



School: Bullying

There is a lot of information available about bullying and the various types.

For fast facts, visit: <https://bullyingnoway.gov.au/>

Your school must have anti-bullying policies in place and it is the school's responsibility to address bullying in the school or to and from school. If they fail to address it, then the school may be civilly liable for any injury (includes psychological) or damage that occurs to you.

What can I do about bullying at school?

It is best to try to resolve the Bullying problem within the school. The school can implement a Safety Plan to protect you and keep the Bully separated from you.

Sometimes this does not occur. There are two options you can take to stop the bullying behaviour.

1. If criminal offences have occurred, then make a complaint to Police.
2. Apply to the Children's Court for a Restraining Order against the bully.

Police Complaint

If an offence has occurred, such as assault, threats to injure or damage to property, this may be a criminal offence which you can report to the Police.

Reporting the matter, may involve you giving a statement to Police about what is/has occurred. Police may investigate the incident and charge the bully.

Restraining Order

A Restraining Order should only be taken out as a last resort when all other options have failed. You may also want to take out a Restraining Order to prevent the bullying from occurring outside school hours. A Restraining Order cannot be obtained against a child under the age of 10. A Restraining Order is unlikely to prevent the "bully" from attending school if the school can put in a Safety Plan that keeps your child and the "bully" separate from each other. Students by law are required to attend school.



If the bully is under the age of 18, then the Restraining Order application is made in the Children's Court.

For more information, visit: www.childrenscourt.wa.gov.au click on "types of cases" and then click on "restraining orders".

Complaint Against Principal Or School

If you have a complaint about the way your school has handled your report about bullying by another student you can ask the school for a copy of their "formal complaints procedure" which you can then follow.

First you would make a complaint to the Teacher or the Principal, then if unsatisfied, complain to the school's District Director.

You may also complain to the Minister for Education.

If you attend a government school, you can also contact the State Ombudsman to look into the matter but must have tried to resolve it with the school first.

More Information

Youth Law Australia: <https://yla.org.au/wa/topics/school/bullying/>

The State Ombudsman: www.ombudsman.wa.gov.au

Government of Western Australia, Department of Education: <https://www.education.wa.edu.au/bullying>

<https://www.education.wa.edu.au/complaints>

<https://www.education.wa.edu.au/violence>

Please note: Laws are subject to change. Last updated July 2020.

Important: The information provided in this infosheet is for information only.

It should not be relied on as legal advice.

Please seek legal advice about your particular circumstances.