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

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

Appendix D: Supplementary data and analysis

Prepared for:
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Barbara Spears, Carmel Taddeo, Teresa Swirksi, Tony Daly, Matthew Keeley, Ilan Katz, Philippa Collin, Shona Bates

University of Western Sydney
YOUNG AND WELL Cooperative Research Centre

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

Eight reports were produced in this series of publications; these are listed below.

Synthesis report

Part A: Literature review on the estimated prevalence of cyberbullying involving Australian minors

Part B: Cyberbullying incidents involving Australian minors, the nature of the incidents and how they are currently being dealt with

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

Appendix A: Literature review – International responses to youth cyberbullying and current Australian legal context

Appendix B: Findings of research with adult stakeholders

Appendix C: Findings of research with youth

Appendix D: Supplementary data and analysis

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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.

Social Policy Research Centre

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1. Introduction

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

2. Summary of interviews

This summary of interviews based on deductive and inductive coding.

- Nuanced possibilities
- Challenges of change

Information/education campaign (for supporting quotes please refer to Table 5):

- Fostering behaviour change
- Commercial imperatives
- Building on current resources and knowledge bases
- Language and messaging
- Youth focus and participation
- Cross-sectoral participation
- Indigenous perspectives

Role of social media (for supporting quotes please refer to Table 6):

- Aligning social and legal responsibilities
- Territorial complexities
- Commercial imperatives
- Current capacities
- Rapid emergence of new media platforms
- Expectations of consistency
- Exploring alternate options

Role of curriculum (for supporting quotes please refer to Table 7):

-

3. Stakeholder interviews: Supporting quotes

Table 1 Current understandings

Quote	Inductive codes	Description
"sustained and repeated act of victimising another person using online chat forms [sic]" "it's that notion of more than one-off, so repeated behaviour using technology in some sort, online technology, to harass or intimidate, or harm someone else" "moving that [bullying] into the far more international borderless environment of the internet" "I think online bullying, if it gets to that extreme, is generally mixed up with other behaviours" "some kind of abusiveness that's repetitive"	Severity, scope and complexity of behaviour	Repetition, intent and transcending geographical boundaries
"sometimes people say something is bullying and no disrespect to the large number of people who do suffer, but sometimes it's not" "like people make mistakes in real life, they make mistakes online. You want to make sure that people have the right to make mistakes" "it's really difficult to categorise one [in reference to cyberbullying and bullying] without considering the other" "Cyberbullying is quite an adult construct and many children that we deal with who had some form of bullying, are bullied online and offline, so we think it's a false dichotomy" "Kids don't see cyberbullying as cyberbullying, it's bullying online ... The cyberbullying versus normal bullying, that debate only happens at an industry level, it never happens at a child level" "bullying is a complex social relationship that's deeply embedded in our society. Just because we as adults have introduced another medium in which kids can do what they're doing anyway ... doesn't mean that we should separate it out and say, Well, this is much more serious" "I mean this is just people gone mad with trying to solve an age-old complex, deeply-embedded problem by taking one tiny bit of technology and saying, We're getting tough on this ... It's very difficult to explain that bullying is a sub-set of aggression" "if the government and society haven't yet thought that standard bullying is a criminal thing, then I don't see why e-bullying should be" "we think that it's a really important thing for the government and the education community, and anyone involved in this, to actually understand what it is, particularly when you start taking about solutions, you have to know what solution you're trying to solve"	Lack of unified understandings	A diversity of understandings and discourses surrounding bullying and cyberbullying exist
"I get the sense at the moment everyone feels like it's too hard and it's a really bad thing, but no one can do anything about it" "until recently there's been very little ability to legally do much about it, and there's a real grey area around whose jurisdiction it sits under" "there's a range of legal remedies that might already apply to particular types of behaviours, but then there is this sense that sometimes those current legal remedies	Feelings of disempowerment	Recognising that the scope of the problem can seem overwhelming and daunting

