

Bullying and the law

Harassment and bullying are things that a lot of people experience and it's important to know what your rights are. More importantly – it's important to know how they can be violated by bullying. This factsheet tells you who is responsible, and how to get help.

What are rights?

Human rights are important for everyone, everywhere, every day. All of our human rights are equally important and should be respected by everyone.

You have a right to feel safe and to be treated fairly and respectfully, and not to be subjected to harassment.

Bullying and harassment is an abuse of your human rights. It is a serious problem with serious mental and physical impacts. Bullying can affect you at home, school, work, in your social life and in your ability to feel happy, healthy and secure.

It is up to governments, schools, workplaces and individuals (including you) to make sure that every human right is respected.

Rights that could be violated by bullying

- › **Your right to be free from mental, emotional and physical violence.** Bullying is a form of violence. You have a right to be in a supportive environment (be that at school, work or online) that is respectful, safe and free from violence.
- › **Your right to the highest attainable standard of physical and mental health.**
- › **Bullying can cause physical injuries, depression and other health issues.**
- › **Your right to survival and development.** Bullying can have serious impact on your physical, mental, spiritual, moral and social development.
- › **Your right to work and have a fair and safe workplace.** Bullying at work can lead to physical and mental stress and depression. It can stop you being able to do your job well and cause

Signs your rights are affected...

- › *You're being harassed or intimidated*
- › *You feel unsafe*
- › *You've been excluded or ignored*
- › *You've been threatened*

Take action...

- › *Learn how to be a supportive bystander*
- › *Talk to someone you can trust about what you're going through*
- › *Find out about workplace bullying*

you to need increased days off work.

- › **Your right to leisure and play.** Bullying that occurs in places you play and socialise such as at school and on social networking sites and can impact on your ability to relax and enjoy different activities.
- › **Your right to education.** Bullying at school can make you feel unsafe and unwelcome. It can impact on your concentration and your mental and physical health. This may affect how well you do at school.
- › **Your right to participate and have your voice heard.** Bullying can make you feel unsafe and prevent you from expressing your feelings and opinions. You have the right to express your views, to have your concerns taken seriously and to participate in decisions that directly affect you.
- › **Your right to privacy.** Bullying, in particular cyberbullying can make things that are personal public. You have a right to have your privacy respected by others.

Some people say that bullying is part of the experience of growing up. But bullying is never OK.

What's the effect of bullying?

Individuals: Just as we are all born with human rights we also have responsibilities to respect and protect the rights of others. We all have a responsibility to avoid all forms of bullying, including spreading gossip or making offensive comments about others online.

Respecting the rights of others applies to everyone, including people who are your friends and those who are not, people who are isolated, new to your school or workplace or may not be very popular.

If you see someone that has been bullied or treated badly you may be able to take safe and effective action to stop bullying. Bullying is everyone's problem. Bystanders can be either part of the bullying problem or an important part of the solution to stop bullying.

School and work: Your school has a responsibility to provide a safe learning environment free from violence, harassment and bullying. This protects your right to education.

Your boss has a responsibility to provide a safe work environment where there is no violence, harassment and bullying. This protects your right to work.

Government: Your human rights are protected by international human rights laws that the Australian government has agreed to uphold.

In Australia there are also laws that protect you from some forms of bullying and harassment. Some helpful information on where to go is provided on the workplace bullying factsheet on ReachOut.com.