SOME ADVICE FOR PARENTS

Not all incidents of bullying due to race, faith and culture require legal intervention and your first approach should always be to talk openly with your child's school.

Trying to stop your child bullying because of race, faith and culture or being bullied because of their race, faith or culture

As a parent it is important that you understand what bullying due to race, faith and culture is, are aware of its impact and how it differs from other forms of bullying, to then talk about it with your child.

Think about the differences in people and talk openly with your child about various races, faiths and cultures, encouraging their awareness and interest in diversity. This may help to develop your own child's resilience by building a positive self image, alongside an understanding of their cultural heritage.

Think about the way people behave, and talk to your child openly about bullying due to race, faith and culture and the effects this has on children. Remind your child that bullying of any kind is always wrong and they should try to treat others as they would like to be treated.

Remind your child to tell someone they trust if they see or experience bullying due to race, faith or culture.

Trying to help your child if they are being bullied because of their race, faith or culture

Always take seriously any reports your child makes about bullying. Reassure your child they have done the right thing in telling you and that it is not their fault. Try to stay calm. Support them to report and record all details of incidents in a diary, including dates, times, location, who was involved and any witnesses. This information will help a school with their investigations.

When bullying is reported to a school they will refer to their anti-bullying policy. Schools need time to investigate an alleged bullying incident and you may feel frustrated as there is rarely a quick solution to bullying. Each incident is different and requires a tailored approach. This is why it is important that you keep talking to the school and your child to agree a plan of action. The important outcome for your child is to stop the bullying and ensure they are safe.

To report bullying to your child's school there are three key stages and it is advisable you carry out each stage of reporting in order. The stages are as follows:

- Report to class teacher or Head of Year
- Report to the Principal (you may decide to do this in writing or at a face to face meeting)
- Report to the Chair of the school's Board of Governors (this should be done in writing)

(Please see 'Reporting bullying concerns to your child's school' leaflet)

If English is not your first language you can access support from the Education & Library Board to help communicating with your child's school. For more information please visit:

- **www.education-support.org.uk**

Remember you may need to consider getting the Police Service of Northern Ireland (PSNI) involved if you feel your child has experienced a hate crime.

Useful contacts

To talk to someone about bullying please call:

Parents Advice Centre Helpline	0808 801 0722
Childline	0800 44 1111
Northern Ireland Commissioner for Children and Young People (NICCY)	028 9031 1616

Or for legal advice please call:

Chalky Helpline (Children's Law Centre)	0808 808 5678
Equality Commission	028 9089 0890

Here are some websites with more information about bullying due to race, faith and culture for parents and children.

- **www.bullying.co.uk** - a website for parents and children focussing on bullying, including bullying due to race, faith and culture
- **www.kidscape.org.uk** - a website for parents and children focussing on bullying, including bullying due to race, faith and culture
- **www.bbc.co.uk/schools** - useful links to resources and information on bullying due to race, faith and culture and how to combat it
- **www.nicem.org.uk** - information about projects NICEM facilitate in Northern Ireland to tackle racism and discrimination

What is Bullying due to RACE, FAITH & CULTURE?

A leaflet for parents and carers

Northern Ireland Anti-Bullying Forum
Acting Together To End Bullying

15 Richmond Park. Belfast, BT10 0HB
Phone: (028) 9043 1123
Fax: (028) 9043 1314
Web: www.savethechildren.org.uk/niabf
E-mail: niabf@savethechildren.org.uk

Additional copies of this leaflet can be downloaded from:
www.savethechildren.org.uk/niabf

The Northern Ireland Anti-Bullying Forum (NIABF) defines bullying as the repeated use of power by one or more persons intentionally to harm, hurt or adversely affect the rights and needs of another or others.

Bullying due to race, faith and culture is behaviour or language that makes a child or young person feel unwelcome or marginalised because of their religion, race, ethnicity, national origin, colour or nationality. NIABF includes sectarian bullying within this definition.

Some examples can include children:

- Being called mean names linked to their race, faith or culture
- Being hit or kicked because of their race, faith or culture
- Being left out because of their race, faith or culture
- Using digital technology such as email, video etc. to do any of the above (please also see cyber bullying leaflet)

THE EXTENT OF THE PROBLEM

The University of Ulster undertook research on behalf of the Department of Education. The report entitled "The Nature and Extent of Bullying in Schools in the North of Ireland" was published In June 2007. It revealed that:

- 46% of Year 6 and 62% of Year 9 pupils felt that a pupil's race or skin colour could make them more likely to be bullied
- 33% of Year 6 and 53% of Year 9 pupils felt that a pupil's religion could make them more likely to be bullied

Society in Northern Ireland is becoming more diverse in terms of ethnicity. The research has raised concerns about bullying on the grounds of religion and ethnicity and has highlighted the need to change attitudes.

