pediatrics and Adolescent Medicine,* 162(2): 145-50.

Arseneault L, Walsh E, Trzesniewski K, Newcombe R, Caspi A, Moffitt T (2006). Bullying victimization uniquely contributes to adjustments problems in young children: A nationally representative cohort study. *Pediatrics,* 118(1): 13-18.

Australian Government Department of Communications (2014). *Enhancing Online Safety for Children*, viewed January 2014, http://www.communications.gov.au/__data/assets/pdf_file/0016/204064/Discussion_Paper_-_Enhancing_Online_Safety_for_Children.pdf

Australian Human Rights Commission, Human rights brief No. 1, *The Best Interests of the Child.* Available at http://www.humanrights.gov.au/publications/human-rights-brief-no-1

Australian Human Rights Commission (2013). *Background Paper: Human Rights and Cyberspace.* Available at http://www.humanrights.gov.au/publications/background-paper-human-rights-cyberspace).

Baker, SE, Edwards, R (2012). *How many qualitative interviews is enough.* Discussion Paper. NCRM. (Unpublished)

Bartholomew D, Shorten A, Antrum M (1999). *Being Fair: A Procedural Fairness Manual for Australian Schools.* National Children's and Youth Law Centre: Sydney. pp 17-26

Blackman L (2002). *Representing Children and Young People: A Lawyer's Practice Guide.* Victoria Law Foundation: Melbourne.

Boyd D, Ellison NB (2008). Social network sites: Definition, history, and scholarship. *Journal of Computer-Mediated Communication*, 13: 210-230.

Brubacher MR, Fondacaro MR, Brank EM, Brown VE, Miller SA (2009). Procedural justice in resolving family disputes: Implications for childhood bullying. *Psychology, Public Policy, and Law,* 15(3): 149-67.

Bryant D CFM (2003). The Contribution of Children to the Jurisprudence of the Federal Magistrates Court and the Relevance of the 'Best Interests of the Child' Principle in the Legal Work of the Federal Magistrates Court. Available at http://www.austlii.edu.au/au/journals/FedJSchol/2003/26.html

Butler D, Kift S, Campbell M (2009). Cyber bullying in schools and the law: Is there an effective means of addressing the power imbalance? *eLaw Journal: Murdoch University Electronic Journal of Law,* 16(1): 84-114.

Butler D, Kift S, Campbell M, Slee P, Spears B (2011). School policy responses to cyberbullying: An Australian legal perspective. *International Journal of Law and Education,* 16(2): 7-28.

Butler D, Matthews B (2008). School education. In G Monaghan, L Young (eds). *Children and the Law in Australia*, 1st ed. NSW: LexisNexis. pp 318-19.

Campbell M, Butler DA., Kift SM (2008). A school's duty to provide a safe learning environment: Does this include cyberbullying? *Australia and New Zealand Journal of Law and Education, 13*(2): 21-32.

Campbell M, Cross D, Spears B, Slee P (2010) *Cyberbullying - Legal implications for schools*. Occasional Paper 118, Centre for Strategic Education, Melbourne, Victoria.

Campbell M, Slee PT, Spears B, Butler D, Kift S (2013). Do cyberbullies suffer too? Cyberbullies' perceptions of the harm they cause to others and to their own mental health. *School Psychology International,* 34(6): 613-29.

Campbell M, Spears B, Slee P, Butler D, Kift S (2012). Victims' perceptions of traditional and cyberbullying, and the psychosocial correlates of their victimisation. *Emotional and Behavioural Difficulties*, *17*(3-4): 389-401.

Campbell M, Završnik, A (2014). Should cyberbullying be criminalized? In P Smith, G Steffgen (eds). *Cyberbullying Through the New Media: Findings from an International Network*. London: Psychology Press. pp. 3-19.

Cassidy W, Faucher C, Jackson M (2013). Cyberbullying among youth: A comprehensive review of current international research and its implications and application to policy and practice. *School Psychology International,* 34(6): 575-612.

Cauffman E, Steinberg L (2000). (Im)maturity of judgment in adolescence: Why adolescents may be less culpable than adults. *Behavioral Sciences & the Law,* 18: 741–60.

Chan PC (2009). Psychosocial implications of homophobic bullying in schools: A review and directions for legal research and the legal process. *The International Journal of Human Rights, 13*(2-3): 143-75.

