CHILDREN'S RIGHTS ALLIANCE

Submission to the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science on School Bullying and the Impact on Mental Health

April 2021

Founded in 1995, the Children's Rights Alliance unites over 120 members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children in Ireland by making sure that their rights are respected and protected in our laws, policies and services.

Accompaniment Support Service for Children (A.S.S.C.)	Jack & Jill Children's Foundation
Ag Eisteacht	Jigsaw
Alcohol Action Ireland	Katharine Howard Foundation
Amnesty International Ireland	Kids' Own Publishing Partnership
An Cosán	Kinship Care
AsIAm	Leap Ireland
Association of Secondary Teachers Ireland (ASTI)	Let's Grow Together! Infant and Childhood Partnerships CLG.
ATD Fourth World – Ireland Ltd	Mecpaths
Atheist Ireland	Mental Health Reform
Barnardos	Mercy Law Resource Centre
Barretstown Camp	Migrant Rights Centre Ireland
Bedford Row Family Project	Mothers' Union
BeLonG To Youth Services	My Project Minding You
Catholic Guides of Ireland	Museum of Childhood Project
Childrens Books Ireland	Music Generation
Child Care Law Reporting Project	National Childhood Network
Childhood Development Initiative	National Forum of Family Resource Centres
Childminding Ireland	National Parents Council Post Primary
Children in Hospital Ireland	National Parents Council Primary
COPE Galway	National Youth Council of Ireland
Cork Life Centre	Novas
Crosscare	One Family
CyberSafeKids	One in Four
Dalkey School Project National School	Pavee Point
Daughters of Charity Child and Family Service	Peter McVerry Trust
Dental Health Foundation of Ireland	Prevention and Early Intervention Network
Department of Occupational Science and Occupational Therapy, UCC	Private Hospitals Association
Disability Federation of Ireland	Psychological Society Ireland
Doras	Rainbow Club Cork
Down Syndrome Ireland	Rainbows Ireland
Dublin Rape Crisis Centre	Rape Crisis Network Ireland (RCNI)
Dyslexia Association of Ireland	Realt Beag/Ballyfermot Star
Dyspraxia/DCD Ireland	Respond Housing
Early Childhood Ireland	SAFE Ireland
Educate Together	Saoirse Housing Association
EPIC	SAOL Beag Children's Centre
Extern Ireland	Scouting Ireland
Focus Ireland	School of Education UCD
Foróige	Sexual Violence Centre Cork
Gaelscoileanna Teo	SIPTU
Good Shepherd Cork	Simon Communities of Ireland
Immigrant Council of Ireland	Social Care Ireland
Inclusion Ireland	Society of St. Vincent de Paul
Institute of Guidance Counsellors	Sonas Domestic Violence Charity
Irish Aftercare Network	SPHE Network
Irish Association for Infant Mental Health	SpunOut.ie
Irish Association of Social Workers	St. Nicholas Montessori College
Irish Congress of Trade Unions (ICTU)	St. Nicholas Montessori Teachers' Association
Irish Council for Civil Liberties (ICCL)	St. Patrick's Mental Health Services
Irish Foster Care Association	Teachers' Union of Ireland
Irish Girl Guides	Transgender Equality Network Ireland
Irish Heart Foundation	The Ark, A Cultural Centre for Children
Irish National Teachers Organisation (INTO)	The UNESCO Child and Family Research Centre, NUI Galway
Irish Penal Reform Trust	Traveller Visibility Group Ltd
Irish Primary Principals Network	Treoir
Irish Refugee Council	UNICEF Ireland
Irish Second Level Students' Union (ISSU)	Young Ballymun
Irish Society for the Prevention of Cruelty to Children	Young Social Innovators
Irish Traveller Movement	Youth Advocate Programme Ireland (YAP)
Irish Youth Foundation (IYF)	Youth Work Ireland

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1. Introduction

The Children's Rights Alliance unites over 120 organisations working together to make Ireland one of the best places in the world to be a child. We change the lives of all children in Ireland by making sure that their rights are respected and protected in our laws, policies and services. We identify problems for children. We develop solutions. We educate and provide information and legal advice on children's rights.

