

BACKGROUND PAPER FOR SESSION 3:
THE ROLE OF CHILD PROTECTION SYSTEMS IN PROTECTING CHILDREN FROM
– BULLYING AND CYBERBULLYING –

1. INTRODUCTION

The [EU Agenda for the Rights of the Child](#)¹ reaffirmed the commitment of the EU to promote, protect and fulfil the rights of the child. It sought to focus on actions to protect children when they are vulnerable, in particular to protect children from violence.

Bullying amongst children, which encompasses both physical and psychological violence between children in and out of the school setting has been recognised as a serious issue in terms of violations of children's rights. It includes its most modern manifestation, **cyberbullying**, as children experience repeated verbal or psychological harassment also through the Internet or other digital technologies.

For the purposes of the Forum discussions the following definition of bullying can be used:

"We say a child or young person is being bullied or picked on when another child or young person, or a group of children or young people, say nasty and unpleasant things to him or her. It is also bullying when a child or a young person is hit, kicked, threatened, locked inside a room, sent nasty notes, when no-one ever talks to them and things like that. These things can happen frequently and it is difficult for the child or the young person being bullied to defend himself or herself. It is also bullying when a child or young person is teased repeatedly in a nasty way. But it is not bullying when two children or young people of about the same strength have the odd fight or quarrel".²

2. OBJECTIVES OF THE SESSION

The purpose of the session is to look at the role of child protection systems in preventing and responding to bullying and cyberbullying, and provide input on how the EU can support national child protection systems in this context. Taking due account of the role of the EU and its competences, some of the envisaged objectives of this session are to:

- Identify good practice, including examples of systems, models and methods that have proved useful in preventing and addressing bullying;
- Identify formal and informal actors involved in child protection systems that play a role in protecting children against bullying and cyberbullying as well as mechanisms that support their co-operation and collaboration to achieve effective preventative measures and solutions;
- Discuss how best to engage with and empower children (victims, perpetrators and bystanders) and families in preventing and tackling bullying;

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0060:FIN:EN:PDF>

² Developed by Olweus (1989, 1993, 1999) and extended by Whitney and Smith (1993). See <http://www.education.gov.uk/publications/eOrderingDownload/Reducing%20Bullying%20Amongst%20the%20Worst%20Affected.pdf>

- Exchange ideas on practical steps that can be taken by all Forum participants to contribute to child protection systems in preventing and addressing bullying and cyberbullying.

3. STRUCTURE OF THE SESSION

The three-hour session will be co-chaired by a representative of the European Commission and a civil society expert on the issue. A panel of speakers will introduce the topics for further discussion, highlighting key issues and specific challenges for the prevention of and protection from bullying and cyberbullying. A maximum of 50 participants will participate in the session and English will be the working language.

4. CONTEXT

Bullying is a form of violence against children and is in violation of Article 19 of the UN Convention on the Rights of the Child (UNCRC). Apart from the [8th Forum general background paper](#) and for an introduction on the topic of violence against children, please read the [7th Forum's background paper for the workshop on violence against children](#)³ and the last year's [overall concluding observations](#)⁴.

4.1. Global commitments to protect children from violence

Article 19 UNCRC defines violence against children as "all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse". As States parties to the Convention, EU Member States are obliged to take "all appropriate legislative, administrative, social and educational measures to protect the child from all forms of violence".

The [UN Committee on the Rights of the Child's \(CRC\) General Comment No 13](#)⁵ noted that violence, harassment and bullying are unacceptable in any context and violate a range of human rights. Securing and promoting children's fundamental rights to respect for their human dignity and physical and psychological integrity, through the prevention of all forms of violence, is essential for promoting the full set of rights in the Convention.

According to the [CRC General Comment No 1](#)⁶ all children have the right to accessible high-quality education free from violence, harassment and bullying. Schools should provide a supportive learning environment where all students feel safe. The CRC stresses that "children do not lose their human rights by virtue of passing through the school gates".

The [2006 World Report on violence against children](#)⁷ is a crucial reference for policy makers, civil society and other stakeholders working on violence against children. It presents a detailed picture of the nature, extent and causes of violence against children in a variety of

³ http://ec.europa.eu/justice/fundamental-rights/files/background_cps_and_violence_en.pdf

⁴ See Forum Report, both individual workshop conclusions and overall concluding remarks: http://ec.europa.eu/justice/fundamental-rights/child/european-forum/seventh-meeting/files/forum_summary_report_en.pdf

⁵ CRC General Comment No.13 (2011): The right of the child to freedom from all forms of violence Art 19; http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf

⁶ CRC General Comment No. 1 (2001) The Aims of Education Art 29 (1); <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G01/412/53/PDF/G0141253.pdf?OpenElement>

⁷ Pinheiro, P.: "World Report on Violence against Children" (2006), United Nations, Geneva; http://www.unicef.org/violencestudy/reports/SG_violencestudy_en.pdf

settings, including violence in schools, and proposes recommendations for action to prevent and respond to it.