Cheng YY, Chen LM, Ho HC, Cheng L (2011). Definition of school bullying in Taiwan: A comparison of multiple perspectives. *School Psychology International,* 3: 227–43.

Coyne I, Gountsidou V (2014). The role of the industry in reducing cyberbullying. In P Smith, G Steffgen (eds). *Cyberbullying Through the New Media: Findings from an International Network*. London: Psychology Press. pp. 83-98.

Creswell JW (2008). *Educational Research (3rd Ed): Planning, Conducting and Evaluating Quantitative and Qualitative Research*. Pearson Prentice Hall: New Jersey

Creswell JW, Plano Clark V L (2011). *Designing and Conducting Mixed Methods Research* (2nd ed.). Thousand Oaks, CA: Sage.

Coumarelos C, Macourt D, People J, McDonald H, Wei Z, Iriana R, et al. (2012). *Legal Australia-wide Survey: Legal Need in Australia.* Sydney, Australia: Law and Justice Foundation of New South Wales.

Council of Europe (2012), *Recommendation of the Committee of Ministers to Member States on the Protection of Human Rights with Regard to Social Networking Services.* Available at https://wcd.coe.int/ViewDoc.jsp?id=1929453&Site=CM.

Crofts T, Lee M (2013). Sexting, children and child pornography. *Sydney Law Review*, 35: 1.

Cross D, Shaw T, Hearn L, Epstein M, Monks H, Lester L, Thomas L (2009). *Australian Covert Bullying Prevalence Study* (ACBPS). Child Health Promotion Research Centre, Edith Cowan University, Perth.

Cunneen C (2008). Young people and juvenile justice. In G Monaghan, L Young (eds). *Children and the Law in Australia.* Chatswood: LexisNexis.

Davies MR, Lee BA (2008). The legal implications of student use of social networking sites in the UK and US: Current concerns and lessons for the future. *Education and the Law* 20(3): 259-88.

Davis CS, Gallardo HL, Lachaln KA (2012). *Straight Talk About Communication Research Methods*, 2nd ed. Kendall Hunt: IA

Davison I (2014). Judges warn cyber-bully law will flood courts. *The New Zealand Herald,* March 2014, available at http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11228413

Dwyer A, Easteal P (2013).Cyber bullying in Australian schools: The question of negligence and liability. *Alternative Law Journal,* 38(2): 92-95.

Ellison NB (2007). Social network sites: Definition, history, and scholarship. *Journal of Computer-Mediated Communication, 13*(1): 210-30.

European Social Networking Task Force (2009). Safer Social Networking Principles for the EU. Available at http://ec.europa.eu/digital-agenda/sites/digital-agenda/files/sn_principles.pdf

Fekkes M, Pijpers F, Fredriks A, Vogels T, Verloove-Vanhorick S (2006). Do bullied children get ill, or do ill children get bullied? A prospective cohort study on the relationship between bullying and health-related symptoms. *Pediatrics,* 117(5): 1568-74.

Findlay M, Odgers, S, Yeo SMH (2009). *Australian Criminal Justice*. (4th Ed) Oxford University Press Australia.

Forman J, Damschroder L (2008). Qualitative content analysis. *Empirical Research for Bioethics: A Primer. Oxford, UK: Elsevier Publishing* 39-62.

Fry ML, Drennan J, Previte J, White A, Tjondronegoro D (2014) The role of desire in understanding intentions to drink responsibly: An application of the model of goal-directed behaviour. *Journal of Marketing Management*, *30* (5-6): 551-70.

Georgi E, Petermann F, Schipper M (2014). Are empathic abilities learnable? Implications for social neuroscientific research from psychometric assessments. *Social Neuroscience* 9(1): 74-81.

Green V, Harcourt S, Mattioni L, Prior T (2013) *Bullying in New Zealand Schools: A Final Report*. Victoria University of Wellington.

Guerra NG, Williams KR, Sadek S (2011). Understanding bullying and victimization during childhood and adolescence: A mixed methods study. *Child Development, 82*(1): 295-310.

Hagen P, Collin P, Metcalf A, Nicholas M, Rahilly K, Swainston N (2012). *Participatory design of evidence-based online youth mental health promotion, intervention and treatment.* A Young and Well Cooperative Research Centre innovative methodologies guide.