The Children's Rights Alliance welcomes the opportunity to make a written submission to the Joint Committee on Education, Further and Higher Education, Research, Innovation and Science on School Bullying and the Impact on Mental Health. The Department of Education defines bullying as 'unwanted negative behaviour, verbal, psychological or physical, conducted by an individual or group against another person (or persons) and which is repeated over time'.[1] It takes various forms such as threatening, taunting, spreading rumours, pushing and kicking and excluding.[2] Ireland has been working to tackle the issue of bullying and its impact on children and young people across Irish society for a number of years with the Irish Government having recognised that all forms of bullying and discrimination are unacceptable.[3] Ireland's approach to tackling bullying for children and young people has been multi-faceted with bullying being addressed in different national policies and legislative provisions. The focus of this submission relates to bullying that occurs within the school context or where the education sector may have a role to play in addressing it.

2. Children's Rights

All children have the right to be protected from abuse and neglect.[4] This includes the right of all children and young people to be free from psychological and physical bullying from other children and adults including cyberbullying.[5] The UN Committee on the Rights of the Child has recommended that educational measures should include:

> ...provision of accurate, accessible and age-appropriate information and empowerment on life skills, self-protection and specific risks, including those relating to ICTs and how to develop positive peer relationships and combat bullying; empowerment regarding child rights in general and in particular on the right to be heard and to have their views taken seriously.[6]

The UN Convention on the Rights of the Child (UNCRC) affords every child the right to the highest attainable standard of physical and mental health.[7] This right covers the full spectrum of health and wellbeing and fulfilling the right requires 'a comprehensive multisectoral response … through integrated systems ... that involve parents, peers, the wider family and schools and the provision of support and assistance through trained staff'.[8]

The UN Committee has drawn a link between high rates of mental health problems among adolescents with 'violence, ill-treatment, abuse and neglect, including sexual abuse, unrealistically high expectations, and/or

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1 Department of Education and Skills, *Anti-bullying Procedures for Primary and Post-primary Schools,* (DES 2013) 5.

2 Williams et al (2018) *Growing Up in Ireland National Longitudinal Study of Children – the lives of 13 year olds*, 154.

3 Department of Children and Youth Affairs, *Better Outcomes, Brighter Futures: The national policy framework for Children & Young People 2014 – 2020* (DCYA 2014) 79.

4 UN Convention on the Rights of the Child, A/ RES/44/25 (20 November 1989) Arts 19 and 34.

5 UN Committee on the Rights of the Child, General comment No. 13 (2011) on the right of the child to freedom from all forms of violence, para 21 (g) and 22 (b).

6 ibid para 44(b).

7 UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 24.

8 UN Committee on the Rights of the Child (CRC), *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence*, 6 December 2016, CRC/C/GC/20, para 58.

bullying or hazing in and outside school' and has recommended that States provide young people with all necessary services.[9]

The UN Committee has noted that young people who are lesbian, gay, bisexual, transgender and intersex (LGBTI+) commonly experience violence, stigmatization and bullying which has been associated with low self-esteem, higher rates of depression, suicide and homelessness.[10] It has recommended that States take effective action to prevent forms of violence, discrimination or bullying by raising public awareness and implementing safety and support measures.[11]

3. Policy Background

Ireland has adopted a number of different policies to tackle bullying. These policies span across the education sector, child protection polices and youth strategies. *Better Outcomes, Brighter Futures: the national policy framework for children and young people* contains an aim specifically focused on protecting children and young people from bullying and discrimination.[12] A specific focus is placed on the groups of children and young people who may be particularly vulnerable to bullying and discrimination including LGBTI+ young people, those in detention, in the alternative care system and children and young people from minorities.[13] The policy commits to developing a national framework for anti-bullying.[14] This national framework for anti-bullying has yet to be developed and there is no indication of when this work will begin.

