



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS  
Mr Michael Pettersson MLA (Chair), Mrs Elizabeth Kikkert MLA (Deputy Chair),  
Mr Mark Parton MLA

## Submission Cover Sheet

Inquiry into the management and minimisation of bullying  
and violence in ACT schools

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# Submission to Standing Committee on Education, Employment and Youth Affairs

Inquiry into the management and minimisation of  
bullying and violence in ACT schools

Emma Warwick



## INTRODUCTION

Please find following my submission to the Inquiry. This submission is in three parts; Part 1 related to my son, Part 2 related to my daughter and Part 3 the impacts that this has caused.

**I ask that you do not publish Part 3 and that Part 3 is kept in confidence.**

While I have tried to get my point across, emotion and emphasis are lost in writing. I am more than happy to be contacted regarding further information or clarification and am happy to provide any correspondence I have referred to in this submission. I am also happy to be called to give evidence as a witness in this inquiry.

I hope the following submission gives you even a small understanding of the gravity of the issue of this inquiry.

# PART 1

Submission to Standing Committee on Education, Employment and Youth Affairs  
Inquiry into the Management and Minimisation of Bullying and Violence in ACT Schools  
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I have had many issues over a period of time at [REDACTED] with what the Safe and Supportive Schools policy defines as bullying in many forms including covert bullying, verbal bullying and physical bullying, as well as violence.

Prior to the major incident I discuss below my son was being bullied and harassed by this student and other students. I had left messages for the principal to call me back and had received no reply from her. At no time, in my opinion, were there any consequences for this behaviour, in fact I was told that my son could go to the library at recess and lunch time to stay away from these children rather than the principal and staff dealing with the children causing the issues. In my opinion there was a culture of victim blaming or removing the victims from the situation without dealing with the actual perpetrator. Why should those children being bullied and harassed be the ones to remove themselves and be separated from their friends and not have time to play, develop social skills and friendships.

My son was assaulted at school when he was in Year 2 by another student. This assault involved him being shoved into a brick wall, hitting his head and then being punched in the head causing him to again hit his head on the same brick wall. My son suffered a concussion and required transportation to hospital via ambulance and monitoring in the Emergency Department. I removed both my children from this school immediately. Prior to this incident my son had no behavioural issues and loved going to school. For a period of time after this incident my son did not want to return to any school for fear of being assaulted or bullied again. Even though at his new school he has had no issues with bullying, harassment or being assaulted and the school does not tolerate any form of this and acts upon it immediately and with due diligence, he is still fearful due to his experience that it will occur again. We are working with him, his current school and a psychologist to help him through the lasting trauma that he suffered as a result of this incident.

I spoke to the Principal, [REDACTED], regarding the incident both by phone on the day of the incident and in a face to face meeting some time after the incident. In that meeting I was told that the school could not provide one on one supervision for each child, which I know cannot happen, but she then went on further to say that she "could not guarantee the safety of your children when they are in the school gates". She also said to me that the child who assaulted my son was known to have playground and social issues and that they were "working with the family" to address these. I asked the question if this child was known to have playground issues why this particular child was not supervised one on one on the playground. At this point in time the principal abruptly shut the meeting down and ushered me out of her office with no explanation or response to my question.

When looking at policies and procedures in regard to behavioural management in schools, this is directly opposed to what is stated and this child should have had a Positive Behaviour Support Plan in place and had that plan enforced. I do not know whether this child had a Positive Behaviour Support Plan and if he did, the contents of this child's Positive Behaviour Support Plan therefore I can only assume that knowing, through the principal telling me, this child had playground and social issues, that the child was meant to be supervised on the playground to assist in helping him develop social skills and help him with playground issues and also to keep other students safe. So either a student who should have had a Positive Behaviour Support Plan didn't or the Positive Behaviour Support Plan was inadequate or not enforced. (Refer to Safe and Supportive Schools Policy Procedure B Point 2.3.3 in ensuring that when a student is displaying chronic patterns of challenging behaviour, responses to support positive behaviour change are put in place through the use of a

Submission to Standing Committee on Education, Employment and Youth Affairs  
Inquiry into the Management and Minimisation of Bullying and Violence in ACT Schools  
Emma Warwick

Positive Behaviour Support Plan, also Safe and Supportive Schools Policy Procedure A Point 1.3 This demonstrates to me that the school Principal fell down in her responsibility to ensure that Safe and Supportive Schools procedures were in place).