Hardy SA, Carlo G (2011). Moral identity: What is it, how does it develop, and is it linked to moral action? *Child Development Perspectives,* 5(3): 212-18.

Harrold-Claesson R (2001). Smacking and the Law - a European Perspective. *Families First* 2, Available online at http://www.barnasrett.no/Artikler/smacking_and_the_law.htm.

Hemphill SA, Heerde JA, Gomo R (2014). *A Conceptual Definition of School-Based Bullying for the Australian Research and Academic Community.* Canberra: Australian Research Alliance for Children and Youth.

Hinduja S, Patchin JW (2011). Cyberbullying: A review of the legal issues facing educators. *Preventing School Failure,* 55(2): 71-78.

Hinduja S, Patchin JW (2014). *State cyberbullying laws: A brief review of state cyberbullying laws and policies.* Cyberbullying Research Center.

Hof S, Koops BJ (2011). Adolescents and cybercrime: Navigating between freedom and control. *Policy & Internet,* 3(2): 1-28.

Kaltiala-Heino R, Rimpelä M, Marttunen M, Rimpelä A, Rantanen P (1999). Bullying, depression, and suicidal ideation in Finnish adolescents: School survey. *BMJ,* 319(7206):348-51.

Kaltiala-Heino R, Rimpelä M, Rantanen P, Rimpelä A (2000). Bullying at school: An indicator of adolescents at risk for mental disorders. *Journal of Adolescence, 23*(6): 661-74.

Kift S, Campbell M, Butler D (2009-2010). Cyberbullying in social networking sites and blogs: Legal issues for young people and schools. *Journal of Law, Information and Science,* 20: 60.

Killgore WDS, Yurgelun-Todd DA (2007). Unconscious processing of facial affect in children and adolescents. *Social Neuroscience,* 2(1): 28-47.

Kim YS, Leventhal B, Koh Y, Hubbard A, Boyce A (2006). School bullying and youth violence: Causes or consequences of psychopathology? *Archives of General Psychiatry,* 63(9): 1035-41.

Kowalski RM, Giumetti GW, Schroeder AN, Lattanner MR (2014). Bullying in the Digital Age: A Critical Review and Meta-Analysis of Cyberbullying Research Among Youth.

Kowalski RM, Limber S, Agatston PW (2008). *Cyber bullying: Bullying in the Digital Age.* Blackwell, Malden, Mass: Oxford.

Kueny MT, Zirkel PA (2012). An analysis of school anti-bullying laws in the United States. *Middle School Journal,* 43(4): 22-31.

Land D (2003). Teasing apart secondary students' conceptualizations of peer teasing, bullying and harassment. *School Psychology International,* 24: 147-65.

Langos, C (2012). Cyberbullying: The challenge to define. *Cyberpsychology, Behavior, and Social Networking, 15*(6): 285-89.

Langos, C (2013). Which laws can apply to cyberbullying? *Bulletin of the Law Society of South Australia, 35*(10): 38.

Law Council of Australia (2014). *Enhancing online safety for children inquiry: Submission to the Department of Communications.* Available at: http://www.communications.gov.au/__data/assets/pdf_file/0009/220221/Law_Council_of_Australia.pdf

Legal Services Directorate, NSW Government Department of Education and Communities (2013). *Legal issues bulletins nos. 34, 37, 42.* Available at http://www.dec.nsw.gov.au/about-us/information-access/legal-issues-bulletins

Legal Services Directorate, NSW Government Department of Education and Communities (2013). *Legal issues bulletin no. 35: The use of mobile phones, portable computer games, recording devices and cameras in schools and TAFE NSW institutes*. Available at http://www.dec.nsw.gov.au/about-us/information-access/legal-issues-bulletins

Lenhart A (2007). *Cyberbullying and Online Teens.* Pew Internet & American Life Project.

Lievens E (2012). Bullying and sexting in social networks: Protecting minors from criminal acts or empowering minors to cope with risky behaviour? *International Journal of Law, Crime and Justice.*

Low S, Espelage D (2012). Differentiating cyber bullying perpetration from non-physical bullying: Commonalities across race, individual, and family predictors. *Psychology of Violence,* 3(1): 39-52.

Macourt D (2014). Youth and the law: The impact of legal problems on young people. *Updating Justice,* 38(February): 1-9.

Marczak M, Coyne I (2010). Cyberbullying at school: Good practice and legal aspects in the United Kingdom. *Australian Journal of Guidance & Counselling, 20*(2): 182-93.