The *Children First National Guidance for the Protection and Welfare of Children* informs people about how to carry out their child protection duties. The guidance recognises that bullying affects the lives of an increasing number of children in Ireland and again, in line with other policy documents, highlights that minority groups are more vulnerable to bullying than others.[15] Importantly it sets out that where a series of instances of bullying occur where the behaviour could possibly be regarded as abuse, professionals may need to make a referral to child protection services and the Gardaí.[16]

Ireland's approach to tackling bullying has focused largely on the education system. In 2013, the Department of Education and Skills published a *National Action Plan on Bullying in schools*. Before this, the last guidelines for tackling bullying in schools dated from 1993. The plan sets out the approach to tackling bullying and promoting anti-bullying culture in schools. It is envisaged as a starting point to ensure that there is an understanding about bullying among the whole school community in keeping with the whole school approach to tackling bullying. The plan contains 12 actions that focus on support for schools, teacher training and research, awareness-raising and aims to ensure that all forms of bullying are addressed.[17]

The key commitment in the policy was to introduce new anti-bullying procedures for schools. The plan also committed to developing a national anti-bullying website that is now in operation (www.tacklingbullying.ie). Many of the actions have been implemented over the five years of the policy being in operation. Implementation of the plan in schools is assessed as part of the Department of Education and

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9 UN Committee on the Rights of the Child, General Comment No. 4 (2003) Adolescent health and development in the context of the Convention on the Rights of the Child, para 22.
10 UN Committee on the Rights of the Child, General comment No. 20 (2016) on the implementation of the rights of the child during adolescence CRC/C/GC/20, para 33.
11 ibid para 34.
12 Department of Children and Youth Affairs, *Better Outcomes, Brighter Futures: The national policy framework for Children & Young People 2014 – 2020* (DCYA 2014) aim 3.3.
13 ibid 77.
14 ibid 82.
15 Department of Children and Youth Affairs, *Children's First National Guidance for the Protection and Welfare of Children 2017*, 12.
16 ibid 12-13.
17 Department of Education and Skills, Action Plan On Bullying Report of the Anti-Bullying Working Group to the Minister for Education and Skills January 2013 <https://www.education.ie/en/Publications/Education-Reports/Action-Plan-On-Bullying-2013.pdf> accessed 25 March 2021.

Skills Inspectors whole school evaluation.[18] The last Programme for Government undertook to review implementation of the National Action Plan on Bullying in schools as an LGBTI+ specific action. There was no progress made on this commitment. The Department of Education should conduct this review and consider other forms of bullying and harassment against other children and young people in relation to gender, race, religion or other grounds.

Specific recommendations regarding the provision of, or referral to, supports where needed does not appear to be made within the 2013 *Action Plan* beyond a list of existing support services for schools outlined in Appendix 4 including for example, the National Educational Psychological Service (NEPS). These are acknowledged as not necessarily being consistently available to schools,[19] which points perhaps to the need, within any future national framework for anti-bullying, to clarify how young people, parents and schools can access the right psychological or mental health supports for young people impacted by bullying, when such support is needed.

Anti-Bullying Procedures for Primary and Post Primary Schools were developed on foot of the *National Action Plan on Bullying* and were published in September 2013. They are currently being implemented by 4,000 schools.[20] The procedures adopt a comprehensive definition of bullying as being unwanted negative behaviour, verbal, psychological or physical conduct by an individual or group against another person or group of people that is perpetrated over time. It includes exclusion, gossip, and other forms of relational bullying. It also includes cyberbullying and identity-based bullying.[21] Once-off offensive or hurtful public messages, images or statements on a networking site or other public forum where that message can be viewed and/or repeated by other people also constitutes bullying for the purposes of the procedures. They place a strong emphasis on the prevention of bullying behaviour through the fostering and development of a positive school culture and climate, based on inclusivity and respect and contain practical tips on how to achieve this.