4.2. EU actions to protect children from violence

The EU is committed to promoting and supporting the realisation of children's rights in line with the UNCRC. In the context of the **Daphne III Programme** and its predecessors⁸ the Commission has co-financed a large number of projects aiming to protect children from violence. Children as victims of bullying at school are one of the priority areas under the 2013 Daphne III call for action grants, closed on 30 October 2013⁹.

Protecting children from exposure to harmful content online and empowering them to deal with risks such as cyberbullying is part of the Commission's 2012 [Strategy for a Better Internet for Children](#)¹⁰. Safer Internet Centres have been instrumental in raising awareness on online risks, including cyberbullying, among children, parents and teachers.

Many members of the European Parliament have signed a 2013 [Written Declaration](#)¹¹ calling for the establishment of a European day against bullying and school violence and aiming to contribute to raising awareness and protecting children from all forms of physical and psychological violence, including cyberbullying.

5. ISSUES TO BE ADDRESSED IN THE SESSION

The session will look at bullying and cyberbullying through the lens of a child protection system which is multidisciplinary and implies co-operation among a range of actors. In the case of bullying and cyberbullying these **formal and informal actors** can include children, families, different school workers (teachers, school psychologists), social workers, child helplines, health professionals, the justice system, the police, digital industry, Ombudspersons, different ministries and government agencies.

Specific **components** of any child protection system are:

- legal and policy framework
- data and knowledge
- resources (staff and staff training, financial, infrastructure)
- prevention and response services
- coordination
- oversight and accountability
- children and child participation
- family and community involvement

⁸ Projects in the area of violence and school supported by the Daphne Programme since 1997 fall generally into four main categories: projects aiming to prevent bullying and peer violence; initiatives that use school as a venue for anti-violence education; projects focusing on empowering teachers and educational staff as actors in protecting children; and the development of studies and tools in the area of violence and school (Daphne Toolkit (2008); http://ec.europa.eu/justice_home/daphnetoolkit/files/others/booklets/08_daphne_booklet_8_en.pdf)

⁹ http://ec.europa.eu/justice/newsroom/files/daphne_wp_2013_en.pdf

¹⁰ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0196:FIN:EN:PDF>

¹¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=PV&reference=20130204&secondRef=ANN-02&language=EN>

Some of these are briefly outlined in the following sections and session participants are encouraged to reflect on when and how a child protection system comes into play with regard to bullying and cyberbullying.

5.1. Legislation

As of 2003 all but six member countries of the OECD had taken initiatives to deal with bullying and violence in schools, whereby schools are required to have anti-bullying policies in place¹². While there is no EU legal framework regarding violence in schools, in several Member States there are laws that may be used to deal with specific forms of bullying.

5.2. Data

Obtaining data about bullying as a form of violence against and among children is a difficult task due to a variety of definitions and the reluctance of children to speak out. This also makes comparisons problematic. Evidence is also lacking to explain what happens after bullying has been reported.

According to the 2011 *EU Kids Online* study¹³, 19% of children had reported being bullied in the previous year and 12% had reported bullying others showing that a minimum of 31% of all European children had direct experience of bullying.

The 2010 *WHO/Europe Health Behaviour in School Aged Children (HBSC)*¹⁴ surveys children aged 11, 13 and 15 in 43 countries, including all EU Member States. It contains questions on bullying and violence, cyberbullying, fighting and injuries. These questions will again be included in the next survey in 2014.

5.2.1. Roles in bullying behaviour

The roles played within bullying can be fluid. According to the EU Kids Online findings, most of **those who bully** (60%) – online or offline – have themselves **been bullied** by others and 40% of those who bully online have been bullied online. As bullying behaviour is a phenomenon fed by social power and underpinned by the social norm, an important part of tackling bullying will be changing the responses of **bystanders**. Global ratings of peer behaviours indicated that peers reinforce bullying behaviour, in some way, in 81% of bullying episodes¹⁵. Moreover, 85% of children and young people will be bystanders to bullying.¹⁶

The importance of social context suggests that ‘whole school approaches’, that work to make bullying less acceptable and empower bystanders to act, may be effective in tackling all forms of bullying.