Martin EA, Singleton ES (1997). *Oxford Dictionary of Law*. 4th edn. Oxford University Press: Oxford.

Mayring P (2000). Qualitative content analysis. *Qualitative Social Research*, 1(2), viewed 10 March 10, 2014, http://qualitative-research.net/fqs/fqs-e/2-00inhalt-e.htm

Menesini E, Nocentini A, Palladino BE, Scheithauer H, Schultze-Krumbholz A, Frisen A, Berne S, Luik P, Naruskov K, Ortega R, Calmaestra J, Blaya C (2013). Definitions of Cyberbullying. In P Smith, G Steffgen (eds). *Cyberbullying Through the New Media: Findings from an International Network*. London: Psychology Press. pp. 3-19.

Miles MB, Huberman MA (1994). *Qualitative Data Analysis: An Expanded Source Book.* Thousand Oaks, CA: Sage Publications

Olweus, D (1978). *Aggression in the Schools: Bullies and Whipping Boys.* Hemisphere: Washington D.C.

Olweus, D (1993) *Bullying at School: What We Know and What We Can Do.* Oxford: Blackwell.

Olweus, D (1999). Sweden. In PK Smith, Y Morita, J Junger-Tas, D Olweus, R Catalano, P Slee (eds). *The Nature of School Bullying: A Cross-National Perspective*. Routledge: London.

Patchin J, Hinduja S (2006). Bullies move beyond the schoolyard: A preliminary look at cyberbullying. *Youth Violence Juvenile Justice,* 4(2):148-69.

Patchin J (2014). *Deterring teen bullying: Dos and Don'ts*, Feb 2014, available at http://cyberbullying.us/deterring-bullying/.

Patel KA (2011). Cyberbullying: What's the Status in England. *San Diego Int'l LJ,* 13: 589.

Paul S, Smith PK, Blumberg HH (2012a) Comparing student perceptions of coping strategies and school interventions in managing bullying and cyberbullying incidents, *Pastoral Care in Education: An International Journal of Personal, Social and Emotional Development,* 30(2):, 127-46.

Paul S, Smith PK, Blumberg HH (2012b). Investigating legal aspects of cyberbullying. *Psicothema,* 24(4): 640-45.

Pepler D, Jiang D, Craig W, Connolly J (2008).Developmental trajectories of bullying and associated factors. *Child Development,* 79(2): 325-38.

Perugini M, Bagozzi, RP (2001). The role of desires and anticipated emotions in goal-directed behaviours: Broadening and deepening the theory of planned behaviour. *British Journal of Social Psychology*, *40*(1): 79-98.

Perugini M, Connor M (2000). Predicting and understanding behavioural volitions: The interplay between goals and behaviours. *European Journal of Social Psychology,* 30(5): 705–31

Purdy N, Mc Guckin C (2013) Cyberbullying and the Law. The Standing Conference on Teacher Education, North and South (SCoTENS).

Quirk D (2014). *School Bullying and the Law in the Republic of Ireland*, available online at http://nabc.ie/fileadmin/user_upload/help/PDFs/School_Bullying_Legal_Situation.pdf

Reijntjs A, Kamphuis J, Prinzie P, Telch M (2010). Peer victimization and internalizing problems in children: A meta-analysis of longitudinal studies. *Child Abuse and Neglect,* 34(4): 244-52.

Richetin J, Perugini M, Adjalia I, Hurling R (2008). Comparing leading theoretical models of behavioural predictions and post-behaviour evaluations. *Psychology and Marketing,* 25(12): 1131–50.

Robinson PH, Darley JM (2004). Does criminal law deter? A behavioural science investigation. *Oxford Journal of Legal Studies, 24*(2): 173-205.

Ross NM (2008). Legal representation of children. In G Monaghan, L Young (eds). *Children and the Law in Australia*, 1st edn. NSW: LexisNexis. p. 566.

Sanders J (2010). *Youth Justice: Your Guide to Cops and Court in NSW.* 4th edn. The Federation press: Leichardt

Shariff, S. (2008). *Cyber-bullying: Issues and Solutions for the School, the Classroom and the Home*. Routledge: Abington.

Smetana JG, Campione-Barr N, Metzger A (2006). Adolescent development in interpersonal and societal contexts. *Annual Review of Psychology,* 57: 255-84.