WHAT IS THE LAW IN NORTHERN IRELAND?

This is a very complex area and at present there is no one piece of legislation which defines and outlaws bullying, unlike harassment* which is covered by various pieces of anti-discrimination legislation.

***Harassment is defined in legislation as 'unwanted conduct which has the purpose or effect of violating someone's dignity or creating an environment that is intimidating, hostile, degrading, humiliating or offensive'.**

Claims of bullying due to race, faith and culture experienced in education may be brought within the confines of the following two pieces of legislation:

The Education and Libraries (NI) Order 2003 places specific duties upon the Board of Governors of a grant-aided school:

Article 17 - To safeguard and promote the welfare of registered pupils at all times when the pupils are at school or in the control or charge of a member of school staff

Article 18 - To ensure that there is a written child protection policy, to determine the measures to be taken to protect pupils from abuse and to review these measures on a timely basis

Article 19 - To consult with the pupils and parents before making or revising the Discipline Policy. Principals are also required to consult with pupils and their parents before determining measures to encourage good behaviour and to prevent bullying.

The Race Relations (NI) Order 1997 includes educational settings such as schools when considering racial discrimination:

Article 20 - All educational bodies have a general duty to ensure that facilities for education, ancillary benefits and services are provided without racial discrimination

Bullying and/or harassment experienced may constitute a criminal offence and there are two pieces of legislation which may provide protection under the criminal law.

Protection from Harassment (NI) Order 1997

Article 3 of this Order states:

'A person must not pursue a course of conduct

(a) which amounts to harassment of another, and

(b) which he knows or ought to know amounts to harassment of the other.'

Article 4 provides that a person guilty of an offence of harassment under Article 3 shall be liable on summary conviction to imprisonment for a term not exceeding six months and/or a fine of up to £5000.

The legislation provides that a civil claim may also be brought by a victim of harassment in the High Court or County Court. Damages may be awarded for any anxiety caused by harassment and any financial loss resulting from harassment.

The court may also grant a restraining order which shall prohibit the defendant from pursuing any further conduct which amounts to harassment or will cause a fear of violence. If without reasonable excuse the defendant does anything which breaches the court order this will amount to a criminal offence and the defendant shall be liable on summary conviction to imprisonment for a term not exceeding six months and/or a fine of up to £5000.

Criminal Justice (No2) (NI) Order 2004 – Hate Crime Legislation

This legislation brings much needed changes to the law, substantially strengthening the measures available to tackle crime motivated by racism, sectarianism, or hostility based on sexual orientation or disability in Northern Ireland. Key features include:

- Where an offence involves hostility based on religion, race, sexual orientation, or disability, on conviction the Court must take this into account when sentencing.
- The Court's sentencing powers - mainly in relation to specified crimes of violence which are often connected with "hate crime" – will also increase
- For example, offences of "grievous bodily harm", "assault occasioning actual bodily harm" and "putting someone in fear of violence" will increase from 5 to 7 years' imprisonment; and criminal damage will increase from 10 to14 years' imprisonment. Common assault will have a maximum penalty of two years imprisonment, a fine, or both.
- Hostility based on race, religion, sexual orientation or disability, can be based both on hatred of a group or of an individual. The legislation will cover attacks on both people or property.

As this is a complex area and each individual case may be approached differently, you may wish to seek further advice. A range of organisations who may be able to provide this support are listed under 'Contacts' on this leaflet.

GUIDANCE FOR SCHOOLS

In 2001 the Department of Education (DE) issued guidance - 'Pastoral Care in Schools: Promoting Positive Behaviour'. Whilst the guidance does not address issues directly related to bullying due to race, faith and culture, it does offer practical advice and outlines the importance of all young people, from whatever background, having the right to be valued and respected, to be educated in a secure and caring environment, and to have their abilities and talents nurtured and developed to their full potential.

There is a particular focus on the development and implementation of a 'Discipline Policy'. It highlights the necessity for staff to be alerted to all forms that bullying can take and questions how the policy sets out to address issues relating to all forms of bullying.

In 1993 the Department of Education (DE) issued 'Policy and Guidelines for the Education of Children from Traveller Families - Circular 1993/37'. This Circular contains guidelines to ensure equality of education opportunity for children from Travelling Communities. It promotes the right of the child in advising schools to ensure measures are taken to overcome obstacles to their access to schooling; within the constitutional and financial limits of their educational structures.

Other useful publications can be accessed from **www.equalityni.org** :

- Racial Equality in Education – A Good Practice Guide (2001)
- Raising Awareness of Diversity and Racism – An activity pack for schools and youth workers (2001).