conversation, they can evolve and they can be nimble" "one of the things that perhaps we could look at is some review of the Convention of the Rights of the Child, because that's an international treaty ... if new provisions were included to cover the whole area of social media and its impacts on children, that would then oblige national governments to pass their own legislation, hopefully consistently with those principles, to regulate that activity in their own jurisdiction" "What hasn't been considered I don't think in any kind of proper significant way is testing the waters to see what works, what doesn't and then maybe in two years time getting a commissioners or the commission to report back to the government and say these are the things we need"		
"I think it should be an independent position ... I think tacking it onto an existing bureaucracy which has a different function, it doesn't give it the sort of independence that you'd expect ... if I was looking perhaps to do it on the cheap, would be to have an e-Commissioner attached [to] the Human Rights Commission ,which has a much greater degree of independence from the government" "maybe a designated position or office that was presented in a way that kids, I suppose kids felt comfortable ... don't create another service but maybe expand an existing and successful and well-known service" "I think I much prefer the civics model over the criminalisation model. However, I don't think that that's a stand-alone model, and I think it's a last resort. I think there's lots of different ways that need to be put in at the front end to stop these problems occurring, you know, and the civic, you know civic enforcement model would be, would be kind of the last step in a series of steps that we mobilise" "the e-Safety Commission should play a role in getting more synergies and collaboration between various bodies, government and non-government, so that there's less duplication, but then I guess the NGO sector plays a really big role ... I think they should use community or government, or whatever sector is already doing what they do really well, and putting that into a way to [sic] everyone knows who's doing what, and it's all done very efficiently and collaboratively" "something that's easy for a young person to access... It has to be, it needs to be ..easy" "could be supported by the not-for-profit sector, and also the Children's Commissioners across the country" "sexting is equally a big issue ...is it a good role for the e-Safety Commissioner to think more broadly than just cyberbullying? I think they need to because sometimes the issues are hard to segregate one from the other"	Positioning and scope	How the role is positioned in relation to other agencies, its accessibility to young people – and the scope of its remit
"So I'm not quite sure how this, whether this sort of body can make them [social media sites] do anything really, and why should this body make them do it? "I wouldn't want that to be seen as the solution, just one part of the puzzle, one piece of a puzzle that's perhaps missing, but there needs to be other solutions, which is about education and support, and all that kind of stuff" "I don't see how legislation would actually fix that when a lot of the time its actually about educating people, you know, about where to go" "firstly you have to ask the question of is this regime actually looking at bullying and what is bullying ... because otherwise we're kind of legislating for intergenerational conflict ... So you know what young people think is harmful to them and what adults think is harmful to them are two very different things"	Possible tensions about introducing a CER	Concerns about capacity of CER (e.g. to enforce regulation, foster change - and reconcile conflict and scale)
" ... it sounds like people would feel like there's some way [sic] they can go, and someone who understands and can listen, and can do something, so that would be quite reassuring" "a central point of contact ... it will be useful to have someone that is a resource for	Reassuring point of contact	A high profile point of contact would be reassuring and

“let’s have a conversation, let’s not just have legislation because I worry that if we set these things in stone ... how is any safety commissioner going to suddenly build a scalable system for 23 million people in Australia?”		
“create an approach that both requires that young person to recognise and acknowledge the damage they have done, whilst not triggering their broad sort of trauma issues” “... seems a bit more to actually sort out the issue, rather than just sort of give a penalty” “kids having to sit down, talk, get their heads around things and so on ... that is when I’ve seen kids, when they engage ... restorative conversations, call it what you will, I just prefer to call it education” “Community service or giving up your time, to me would seem a better type of approach if you were going to criminalise it” “there’s some lessons we can learn in terms of those shared concern models of mediation [such as in Scandinavian countries] ... to have those young people understand the implications of their behaviour on the other child, and secondly to have increased empathy about the impact, the impact of their behaviour” “Mediation, I totally disagree with ... In bullying you have one party	Restorative, dialogic approach	Benefits of a longer-term and proactive initiative, rather than a short-term, reactive approach

