



Premier of Queensland
Minister for Trade

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Mr Neil Laurie
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Dear Mr Laurie

Thank you for your letter of 29 August 2018 enclosing petition 2894–18 titled ‘Amend laws to include bullying and cyberbullying’ received by the House on 21 August 2018.

As you know, I provided an interim response to the petition on 19 September 2018, noting I would fully consider the Queensland Anti-Cyberbullying Taskforce Report, *Adjust our Settings: A community approach to address cyberbullying among children and young people in Queensland* (the Report) and recommendations before responding in full to the proposals in the petition. I am now providing a final response to the petition.

I acknowledge the issues raised by the petitioners. Bullying and cyberbullying are serious and complex issues that can affect young people, their families and their communities. The Queensland Government takes a zero-tolerance approach to all forms of bullying, including cyberbullying. Last year my Government:

- initiated a national conversation on bullying
- established the Queensland Anti-Cyberbullying Taskforce (the Taskforce) to inform the development of a new anti-cyberbullying framework for Queensland
- launched a public awareness campaign to inform parents and children of anti-bullying initiatives
- allocated an additional \$60 000 to yourtown, which operates the Kids Helpline and Parentline.

On 16 October 2018, I tabled the Report and the Queensland Government response, which accepted or accepted in-principle all 29 recommendations made by the Taskforce. My Government has already taken significant action to implement the Report, and pledged \$3.5 million to help reduce the prevalence of bullying and cyberbullying among Queensland’s children and young people, including:

- \$2 million over two years to develop and roll out awareness and education campaigns to assist the community, parents and carers, and young people to understand what cyberbullying is, the harm it can cause and how we need to address it

- \$1 million for schools, including \$450 000 for the Dolly's Dream Foundation, in partnership with the Alannah and Madeline Foundation, to implement the eSmart Schools Program in Queensland schools.

The petition calls for the inclusion of bullying and cyberbullying as actions punishable by law. However, offences in the *Criminal Code Act 1899 (Qld)* already apply to serious cases of bullying and cyberbullying. These include making threats, stalking, aiding suicide, sharing intimate images and defamation. My Government has also introduced proposed changes to the *Criminal Code Act 1899 (Qld)*, to make both the sending, and threatening to send, intimate material without consent an offence punishable by up to three years imprisonment. The Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Bill 2018 is currently being considered by the Queensland Parliament.

In this context, recommendation 26 of the Report recommends that the Queensland Government investigates collecting and reporting on the number of bullying and cyberbullying-related charges, prosecutions and outcomes under these relevant offences in the *Criminal Code Act 1899 (Qld)*. My Government is currently implementing this recommendation, to determine whether it would be practical and beneficial to separately record statistics about bullying and cyberbullying.

Recommendation 27 of the Report also recommends that the Queensland Police Service review its Operational Procedures Manual to ensure reports of cyberbullying incidents are appropriately and consistently investigated. My Government has begun implementing this recommendation to help ensure responses to reports of cyberbullying are both supportive and consistent across the State.

The petition seeks to include bullying and cyberbullying in the *Education (General Provisions Act) 2006*. The Department of Education is currently reviewing and revising its exemplar school policies and procedures relevant to reducing and responding appropriately to bullying and cyberbullying, based on Recommendations 16 and 17 of the Report, to ensure these documents are based on current best practice. This will be delivered in early 2019. My Government will also consult with non-state schools about their protocols during 2019.

The petition also argues for amendments to the *Criminal Code Act 1995 (Cth)* to include bullying as a punishable offence. In 2018, the Federal Senate Legal and Constitutional Affairs References Committee (the Senate Committee) inquired into the *Adequacy of existing offences in the Commonwealth Criminal Code of state and territory criminal laws to capture cyberbullying*, and recommended that Australian governments approach cyberbullying primarily as a social and public health issue.

Recommendation 1 of the Report endorsed the Senate Committee's approach, and the Queensland Government accepts this recommendation. I note the Senate Committee also recommended no further penalties for cyberbullying offences committed by minors beyond the provisions already in place in the *Criminal Code Act 1995 (Cth)*.

Overall, the Queensland Government agrees with the Report, which indicated that criminal prosecution of young people should be a last resort. Instead, a stronger prevention approach, including school and public community education, improved prevention efforts by social media platforms and a more consistent and transparent response by schools to reports of cyberbullying, would provide a broad foundation to help reduce the prevalence of cyberbullying among children and young people.

Responsibility for the social and emotional wellbeing of Queensland's children and young people is shared among schools, families and the wider community. It is important that we all continue working together to address all forms of bullying and ensure we provide a safe and supportive environment for all young Queenslanders.

I would like to thank the petitioners for raising this matter with me and I hope this information is of assistance to you.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a horizontal line.

**ANNASTACIA PALASZCZUK MP
PREMIER OF QUEENSLAND
MINISTER FOR TRADE**