The procedures set out a template for schools to record incidents of identity-based bullying such as racist, homophobic and cyberbullying. However, the obligation to complete the template applies only in limited circumstances and schools are missing an important opportunity to gather data and monitor incidents of identity-based bullying.

Importantly, the school-wide approach to preventing and tackling bullying requires schools to have an anti-bullying policy within their code of behaviour as outlined in the Education Act 2000. This should be prepared in accordance with the guidelines issued by the Department of Education and Skills. Schools must publish their anti-bullying policy on the school's website and the Board of Management must do an annual review of the policy and its implementation. It is important that these policies and procedures are set out as it allows parents and children to know what way a complaint will be dealt with by the school. Having this in place means that children and families can make a complaint to the Ombudsman for Children's Office when the school does not correctly apply their own procedures, and the office can then investigate the case.[22]

The *Anti-Bullying Procedures for Primary and Post-Primary Schools* notes that 'a programme of supports' for pupils affected by bullying should be put in place, which may include 'counselling and/or opportunities to participate in activities designed to raise their self-esteem, to develop their friendship and social skills and thereby build resilience whenever this is needed'.[23] However, 2018 research completed with 918 principals in Ireland indicated high levels of uncertainly regarding accessing such supports, with only 40 per cent

18 Department of Education and Skills, *Whole School Evaluation,* <https://www.education.ie/en/publications/inspection-reports-publications/whole-school-evaluation-reports-list> accessed 25 March 2021.
19 Department of Education, National Action Plan on Bullying (2013 DES) 124.
20 Minister for Education and Skills Richard Bruton TD, Parliamentary Questions, Written Answers, Action Plan on Bullying, 3 July 2018 [28934/18].
21 Department of Education and Skills, *Anti- Bullying Procedures for Primary and Post Primary Schools*, September 2013, 8.
22 For more on the role of the Ombudsman for Children see < https://www.oco.ie/complaints/> accessed 25 March 2021.
23 Department of Education and Skills, *Anti- Bullying Procedures for Primary and Post Primary Schools*, September 2013, Sections 6.8.15 and 6.8.16, 34.

agreeing that pupils could access qualified counsellors when they experienced bullying.[24] The report highlighted the 'lack of access to counsellors and psychological support risks a situation where problems associated with mental or emotional health become worse without early intervention'.[25] It also recognised that in the absence of these supports, 'responsibility for dealing with mental health issues often falls to teachers' [26] yet notes that this 'is not an effective anti-bullying strategy as school staff are rarely appropriately skilled to deal with serious psychological issues and there is often no follow-up for those involved in terms of their mental health and/ or their coping strategies'. [27] This mirrors 2017 research which found that primary schools are experiencing a significant burden responding to serious mental health difficulties amongst their pupils, with one third of schools providing ad-hoc counselling onsite in the absence of a dedicated service for schools.[28]

Young people who have experienced bullying are more likely to report experiencing functionally impairing levels of anxiety or depression. Studies in the UK have shown that depression affects just under three per cent of children under the age of 13 and over five per cent of 13 to 18 year olds. An estimated 20 per cent will have had one depressive episode before the age of 18.[29]

Recommendations:

- The Department of Education should commence work on the development of the framework for anti-bullying as committed to in *Better Outcomes, Brighter Futures* as a matter of priority.
- The Department of Education should review and update the *National Action Plan on Bullying in Schools* and the associated procedures to consider other forms of bullying and harassment against other children and young people in relation to gender, race, religion or other grounds.
- The Department of Education should introduce a comprehensive monitoring system to understand the prevalence of bullying in Irish schools.
- A longitudinal empirical Irish study could be undertaken in relation to the topic of School Bullying and the Impact on Mental Health with pupils and school staff including teachers.
- The Department of Education should provide sufficient, up-to-date professional development, supports and resources, including appropriate professional advice to principals, school staff and boards of management on anti-bullying procedures and guidelines including specific training to recognise, prevent and address identity-based bullying.
- Consider and identify the types of resources required for an adequate in-school model of mental health support service for those who have experienced bullying or where necessary, identify appropriate out-of-school supports where staff can refer victims of bullying.