Table 3 New criminal law

Quote	Inductive code	Description
“...I guess it depends on what’s most practical. It probably just needs an amendment because it’s still bullying, as long as that’s practical” “I don’t think we should throw the legislative frameworks out, but I think they serve some purpose, but it’s like if you really want behaviour change, it’s an age-old sort of dynamic, you know, where does the law come in and where does public health come in”	Practicalities and new partnerships	Utilise and expand on existing frameworks/approaches
“a punitive response is completely counter-productive” “I worry about using the criminal law to address behaviour by young people and children, and criminalising conduct... there’s a potential for disparate enforcement” “is creating another category of crime around young people a good thing? I’m not sure it is” “So will a cyberbullying offence work? Not if there are no prosecutions, not if children don’t know about it, not if it is just another law that sits there redundant without actually being used” “cyberbullying, and the reason people cyberbully, in a lot of cases, is because they have troubles themselves ... to simply say the outcome of this should be punishments ... It seems a very one-sided approach” “If it’s really serious there are already laws” “I think that we should be going from a strength-based approach, rather than a punitive model doesn’t, you know, doesn’t teach anybody to be relating better, it teachers them simply to be frightened of relating” “for Indigenous kids ... the potential for them to get caught up in that trap where there is a criminal code relating to minors utilising electronic equipment inappropriately, would mean that these kids would get caught up in it enormously... So a criminal code regulating this sphere for minors would be an unmitigated disaster”		

“There does seem to be some level of, of ensuring that they take responsibility for those action, and there is some consequences to those actions. So yes, a simplified law around cyberbullying would probably be helpful”

“we do think there should be national laws ... for understanding and general knowledge ... there are often inter-jurisdictional issues ... because if you do want to

“I’d rather the resources be used in more of a public health model, a better understanding of why people engage in the behaviour in the first place, about what it means, and developing appropriate responses to it, and supporting, encouraging and empowering, children and young people to do the right thing, rather than putting resources into criminal enforcement regimes”		resources

Table 5 Information/ education campaign

Quote

"there is a huge opportunity to actually leverage the commercial relationships more strongly"

"So governments need to be in the picture ...the range of existing cybersafety stakeholders .. not-for-profits. I think corporate need to be in the partnership mix, and I think very, very crucially research organisations need to be in the mix, because we cannot have a situation where we're guessing about what works, we need to have a situation where, you know, it's well-informed, grounded in research and so on"

"the range of stakeholder organisations that would probably be keen to be part of helping to promote that message, and to work with people to do it, kind of in a better way, and to reach a whole range of children and young people who probably aren't caught up by some of the mainstream programs that are currently available and running"

and say that you know bullying activity is actually criminal, there would be a reduced rate, so we are constantly doing that and what we take from that question is the focus on education and learning not only students and kids but teachers and parents and police force to the law that already exist and how they may implement them”

“education is the solution, education and outreach”

“”the idea of a one-off campaign for two weeks to say, Don’t do it, doesn’t make sense

amongst kids, so there could be some parallels around how actually [to] introduce a public health campaign that responds to cyberbullying"

"there is an [sic] lot of goodwill here that the government is not considering before they went down this path, and wouldn't it be fantastic if they extracted a few hundred thousand dollars or even more from the social media sites to work on some kind of combined campaign with the government you know"

"Federal Police have carried out a role in this area, as have the Human Rights Commissions, and I don't see any reason why they shouldn't continue to do so. I think an S s-6(l)-6(her)1(e t)-9(hat)p9 ewpeed[e(-0(h)-6(d(TJ 0.05.716Tc 0 Tw n)15(c(ea,)-10(p")13D-10(hu2(ar)9(o22(ent)5(y)4(ou)156.06k-6(t

"they probably should [be regulated], but the question is really more about whether it can be implemented in practice ... I mean I guess you'd want to encourage them to have some kind of social responsibility, yeah. How to do that I'm not sure!!" "I think there's a whole lot that they could and probably should be doing in those sites" "I think they need to know that they've got certain legal obligations, and not just obligations as and when it suits them" "I think it's a great idea to make people more accountable for the sort of content that comes up on these websites, but how are you going to do it?" "as a society we should protect kids, and kids need greater support, therefore they need greater protection. So we would advocate that they should play a role in helping to remove material that's harming children" "I think it is a tricky question given the multinational kind of nature of the way a lot of them operate, and given the ease with which, really the fluidity of young people, the way people move between different sites and different platforms, I just think it's a really hard space to regulate with the kind of heavy hand of the law" "I think for a company that is not based in Australia legislation is going to be very difficult to actually help do anything for a site that's based outside of the country" "hard to convince anyone overseas that Australia needs a special terms of use" "I mean up until six months ago, Twitter didn't even have an office in Australia0(hat)5(0e)16ng social	Aligning social and legal responsibilities	Tensions of aligning social and legal responsibilities; while social responsibility is clear – the realities of legal responsibilities are murky