Point 2.4 of this policy was also not followed or adhered to because it states Canberra public schools establish safe, respectful and supportive environments for the whole school community, by fostering a positive school culture based on positive relationships and a focus on prevention and early intervention for behaviour that may impact safety and wellbeing. They do this by

- involving the schools community in the development of school processes and procedures that promote student safety and wellbeing
- valuing diversity and promoting positive social behaviour
- providing intensive, individualised behavioural support for students who require additional support in an appropriate and timely manner.

I have also witnessed other incidences at [REDACTED] Primary. From my observations the actions instituted by [REDACTED] Primary were arbitrary, inconsistent, depended on who the student was and did not appear to follow a specific procedure. I have witnessed minor issues, such as swearing at a teacher or LSA result in suspension and incidents such as what happen to my child result in no consequence, mediation and removal from playground for a very short period of time (rarely), as well as the focus on making the victim the one to have consequences rather than the perpetrator.

Another concern I have regarding the dealing with the issues surrounding violence at [REDACTED] Primary is If, as the directorate said that the school was properly staffed and doing those things that they were supposed to be, why there was a requirement for so many extra staff members at the beginning of this year and the need for a principal from another school to be at [REDACTED] also. If as the directorate said that the school was properly staffed and doing those things that they were supposed to be how come there was a requirement for so many extra staff members at the beginning of this year and the need for a principal from another school to be at [REDACTED] also.

From my observations the actions instituted by [REDACTED] Primary were arbitrary and depended on who the student was. I have witnessed minor issues, such as swearing at a teacher or LSA result in suspension and incidents such as what happen to my child result in no consequence, mediation and removal from playground for a very short period of time (rarely).

The Safe and Supportive Schools policy (5.1) states that the Directorate is ultimately responsible for the safety and wellbeing of students and staff in Canberra public schools. The Directorate will provide resources, supports, facilities and environments that foster safety and wellbeing of students and staff. The Directorate's Education Support Office will set policy and procedures to support principals to create, evaluate and maintain a safe, respectful and supportive school environment. This is not what I had demonstrated to me when I contacted the Directorate regarding issues with the school. When I contacted the Directorate regarding the school not implementing keeping my child safe and not applying the behavioural management plans correctly and to ask them if they could do something about it, I was told by the Directorate that schools have autonomy in this area. When asked if the school was not applying Directorate then was it the Directorate's job to step in. I was told by someone in the Directorate that schools have autonomy and we don't oversee that part of schools. When questioned further and specifically regarding the Departments role in oversight of Public schools and as the Department did they oversee public schools. The response was yes but not in applying behavioural management as schools were autonomous even if this did not agree with Directorate policy.

Submission to Standing Committee on Education, Employment and Youth Affairs  
Inquiry into the Management and Minimisation of Bullying and Violence in ACT Schools  
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Imagine my surprise about this response...the Directorate who sets policies and procedures for ACT Public Schools and has responsibility for ACT Public Schools cannot, as stated by a member of the Directorate, intervene in ACT Public Schools in regard to Behavioural Management even if a school is not following Directorate Policies. This is contrary to the Safe and Supportive Schools Policy Point 5.1 states that The Directorate is ultimately responsible for the safety and wellbeing of students and staff in Canberra public schools. This response also goes against Point 1.2 that Canberra Public Schools are safe environments in which to work and learn. The Directorate is committed to promoting the health and wellbeing of staff and students ensuring that schools are safe and supportive.