24 Foody, Murphy, Downes and O'Higgins Norman, Anti-bullying procedures for schools in Ireland: principals' responses and perceptions (2018) Pastoral Care in Education, 36:2, 126-140.
25 ibid.
26 ibid.
27 ibid.
28 Rosaleen McElvaney, Deirdre Judge & Evelyn Gordon, The Primary Schools Counselling Study
(PSCS): Demand and provision of school based counselling in Ireland (2017 Dublin City University).
29 Nip in the Bud, How bullying can affect long term mental health in children <https://nipinthebud.org/2020/06/19/how-bullying-can-affect-long-term-mental-health-in-children/> accessed 26 March 2021.

4. Impact of Bullying on Children and Young People

Children and young people in Ireland have identified bullying and peer pressure as among the worst things about being a child in Ireland.[30] While it is welcome that children and young people in Ireland are significantly less likely to encounter chronic bullying than some of their peers in other countries, 7.6 per cent of those aged 11 to 15 years still encounter chronic bullying.[31] This compares with the OECD average of 10.8 per cent.[32] While any child may be subject to bullying, certain groups of children and young people may be more susceptible to bullying or may be targeted because of their own identity or status or because of that of their parents. The following sections examine the issue of bullying and the impact on the mental health of certain groups of children where we could identify available information or data but this list is by no means exhaustive. There is a clear need for further data to identify the impact of bullying on other cohorts of children including children in alternative care, ethnic minority children, children impacted by parental imprisonment[33] and any other group of children who are disproportionately affected.

Traveller and Roma Children and Young People and Bullying

Based on the 2016 census data, just under one per cent of the Irish population identify as Travellers, approximately 30,000 people.[34] In contrast to the general population, most Travellers in Ireland are young, with 60 per cent aged under 25, and two thirds of these under 15 years of age.[35] Census 2021 will include Roma as a separate ethnic category, however, at present there is limited data available, with the best estimate suggesting there are approximately 4,200 Roma in Ireland. Traveller and Roma children and young people are more likely to experience discrimination and have higher rates of mental health issues than the general population.[36] Bullying, is not the only discrimination experienced by Travellers in the education system but it is a serious and ongoing issue. The *National Traveller and Roma Inclusion Strategy 2017-2021* (NTRIS) research study on bullying discussed below is now nearing completion. Its recommendations will require action and responses. Bullying and mental health have also been examined in recent Oireachtas Committee hearings and associated submissions to them.

The marginalisation of Traveller and Roma culture within the Irish education system adversely affects young people's sense of belonging and place.[37] A review of the position of Traveller history and culture in the school curriculum undertaken by the National Council for Curriculum and Assessment concluded that 'the dissonance between the social, linguistic and cultural environments of the home and school can account for disaffection' which is then compounded by conscious and unconscious bias against Travellers in the school community.[38] Furthermore, the 2010 *All Ireland Traveller Health Study* highlighted that reluctance amongst the community to continue in mainstream education was because of the high level of discrimination they faced when seeking employment following education.[39] For Roma children, insufficient English language and literacy support can compound experiences of bullying and marginalisation at school.[40]

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30 Department of Children and Youth Affairs, *Better Outcomes, Brighter Futures: The national policy framework for Children & Young People 2014 – 2020* (DCYA 2014) 79.

31 UNICEF*, Building the Future: Children and the sustainable development goals in rich countries, Innocenti Report Card 14*, (2017 UNICEF) 49.

32 ibid.

33 Irish Penal Reform Trust, *Picking Up the Pieces": The Rights and Needs of Children and Families Affected by Imprisonment* (IPRT 2012) 5. The IPRT report identifies the school system as both an area of vulnerability (stigma, bullying, behavioural issues) and of opportunity (support from teachers) for children of prisoners and recommends that 'the vulnerability of children affected by imprisonment should be considered in the development of anti-bullying strategies in schools'.

