

BULLYING AT SCHOOL

Bullying and the law

What is bullying?

Bullying is something done deliberately against a person or group of people to upset or hurt them or damage their property, reputation or acceptance by others. Bullying can be in person or online, and it can be obvious or hidden. Bullying can happen anywhere and anyone can be a bully, a teacher or a student, even a family member or someone you've had a close relationship with.

Is bullying illegal?

In severe cases, bullying behaviours can now be treated as a crime. This can include bullying that happens via the internet, social media, or mobile phones. Schools and employers must try their best to make you feel safe and stop bullying from happening. Most schools and employers should have policies and plans to prevent bullying.

Bullying may be considered a crime if someone:

- Causes you physical or mental harm and means to do it
- Threatens to hurt or kill you;
- Stalks you
- Damages your stuff on purpose or steals from you
- Discriminates against you in certain situations.



It can also be a crime to use a mobile phone or the internet to threaten, harass or seriously offend somebody, or to send out (or threaten

to send out) sexually explicit images or films of someone without their consent.

Call the free Legal Help Line on 1300 366 424 to find out more.



Schools and bullying

What do schools have to do?

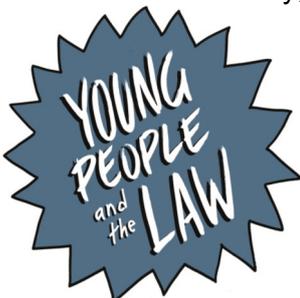
All public schools in SA are required to have anti-bullying plans in place to deal with bullying and cyber-bullying. Your school has to make sure that students are not bullied or harassed and that it is a safe place for you to be. It should have a clear process for students to report bullying, and provide support for students who have been affected by bullying. If you are being bullied at school or outside school, tell someone about what is happening to you. Someone at your school must quickly respond to the situation.

How do I report bullying to the school?

You can make a complaint to the school by meeting with the principal. Ask your parents or someone you trust to come with you, especially if you are scared or worried about it. Your school should work with you to try and figure out a plan to stop the bullying. Your school should still be able to help you even if the bullying is not taking place at school itself (for example if it is online). If you have spoken to the principal and you are not happy with their response, you and your parents can make a complaint.

If you want to make a complaint about your school call the Legal Help Line on 1300 366 424 or Ombudsman SA www.ombudsman.sa.gov.au to find out more details about who you can complain to.

Disclaimer: The material in this factsheet is a general guide only. It is not legal advice. The legal information was correct at the time of publishing, however may change without notice.



**Legal Services
Commission**
OF SOUTH AUSTRALIA

We help people understand the law and how it can affect them.

For free legal help,
call the Legal Help Line:

1300 366 424

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How to get help

You have the right to feel safe. Telling someone that you are being bullied is important. Your friends, a trusted adult, your teachers, or your principal might be good people to talk to. Tell them the who, what, when and where of what's been happening.

If you don't want to speak to someone you know, there are services that can help you:

- Call the Kids Helpline on 1800 55 1800. They provide free phone counselling 24 hours a day 7 days a week. It's free from all mobile phones. You can also chat online with someone during certain hours at www.kidshelp.com.au
- Call Headspace on 1800 650 890 to talk to someone or you can get online support or webchat at www.eheadspace.org.au

Other options for protection

Can I call the police?

If someone has threatened to harm you or has actually harmed you this is a crime and can be reported to police. If the police believe that it is appropriate, the bully could be charged with a criminal offence, or the bully may be cautioned against continuing with any further bullying. If a bully has damaged or stolen your things, you can also report this to the police.

If you are being bullied online, texts, voicemails, screenshots of web pages and other forms of electronic evidence should be carefully saved and backed up. Make a note of the time and date that you are saving this evidence. Printouts



should also be made wherever possible and shown to the police. The correct contact details of the person who is bullying you will also be helpful.

CHECK YOUR RIGHTS!!

How can I get protection?

If the bullying is really bad and it won't stop, it may be possible to get an Intervention Order (these used to be called 'restraining orders') to make the person stop what they are doing or prevent them from doing something in the future. This order can say, for example, that the bully is not allowed to contact you or come to your school, home or work. If they do not follow the order, they can be charged with a criminal offence.

To find out more about intervention orders and to check your legal rights, call the Legal Help Line on 1300 366 424.

Contact us!

Got a legal problem?
Call our free Legal Help Line:
[1300 366 424](tel:1300366424)

Would you like more information,
resources, or a free visit?
Email: cle@lsc.sa.gov.au

To apply for legal aid online,
visit: www.lsc.sa.gov.au



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