¹² School Violence in OECD countries, Plan (2008); <http://plan-international.org/apprendresanspeur/files-fr/school-violence-in-oecd-countries-english>

¹³ For EU Kids Online see <http://www.lse.ac.uk/media@lse/research/EUKidsOnline/Home.aspx>; For the final report of the study see: [http://www.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20II%20\(2009-11\)/EUKidsOnlineIIReports/Final%20report.pdf](http://www.lse.ac.uk/media@lse/research/EUKidsOnline/EU%20Kids%20II%20(2009-11)/EUKidsOnlineIIReports/Final%20report.pdf)

¹⁴ http://www.euro.who.int/_data/assets/pdf_file/0003/163857/Social-determinants-of-health-and-well-being-among-young-people.pdf

¹⁵ Craig, W. M. & Pepler, D. J. (1995). Peer processes in bullying and victimization: An observational study. *Exceptionality Education in Canada*

¹⁶ Craig, W. & Pepler, D. J. (1997). Observations of bullying and victimization in the schoolyard. *Canadian Journal of School Psychology*

5.3. Cooperation across settings and services, and child participation

The CRC has stressed the need to strengthen links between the school, family and community, to give children an active role in prevention, and to treat the different forms of violence in a comprehensive manner. To tackle bullying successfully, the whole community and all services for children and young people need to work together to change the culture so that bullying is unacceptable.¹⁷ Evidence compiled by the 2010 WHO/Europe survey suggests that school-based interventions can significantly reduce bullying behaviour, with the opportunities for success being greatest if the intervention incorporates a whole-school approach involving multiple disciplines and the entire school community.

According to **Article 12 UNCRC**, all children have the right to form and express an opinion and to have their opinions respected in a way that is appropriate to their age. The child's right to be heard has particular relevance in situations of violence: child participation promotes protection and child protection is key to participation. Addressing barriers to participation is especially relevant for marginalised discriminated children as such children are often among those most affected by violence.¹⁸

6. CYBERBULLYING

Through the use of mobile devices and the Internet, bullying is no longer restricted to the school setting or the playground and limited to physical interactions¹⁹. According to the EU Kids Online study, around 50% of those who bully and have been bullied offline state they have also bullied or have been bullied online.

The same study showed 9-16 year olds spending on average 88 minutes online every day and 75% using the Internet for interactive communications such as social networking and instant messaging. The way in which young people access the Internet is also changing with a growing number accessing it through handheld devices thus limiting the ability of adults to monitor and intervene. Cyberbullying does not happen only via websites or social media, but also through mobile phone calls, texting and video clips or photos which can be even harder to monitor.

In terms of incidence, occasional or one-off occurrences may be reported by 20% of young people (peaking around 12-15 year olds), while serious or repeated incidents are reported by around 5%, which is less than for traditional bullying²⁰. On the other hand, an increasing number of contacts to child helplines across Europe are made because of cyberbullying.²¹

¹⁷ National Crime Prevention Strategy, Canada. <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/blng-prvntn-smr/index-eng.aspx>

¹⁸ The CRC underlines the importance of children's participation in the development of prevention strategies in general and in school, in particular in the elimination and prevention of bullying, and other forms of violence in school. Initiatives and programmes that are aimed at strengthening children's own capacities to eliminate violence should be supported (CRC General Comment 13, p.24); http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.pdf

¹⁹ Opinion is divided as to whether cyberbullying can be considered in a similar way to traditional bullying, or if linking it to other forms of cyber aggression is more useful (Livingstone, S. and Smith, P.: Research Review: Harms experienced by child users of online and mobile technologies: The nature, prevalence and management of sexual and aggressive risks in the digital age (2013, not yet published).

²⁰ Ibid.

²¹ Child Helpline International: Briefing Paper on Bullying; http://www.childhelplineinternational.org/media/57468/chi_briefing_paper_bullying.pdf

Moreover, according to a [2008 Eurobarometer survey](#)²² as many as 54% of European parents are worried that their child could be bullied online.

7. THE WAY AHEAD

Whilst there are similarities in the way bullying and cyberbullying is addressed in Europe, there are also cultural and social differences which lead to a variety of practices and solutions. Institutions and supporting legal frameworks differ; which impacts on the way schools approach and report on the issue, and with possible knock-on effects on the way in which formal child protection systems address the issue.

Session participants are invited to exchange views on practical measures that can be taken to promote multidisciplinary cooperation to ensure the best possible outcomes for children in terms of prevention of and responses to bullying and cyberbullying. They are invited to explore how the EU and other actors can contribute to ensuring an integrated approach to child protection, in relation to bullying and cyberbullying, in the Member States.

7.1. Over-arching questions

- **Aiming at identifying concrete measures, how can the different components of a child protection system be used to prevent and address bullying and cyberbullying? How can the EU better support these measures?**
- **Taking a child protection systems approach, how can the actors involved promote and support multi-disciplinary cooperation to design preventative approaches to bullying and cyberbullying? How can the EU contribute to facilitating and enhancing dialogue and contacts among stakeholders?**

²² Eurobarometer #248 (2008): "Towards a Safer Use of the Internet for Children in the EU – a parents' perspective" http://ec.europa.eu/public_opinion/flash/fl_248_en.pdf