34 CSO, 'Census of Population 2016 – Profile 8 Irish Travellers, Ethnicity and Religion' accessed on 4 January 2021.

35 Department of Children and Youth Affairs, Statistical Spotlight #4, Young Travellers in Ireland (DCYA 2020) 2

36 Our Geels: All Ireland Traveller Health Study, Summary of Findings (School of Public Health, Physiotherapy and Population Science, UCD 2010).

37 Kathleen Marie Lawrence, *Traveller outcomes in education: A Traveller perspective* (Maynooth University 2017); Pavee Point & Department of Justice and Equality, *Roma in Ireland: A National Needs Assessment* (Pavee Point 2018).

38 National Council for Curriculum and Assessment, *Traveller culture and history in the curriculum: a curriculum audit* (NCCA 2019) 61.

39 Department of Justice and Equality, *The National Traveller and Roma Inclusion Strategy 2017–2021* (Department of Justice and Equality 2017) 12.

40 Pavee Point & Department of Justice and Equality *Roma in Ireland: A National Needs Assessment* (Pavee Point 2018) 115.

A key NTRIS commitment was that access, participation and outcomes for Travellers and Roma in education should be improved to achieve outcomes that are equal to those for the majority population.[41] The NTRIS includes ten education actions to improve outcomes for children at primary and post primary level including, commissioning research on the effectiveness of their anti-bullying procedures and guidelines on Traveller and Roma experiences in the school system and to address 'the areas of anti-racism, identity-based bullying and cultural awareness through a suite of supports including the recently revised Stay Safe Programme and the Continuing Professional Development (CPD) provided by Department-funded support services to teachers at Primary and Post-Primary level'.[42]

While the key recommendation for a National Traveller and Roma Education Strategy (now also a Programme for Government commitment) remains to be implemented, on foot of these a number of actions were commenced in relation to education. These include a new two-year inclusion strategy pilot project.[43] The pilot is estimated to cost €2.2 million and began in September 2019 with three sites – Galway, Wexford and Dublin, with a fourth site in Cork joining in 2020.[44]

Recommendations:
- Commence the actions in the *National Traveller and Roma Inclusion Strategy* relating to education including the research on Traveller and Roma experiences in the school system with a special focus on bullying and racism. This should be published with clear recommendations for action.
- Immediately commence in full consultation with Traveller organisations, development of the comprehensive National Traveller and Roma Education Strategy outlined in both NTRIS and the Programme for Government with associated targets, timelines resources and special measures; to be monitored also in association with Traveller organisations.

LGBTI+ Children and Young People and bullying
An estimated 29,000 young people identify as LGBTI+ representing a sizeable minority of the school population in Ireland.[45] International human rights experts have explicitly stated that 'States must act to overcome prejudice and stereotypes' against LGBTI+ young people 'through anti-discrimination initiatives in schools and public education campaigns'.[46] Irish data shows that 'anti-LGBTI bullying in schools can have a devastating impact on LGBTI teenagers' mental health, increasing the likelihood of reporting stress, depression, anxiety, self-harm and attempted suicide'.[47]

There are initiatives to address homophobic and transphobic bullying in schools, which are supported by the Department of Education and Skills.[48] However, research published by BeLonG To Youth Services in November 2019 concluded that 'LGBTI+ bullying is rife throughout second-level schools in Ireland'.[49] The survey sample consisted of 788 students who identified as LGBTI+ between the ages of 13 and 20. Seventy per cent of students said they felt unsafe at school[50] With the majority (67.8 per cent) of LGBTI+ students

