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# The Hon Peter Garrett AM MP

Minister for School Education, Early Childhood and Youth

MC11-005908

The Hon John Murphy MP  
Chair, House of Representatives Standing Committee on Petitions  
Parliament House  
CANBERRA ACT 2600

22 JUN 2011

Dear Mr Murphy

Thank you for your letter of 23 May 2011 concerning the school and workplace bullying petition recently submitted for the consideration of the Standing Committee on Petitions. My response addresses matters raised in the petition relating to the School Education, Early Childhood and Youth portfolio. Your petition has also been forwarded to Senator Chris Evans, Minister for Tertiary Education, Skills, Jobs and Workplace Relations, to respond to matters relating to bullying in the workplace.

The Australian Government takes issues of bullying seriously and believes student and workplace wellbeing and safety are essential for education and career success. All Australians should be able to learn and work in safe and supportive environments. The Government is committed to ensuring the wellbeing and resilience of all school children. Planning is underway to begin work to develop a national approach to building student resilience and wellbeing. This work recognises that schools play a vital role in promoting the intellectual, physical, social, emotional, moral, spiritual and aesthetic development and wellbeing of young Australians, and in ensuring the nation's ongoing economic prosperity and social cohesion.

You would be aware that state and territory governments have responsibility for the provision of education in their respective jurisdictions. Whilst the Government provides funding to state and territory governments for the provision of education, the Government does not currently legislate for the day to day operation of individual schools. The introduction of legislation to deal with school bullying may be better addressed by seeking the agreement of state and territory governments to amending their existing education legislation.

Quite separately, there are state, territory and Australian Government laws in place that deal with industrial relations, occupational health and safety, and discrimination.

As noted in the petition, there is often a direct link between bullying and sexual harassment. I am pleased to note that amendments introduced by the Attorney-General which strengthen the protections against sexual harassment for students in the *Sex Discrimination Act 1984* were passed by Parliament on 24 May 2011. They will enter into force upon receiving Royal Assent.

The changes will extend the prohibition on sexual harassment in schools to protect students under the age of 16 from harassment by adult students. They will also provide for the first time protection for students from harassment by adult students and staff from other institutions during inter-school events such as sports carnivals and school formals.

Importantly, this means that all students will be better protected from sexual harassment, whether it occurs in the schoolyard, online or through covert forms of bullying, such as text messaging.

Where bullying is linked to or based on attributes including a person's sex, disability, race, age, sexual preference, criminal record, trade union activity, political opinion, religion or social origin, it may be covered under federal and state anti-discrimination legislation. Further information on this legislation is available at the Australian Human Rights Commission's website at [www.humanrights.gov.au](http://www.humanrights.gov.au).

As part of a national approach to supporting schools to build safe school communities, the Government has collaborated with state and territory education authorities to review and launch the revised National Safe Schools Framework.

The revised Framework was endorsed by all ministers for education through the Ministerial Council for Education, Early Childhood Development and Youth Affairs in December 2010. The Framework provides Australian schools with a vision and a set of guiding principles to assist whole school communities to develop positive and practical student safety and wellbeing policies. The vision includes creating learning environments which are free from all forms of bullying, harassment, aggression and violence.

The Framework's whole of school approach to creating safe and supportive learning and teaching communities acknowledges the strong interconnections between student safety, student wellbeing and learning. It emphasises the need for teachers to have appropriate training in positive student management and the need for schools to respond to incidents as they occur. It also acknowledges the role of parents and carers and includes ways for them to become involved with their child's school and continuously promote a safe school environment. By involving this important group of people, a whole school community approach to promoting safe schools can be established.

I proudly launched the revised Framework on 18 March 2011 on the inaugural National Day of Action Against Bullying and Violence. On this day, the Framework and the online supporting resource manual were made available to all Australian schools. Further information about the National Safe Schools Framework is available at: [www.safeschools.deewr.gov.au](http://www.safeschools.deewr.gov.au).

As part of the National Day of Action, an online social networking campaign, Take a Stand Together, went live at [www.takeastandtogether.gov.au](http://www.takeastandtogether.gov.au). This campaign focuses on bystander behaviour and raises awareness of how students can take positive action against bullying.

The Government has also worked with state and territory education authorities to develop the Bullying. No Way! website at [www.bullyingnoway.com.au](http://www.bullyingnoway.com.au). This interactive website provides valuable information for parents, students and teachers on strategies to address bullying, harassment and violence.

The Government continues to work closely with the states and territories and non-government education authorities through the Australian Education, Early Childhood Development and Youth Affairs Senior Officials Committee (AEEYSOC) Safe and Supportive School Communities working group to continue to develop clear and agreed national objectives to address bullying and violence in schools, and more broadly, approaches to student resilience and wellbeing.

I appreciate ~~you~~ bringing the petition to my attention.

Yours sincerely

**Peter Garrett**