Smith, PK. (2014) *Understanding School Bullying: Its Nature and Prevention Strategies*. Sage: London

Smith PK, del Barrio C, Tokunaga RS (2013a). Definitions of bullying and cyberbullying: How useful are the terms. In S Bauman, D Cross, JL Walker (eds). *Principles of Cyberbullying Research: Definitions, Measures and Methodology*, New York: Routledge. pp. 26-45.

Smith PK, Smith C, Osborn R, Samara M. (2008). A content analysis of school anti-bullying policies: Progress and limitations. *Educational Psychology in Practice,* 24(1): 1-12.

Smith PK, Steffgen G, Sittichai, RR (2013b). The nature of cyberbullying, and an international network. In: P Smith, G Steffgen (eds). *Cyberbullying Through the New Media: Findings from an International Network*. London: Psychology Press. pp. 3-19.

Snakenborg J, Van Acker R, Gable RA (2011). Cyberbullying, prevention and intervention to protect our children and youth. *Preventing School Failure,* 55(2): 88-95.

Spears BA, Slee P, Owens L, Johnson B (2008). *Behind the Scenes: Insights into the Human Dimension of Covert Bullying.* Canberra: Report prepared for Department of Education, Employment and Workplace relations (DEEWR).

Spears BA, Slee P, Owens L, Johnson B (2009). Behind the scenes and screens: Insights into the human dimension of covert and cyberbullying. *Journal of Psychology,* 217(4): 189-96

Srivastava A, Gamble RH, Boey J (2013) Cyberbullying in Australia: Clarifying the problem, Considering the Solutions, *International Journal of Children's Rights,* 21: 25-45.

Stanton L, Beran T (2009). A review of legislation and bylaws relevant to cyberbullying. *McGill Journal of Education,* 44(2): 245-60.

Steinberg L (2004). Risk-taking in adolescence: What changes, and why? *Annals of the New York Academy of Sciences,* 1021: 51-58.

Steinberg L (2007). Risk taking in adolescence: New perspectives from brain and behavioural science. *Current Directions in Psychological Science,* 16(2): 55-59.

Steinberg L, Scott ES (2003). Less guilty by reason of adolescence: Developmental immaturity, diminished responsibility, and the juvenile death penalty. *American Psychologist,* 58(12): 1009-18.

Tobin J (2012). The development of children's rights. In G Monaghan, L Young (eds). *Children and the Law in Australia.* 1st edn. NSW: LexisNexis. p. 29.

Tokunaga RS (2010). Following you home from school: A critical review and synthesis of research on cyberbullying victimization. *Computers in Human Behavior,* 26(3): 277-87.

UK House of Commons (2014) *Culture, Media and Sports Committee into online safety,* available at http://www.publications.parliament.uk/pa/cm201314/cmselect/cmcumeds/729/72902.htm

Vaillancourt T, McDougall P, Hymel S, Krygsman A, Miller J, Stiver K, Davis D (2008). Bullying: Are researchers and children/youth talking about the same thing? *International Journal of Behavioral Development,* 32(6): 486-95.

Van Geel M, Vedder P, Tanilon J (2014). Relationship between peer victimization, cyberbullying, and suicide in children and adolescents: A meta-analysis. *JAMA Pediatrics,* published online March 10, 2014.

Weatherburn D, McGrath A, Bartels L (2012) Three dogmas of juvenile justice. *UNSWLJ, 35*: 779.

Willard MS (2014) Positive relations @ school (& elsewhere): Legal parameters & positive strategies to address bullying & harassment. *Embrace Civility in the Digital Age,* available at http://www.prevnet.ca/

Ybarra ML, Diener-West M, Leaf PJ (2007). Examining the overlap in internet harassment and school bullying: Implications for school intervention. *Journal of Adolescent Health,* 41: S42-S50.

Ybarra ML, Mitchell KJ, Wolak J, Finkelhor D (2006). Examining characteristics and associated distress related to Internet harassment: Findings from the second youth internet safety survey. *Pediatrics, 118*(4): 1169-77.

Social Policy Research Centre

Level 2, John Goodsell Building
Faculty of Arts and Social Sciences
UNSW Australia
UNSW Sydney 2052 Australia
t +61(2) 9385 7800
f +61(2) 9385 7838
e sprc@unsw.edu.au
w www.sprc.unsw.edu.au