41 Department of Justice and Equality, *The National Traveller and Roma Inclusion Strategy 2017-2021* (Department of Justice and Equality 2017) 25-26.
42 ibid 26.
43 Communication received by the Children's Rights Alliance from the Department of Education, 20 January 2021.
44 ibid.
45 Gay and Lesbian Equality Network, *Being LGBT in School; A Resource for Post-Primary Schools to Prevent Homophobic and Transphobic Bullying and Support LGBT Students* (Gay and Lesbian Equality Network 2016) <http://bit.ly/1Sxsxub> accessed 18 December 2019.
46 United Nations Human Rights; Office of the High Commissioner, 'Discriminated and made vulnerable: Young LGBT and intersex people need recognition and protection of their rights' (17 May 2015) <http://bit.ly/1QPqBJv> accessed 18 December 2019.
47 *The LGBT Ireland Report: national study of the mental health and wellbeing of lesbian, gay, bisexual, transgender and intersex people in Ireland* (GLEN and BeLonG To 2016) 3.
48 The 'Stand Up' campaign, run annually by BeLonG To, is a programme aimed at tackling homophobic and transphobic bullying in secondary schools. DES has provided funding to the campaign since 2014 under the Action Plan for Bullying: <http://www.belongto.org/professionals/standup/> accessed 18 December 2019. BeLonG To also received funding from DES in developing the 'All Together Now' programme, which is focused on addressing anti LGBTI+ bullying in primary schools: <http://www.belongto.org/all-together-now> accessed 18 December 2019.
49 Oren Pizmony-Levy & BeLonG To Youth Services, *The 2019 School Climate Survey Report: The experience of lesbian, gay, bisexual and trans young people in Ireland's schools* (BeLonG To Youth Services 2019) 20 <https://bit.ly/2Mi299q> accessed 19 December 2019.
50 ibid 20-21.

reported hearing other students make derogatory remarks frequently in school. Almost half of the survey participants said they heard homophobic remarks from teachers or staff and 45 per cent reported that staff never intervened when homophobic remarks were made in their presence. Six in ten LGBTI+ students had been verbally harassed because of their sexual orientation and more than two fifths of LGBTI+ students were verbally harassed at school because of their gender expression while 38.4 per cent had been physically harassed (e.g. shoved or pushed) at some point at school.[51] While the majority of students surveyed (88.2 per cent) reported having an anti-bullying policy in their school, less than one-third of that group said that it mentioned sexual orientation or gender identity/expression.

The last Programme for Government undertook to review implementation of the *National Action Plan on Bullying in schools* as an LGBTI+ specific action which was not progressed in the lifetime of the last Government.

Recommendation:
- The Department of Education should conduct the review on the implementation of the *National Action Plan on Bullying in schools* and consider other forms of bullying and harassment against other children and young people in relation to gender, race, religion or other grounds.

Bullying and Body Image
Obesity has been described as 'one of the most stigmatising and least socially acceptable conditions in childhood'.[52] It can affect children's social and emotional health, self-esteem and their quality of life. Children can be bullied, experience negative stereotypes, discrimination, and social marginalisation due to their weight.[53] Studies have shown that discrimination against obese individuals has been found in very young children and can lead to a cycle of emotional eating and increased weight gain.[54] Obesity among children and adolescents is often related to psychosocial problems such as poor self-esteem, bullying and underachievement at school, which can further worsen health and economic outcomes in adulthood.[55] Of 111 children participating in an obesity treatment programme in an Irish children's hospital, 63 per cent reported being teased about their weight in the past, almost half of them by their peers with 12 per cent missing days from school as a result of bullying.[56] Thirty per cent of them had learning difficulties and 15 per cent reported developmental delay at some point requiring some intervention, linking the condition with special needs.[57]

Recommendation:
In reviewing the *National Action Plan on Bullying in Schools* special consideration should be given to services that can be provided to children and young people who are being bullied due to their weight and how this can be prevented.