		be beneficial

“actively involve young people in spreading the message as well”

“I guess the only other thing I think is really important in this spaces, is about engaging children and young people to be part of the discussions ... using them to help formulate what concerns them most, what worries them most, and the solutions that they’d like to see put in place. I think would be really kind of important part of any strategy”

4. Triangulation and comparison

Table 8

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service teachers & Parents	Youth crowdsourcing: Young people	GfK Survey Young people	
maximum penalty such as a fine. Option 3: Create a separate CER to deal with CB modelled on the NZ approved agency approach				Cyberbullying	
				Being menacing, harassing or offensive on the internet/ mobile phone	92%
				Blackmail (or trying to force) someone to send inappropriate personal photos on the internet/mobile	88%
				Saying something untrue about someone on the internet/mobile	71%
				Deliberately excluding others or encouraging others to exclude a person or group on the internet/mobile	60%
				Accessing or breaking into/hacking another person's account	58%
				Being menacing, harassing or offensive on the internet/ mobile phone	92%
Links to 3.1 Options for a CB Offence	Establishing baseline understanding	Do you think CB can be considered an offence under existing laws? Adults	Do you think CB can be considered an offence under existing laws? Of the 53 Young People who responded to this item	CB as a criminal offence (pg 34)- Young People	
		Yes 42.9%	Yes 67.9%	Yes	63%

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service teachers & Parents		Youth crowdsourcing: Young people		GfK Survey Young people	
		No	3.6%	No	18.9%	No	9%
		Unsure	53.6%	Unsure	13.2%	Unsure	28%
	Establishing baseline data: Behaviours perceived to constitute a criminal offence					Definitely a crime	
						Blackmail (or trying to force) someone to send inappropriate personal photos on the internet/mobile	83%
						Accessing or breaking into/hacking another person's account	73%
						Being menacing, harassing or offensive on the internet/ mobile phone	69%
						Saying something untrue about someone on the internet/mobile	26%
						Deliberately excluding others or encouraging others to exclude a	

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service teachers & Parents		Youth crowdsourcing: Young people		GfK Survey Young people	
						cyberbullies	
						Half of the time or more (aggregate total)	20%
						Quarter of the time or less (aggregate total)	50%
		Do you think the current penalties including the possibility of a criminal record and going to a juvenile detention centre are appropriate for discouraging young people from cyberbullying		Do you think the current penalties including the possibility of a criminal record and going to a juvenile detention centre are appropriate for discouraging young people from cyberbullying			
		Yes	50.9%	Yes	70%		

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service teachers & Parents		Youth crowdsourcing: Young people		GfK Survey Young people	
					le		
Links to 3.1 Options for a CB Offence	Response Options: See Discussion Paper	Do you think a new CER should be introduced which applies to young people under the age of 18 who cyberbully?		Do you think a new CER should be introduced which applies to young people under the age of 19 who cyberbully?			
		Yes	59%				

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service teachers & Parents	Youth crowdsourcing: Young people	GfK Survey Young people
		consequences to young people under the age of 18 for acts of CB	consequences to young people under the age of 18 for acts of CB	

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre- service teachers & Parents	Youth crowdsourcing: Young people		GfK Survey Young people	
					Via schools	93 %
			School	87.8%	Via media (total including news programs)	70 %
			Govt website	19.6%	Via media (aggregate)	66 %
			Police			

Discussion Paper	Macro -level Themes	Survey Principals, Teachers, Pre-service teachers & Parents	Youth crowdsourcing: Young people	GfK Survey Young people