Further to this in the written response given to a complaint to the Directorate regarding the lack of adherence to policy and procedure by [REDACTED] Primary around the safety of my child I was told by the Director [REDACTED] that "rather than a covenant, this policy statement is intended as a benchmark or schools, all schools strive to achieve this objective". But according to the directorate, through a spokeswoman, in CT article 11/2/19 it was clarified that the policy was a requirement not a benchmark and all schools had a duty of care. I find it hard to difficult to understand how even the Directorate are unaware of what is policy and procedure and what isn't and how that applies to schools and the Directorate as a whole. If the Directorate is confused as to policy and procedure how then are schools supposed to know what is policy and procedure and how to apply that.

I am happy to provide both the original complaint letter I sent to the Directorate and the written response that I received from the Directorate if you believe that will be of benefit to the inquiry.

After getting an inadequate response to the assault from the school and an inadequate response from the Directorate regarding the handling of the incident by the school I then wrote to the Minister Berry to bring this to her attention and also to highlight the inadequacies. The response I received from the Minister was what I would term a "non-response". None of the issues I raised were addressed and could not be addressed due to "privacy"

Further to those issues that I have illustrated above the following parts of Policy and Procedure have not been followed by the school and/or the Directorate.

#### **Safe and Supportive Schools Policy Procedure A**

##### **1.3 Principals have a responsibility to ensure safe and supportive school procedures are in place.**

This was not the case at [REDACTED] Primary School.

##### **5.1 All Directorate staff will assist to develop a culture of respect through demonstrating and modelling respectful communication and behaviour in their interactions with other staff, students, families and other school visitors.**

In my dealings with [REDACTED] Primary School Executive staff this was not the case. Unreturned messages and the inability to have meetings with Executive staff and also having meetings shut down and be ushered out of an office due to my questioning of procedures is NOT modelling respectful communication or behaviour.

##### **5.4 Principals must ensure that schools are organised in a way that properly provides a duty of care and to have procedures that reduce the likelihood of bullying, harassment and violence occurring.**

As illustrated above this was not the case at [REDACTED] Primary. Procedures were either not put in place and/or used appropriately.

**5.15 Schools will identify at least one female and one male Safe and Supportive Schools contact Officer (SASSCO) for students. Where there is a large student population, a further male and female SASSCO will be identified. The SASSCO will respond to complaints and provide support to students who have experienced bullying, racial and sexual harassment. SASSCOs will be provided training to support them in their role.**

Were these in place at [REDACTED] and were the children aware of who they were? As a parent I was TOTALLY unaware that this was a part of policy. I had no idea if [REDACTED] had these SASSCO's in place and who they were. The SASSCO's were not involved with my child or our family in any way involving any of the incidents of covert bullying, verbal bullying and physical bullying, as well as violence.

**5.16 Schools will record incidents of bullying, homophobic, transphobic, sexual and racial harassment on the designated system wide student administration system. The records will be used to analyse patterns of issues in schools and ensure that students are not being targeted repeatedly.**

What is the system wide student administration system. My understanding from what was said by the Education Minister Yvette Berry on the floor of the Legislative Assembly is that there was no central reporting system for these incidents, that the information was kept at a school level. Who therefore does the analysing of these incidents, are they qualified to recognise patterns? If they are only kept at a school level how can this be a system wide system.

#### **Safe and Supportive Schools Policy Procedure B**

**2.2 Clear school procedures and practices based on school community consultation, as well as, staff preparation, planning, training and supervision are needed to respond effectively to potential or imminent dangers. Clear procedures and practices enable staff to manage a situation in a way that seeks safer outcomes for the individual concerned, themselves and others. They also provide clarity for new staff and provide consistency and predictability for students in relation to how behaviour is responded to in the school environment.**

As I have stated above there was no consistency and predictability in how behaviour is responded to, it was arbitrary and inconsistent.

**2.3.3 ensure that when a student is displaying chronic patterns of challenging behaviour, responses to support positive behaviour change are put in place through the use of a Positive Behaviour Support Plan**

As stated above this either the student who assaulted my son did not have a Positive Behaviour Support Plan, it was inadequate for this child or it was not applied correctly.