Cyberbullying
The Internet has revolutionised the modern world and in turn, the lives of children worldwide; the reality is that they make up one third of global online users.[58] While it brings unparalleled opportunity for children to learn, create, connect and socialise it also brings unparalleled risk, including cyberbullying, negative impacts on health and wellbeing. In Ireland, 93 per cent of children aged eight to twelve years own their own smart device and 65 per cent have their own social media account.[59] Most children and young people accessing the

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51 These figures are similar to those reported in a 2016 study conducted with 14 to 18-year olds. Almost half of the 416 participants in that study had experienced anti-LGBTI+ bullying, while 67 per cent had witnessed an incident of anti-LGBTI+ bullying: Agnes Higgins et al *The LGBT Ireland Report: national study of the mental health and wellbeing of lesbian, gay, bisexual, transgender and intersex people in Ireland* (GLEN and BeLonG To 2016).
52 Krushnapriya Sahoo, et al, 'Childhood obesity: causes and consequences', Family Med Prim Care. 2015 Apr-Jun; 4(2): 187–192.
53 ibid.
54 ibid.
55 OECD, Health at a Glance: Europe 2020 State Of Health in the EU Cycle (OECD 2020) 152.
56 Samantha Doyle, D. Cahill, M. Smyth, S. Murphy, 'Caring for Obese Children - A Change in Paradigm', 2017 Irish Medical Journal, 4.
57 ibid 4.
58 Unicef (2017) 'Children in the Digital World', <https://uni.cf/3cbGMnH> accessed 27 November 2020.
59 CybersafeIreland, *Annual Report 2019*, (CyberSafeIreland 2020) 23.

digital world have enjoyable and positive experiences. They use the online world to maintain friendships and relationships, have fun, support their education and learn about their world. However, it has been reported that there was a 20 per cent increase in cyberbullying victimisation during the lockdown.[60] Research has shown that cyberbullying may well go unnoticed as online activity is 'more invisible to the adult eye; cyberspace allows for much greater freedom from adult supervision'.[61]

The Council of Europe notes that there are a number of areas of concern for children's healthy development and wellbeing which may arise in connection with the digital environment.[62] It recommends that States should 'take measures to encourage business enterprises and other relevant stakeholders to develop and implement policies that address cyberbullying, harassment and incitement to hatred and violence in the digital environment.[63] Any protective measures should take into consideration the best interests and evolving capacities of the child and not unduly restrict the exercise of other rights.

In a survey conducted with teachers in 2019, CybersafeKids found that over 80 per cent of teachers say that online safety is a significant issue in their school.[64] The survey also found that the majority of teachers had to deal with at least one incident of cyberbullying.[65] Two thirds of the teachers stated that their school had a policy in place to combat cyberbullying and 22 per cent said they would not feel confident in the steps they would take to respond to an incident.[66] In a 2020 report by the Anti-Bullying Centre in Dublin City University, 28 per cent of children and young people reported that they had been a victim of cyberbullying during the Covid-19 lockdown while 50 per cent reported seeing it happen to others. Younger children were more likely to have been victims of cyberbullying. Two thirds of young people aged 14-16 reported that they 'experienced significantly more cyberbullying in instant/private messaging services such as WhatsApp, Viber or Telegram'.[67]

It is welcome that the proposed General Scheme of the Online Safety and Media Regulation Bill names cyberbullying as 'harmful content'.[68] It states that the new regulatory body that it will establish will aim to promote 'educational initiatives and activities relating to online safety' and to advise any educational or training institution, Ministers, Departments of State or any public body. There is a role for the Online Safety Commissioner to promote public awareness of online safety issues including cyberbullying. It will also promote 'educational initiatives and activities relating to online safety' and to advise any educational or training institution, Ministers, Departments of State or any public body.

Recommendations:
- The Department of Education should develop and introduce training for teachers on how to tackle cyberbullying in schools.
- Schools should update and review their anti-bullying polices on an annual basis and put in place an effective bullying prevention programme that takes a whole-school and community-wide approach to bullying.
- Establish the Online Safety Commissioner and ensure that it has a clear role in terms of providing information on cyberbullying including in schools.

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60 Shauna Bowers, Cyberbullying rates for Irish children among highest in EU – expert (Irish Times 6 November 2021) <https://www.irishtimes.com/news/education/cyberbullying-rates-for-irish-children-among-highest-in-eu-expert-1.4402258> accessed 25 March 2021.

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