**15.4 The Children and Young People Act 2008 aims to provide for and promote the wellbeing, care and protection of children and young people in a way that recognises their right to grow in a safe and stable environment; ensures that children and young people are provided with a safe and nurturing environment by organisations and people who, directly or indirectly, provide for their wellbeing, care and protection.**

This school did not adhere to the Children and Young People Act 2008 for my son. It DID NOT ensure that he had a safe and nurturing environment and DID NOT recognise his right to grow in a safe and stable environment. The Directorate also DID NOT adhere to this Act by not stepping into the situation when informed of the situation by me.

**15.5 The ACT Human Rights Act 2004 protects the right to privacy, including physical integrity, the right to liberty and security of the person and the freedom from torture, inhuman or degrading**

**treatment. Generally, and in relation to these rights, it provides that every child has the right to the protection needed because of being a child, without distinction or discrimination of any kind.**

My son's human rights were not upheld either by the school or the Directorate. The school breached his right to security, and the right of freedom from degrading treatment from a person who inflicted harm on him causing physical harm and mental harm. Again by the Directorate doing nothing when informed the also breached my son's Human Rights.

My understanding of the Safe and Supportive Schools Policy is that it is guided by the National Safe Schools Framework. I looked at the National Safe Schools Framework again it seems that this was not followed at [REDACTED] Primary.

My son was also verbally, covertly and physically bullied as well having violence inflicted upon him at another ACT Primary School prior to being at [REDACTED] Primary. Again in this instance there was no repercussions for the offender because, according to the school, this child had "issues" outside of the school and behavioural issues. Again this is victim blaming and showing children that there is no consequence for bad behaviour or actions. My child although did not at that stage have behavioural issues (but now does related to the trauma of the assault inflicted upon him at [REDACTED] Primary) he had major medical issues and multiple hospital stays which also puts him into the category of also having "issues". Despite my son having "issues" he never bullied and was most definitely never violent.

## PART 2

Submission to Standing Committee on Education, Employment and Youth Affairs  
Inquiry into the Management and Minimisation of Bullying and Violence in ACT Schools  
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My daughter attended a Tuggeranong Primary School from Year 5 to Year 6. From the time she arrived at this school she was harassed, covertly bullied, verbal bullied and physical bullied and on numerous occasions had violence inflicted upon her.

From the first incident I was in correspondence with the school and for each of very numerous incidents thereafter. The incidents became more frequent and more violent. My child was told that to avoid being injured she was to be the one to avoid being around this child and that if this child was to indeed come into the area of the playground where my daughter was that my daughter would have to be the one to move off the playground even though the other child was breaking the rules. My child was also told that she could go to the office or the Library at lunch to avoid the child bullying and harassing her.

The child harassing my daughter had numerous off playground suspensions and in school suspensions with no effect. I was told by the school that out of school suspensions were not always the best option for children due to "family situations".

As the frequency and violence of the incidents increased, I requested that child being violent towards my daughter be moved out of my daughter's class and placed in another class. I was told that it was not possible. I requested that the child harassing, bullying and being violent towards my child be supervised at all times when not in a classroom with a teacher. I was told this was not possible. So the bullying, harassment and violence continued against my child any time there was a transition between classrooms or any time that my child and her assailant were on the playground together.

The issue came to a head when the child bullying, harassing and assaulting my child hunted her down one day so she and my daughter were alone and out of sight of everyone, and assaulted her dislocating my daughter's shoulder. Again the response from the school was lack lustre and so I sent a letter to the school outlining the things I required for my child to be safe at school. I also called in the police. Only after the police presented to the school regarding a complaint of assault did the school actually put in strategies in place to maintain a total separation of my daughter and her attacker. This was more than 12 months after the initial incident and after the final assault on my daughter. Things should have been done long before this so it never got to this point.

Through all of this there was no support given to my daughter or our family around the issues happening to her, we had to seek out external support.

The issues surrounding the handling of these incidents are similar to those in Part 1 of this submission and therefore the same issues around Policy and Procedure apply at both a school and Directorate level.

# PART 3

# IMPACTS

(Please hold this part in confidence)

This content has been removed at the request of the submitter.