

LCQ6: Prevention of school and cyber bullying

Following is a question by the Hon Elizabeth Quat and a reply by the Secretary for Education, Mr Kevin Yeung, in the Legislative Council today (September 15):

Question:

The findings of a survey show that school bullying is a serious problem in Hong Kong. Nearly 30 per cent of the responding students indicated that they had been bullied, and such a percentage was higher than the relevant percentages on the Mainland and in the Taiwan region. It has been reported that during the riots in 2019, with politics infiltrating schools, various kinds of bullying problems were even more severe. Moreover, during the epidemic, incidents of cyber bullying have increased concomitantly with the rising number of young people playing online games. On prevention of school and cyber bullying, will the Government inform this Council:

(1) of the respective numbers of requests for assistance, complaints and reports about school bullying received by the authorities since January 2019; whether they have studied the underlying causes for the occurrence of such cases and formulated corresponding plans;

(2) as there are views that the "zero tolerance" policy adopted by the Education Bureau (EDB) in respect of school bullying is empty talk because the EDB has not mandated schools to report bullying cases, conducted preventive inspections or drawn up clear penalty provisions, whether the EDB will, by drawing reference from the practices on the Mainland and in the Taiwan region, strengthen the investigation, punishment and reporting mechanisms, as well as step up efforts in holding teachers and school authorities accountable; if so, of the details; if not, the reasons for that; and

(3) given that some overseas jurisdictions have made cyber bullying a criminal offence, whether the Government will enact the relevant legislation; if so, of the details; if not, what new measures are in place to address cyber bullying and prevent young people from becoming the victims of such cyber bullying which does not constitute a criminal offence?

Reply:

President,

School is a place where students learn to care, concern, support and respect one another. Maintaining a safe and harmonious school environment for students to learn and grow up happily is the fundamental responsibility of schools, as well as a common goal of the Education Bureau (EDB) and all

educators. During the social turmoil in 2019, politics permeated schools, which caused restlessness in schools, and there were even more bullying incidents due to differences in stances. However, with the implementation of the National Security Law, social order and calmness in schools have been restored. We should take this opportunity to step up values education and reduce bullying incidents. In respect of school bullying, the EDB has all along been adopting a "zero tolerance" policy and continuously adopting a multi-pronged approach to help schools implement the policy on prevention and handling of school bullying. These include nurturing students' positive values and cultivating in students a sense of mutual trust, inclusion and friendship through school curriculum, learning and teaching resources and diversified learning activities. Last year, "empathy" and "law-abidingness" have been added as priority values. On administration, the EDB has issued guidelines requiring schools to adopt a "whole school approach" in formulating and implementing anti-bullying strategies, which should include a clear stance on "zero tolerance", reporting channels and handling procedures, highly transparent monitoring and an attitude to handle each school bullying incident proactively and seriously. In addition, we have been providing professional development programmes for teachers to enhance their professional knowledge and capacity on preventing and handling bullying in schools.

My reply to the question raised by the Hon Elizabeth Quat is as follows:

(1) Since 2019, the EDB has received a total of 41 complaints about school bullying, mainly involving verbal bullying, cyber bullying and physical bullying. Among the 37 completed cases, seven cases were found substantiated or partially substantiated. Disciplinary actions have been taken by the schools concerned against the teachers/students involved. Besides, the EDB has also issued advisory/warning letters to teachers who are involved in professional misconduct.

Every bullying case is unique and involves the interplay of multiple personal and environmental factors, including the personalities and social skills of the students involved as well as the awareness and tolerance of others towards bullying. Schools are required to assess and examine the unique circumstances of each case to formulate the appropriate plan on handling the case. Apart from handling the cases immediately (including supporting the students involved, stopping and punishing/disciplining and providing guidance to the bullies), explaining the incidents to parents and submitting reports to the EDB on complaint cases after investigation, the schools should also take preventive measures including making clear the schools' stance on "zero tolerance" towards school bullying to all stakeholders and continuously raising their awareness of anti-bullying. In addition, stakeholders of different sectors should co-operate to create a harmonious and inclusive atmosphere in our society.

(2) School management manages schools directly, hence has the responsibility of educating students, maintaining a harmonious environment in schools, and handling any problems found in the schools immediately. The School Administration Guide and circulars issued by the EDB lay down the principles

of handling school bullying, as well as the relevant procedures, methods and follow-up actions clearly. At the same time, schools should take education, guidance and protection of their students as the prime concern when handling school bullying. Regarding the reporting mechanism, all school staff are required to report to the school management or the responsible team when any bullying case is known to them. If the cases are of a more serious nature (e.g. teachers being the bullies, incidents involving brutal violence, injuries or deaths, etc.), schools should notify the EDB. If suspected child maltreatment is involved, schools should consult the Social Welfare Department (SWD) directly. For serious cases, schools should report them to the Police immediately for assistance.

When handling school bullying incidents, the school management, discipline/guidance team, professional personnel, parents, the EDB and other government departments (such as the SWD and the Police), all play a part in providing assistance to the bullies and the bullied from different aspects. They include providing intervention, support, mediation, imposing punishments and taking follow-up actions, etc. The Government has implemented the policy of "one school social worker for each school" in primary schools since the 2018/19 school year, and "two social workers for each school" in secondary schools since the 2019/20 school year, to enhance schools' capacity to support students and help schools prevent and handle bullying incidents.

On punishment, if a school bullying incident involves misconduct or professional misconduct of teachers, the EDB will seriously follow up and take appropriate actions in accordance with the Education Ordinance, including issuing advisory letters, warning letters or reprimand letters. For serious cases, the EDB will consider cancelling the registration of the teachers. If the bullying incident involves a criminal offence, the Police will also follow up and investigate.

To further enhance school staff's capability of preventing and handling school bullying, the EDB will strengthen the promotion of exchanges and sharing of good practices among schools. Also, relevant support will be provided to schools in need through professional consultation, school visits and school-based training activities continuously. In addition, the EDB is currently reviewing relevant measures and will enhance existing guidelines and teaching resources as necessary to prevent bullying incidents in collaboration with schools.

(3) The Security Bureau indicates that even though there is currently no specified criminal offence in Hong Kong targeting cyber bullying, the Internet is not an unreal world that is beyond the law. As far as the existing legislation in Hong Kong is concerned, most of the crime-prevention laws in the real world are applicable to the online world. All bullying activities (cyber or not) are governed by relevant legislation if they involve criminal offences. Depending on the circumstances of individual cases, inappropriate speech published online may also contravene other offences, such as criminal intimidation or blackmail.

In view of the potential for information technology, the computer and

the Internet to be exploited for carrying out criminal activities, a sub-committee under the Law Reform Commission (LRC) has initiated a study on cybercrime to identify the challenges arising from the rapid developments of the Internet, review existing legislation and other relevant measures, examine relevant developments in other jurisdictions, and recommend possible law reforms in accordance with findings. The Government will pay close attention to the progress of the LRC's study.

Besides, the EDB provides a framework on "Information Literacy Framework for Hong Kong Students" and information kits on e-learning for schools to nurture students' ability and attitude to use information and communication technology. We also provide professional development programmes and information kits on e-learning for teachers to facilitate schools in promoting relevant parent education. In addition, we co-operate with other government departments and non-government organisations to enhance students' information literacy and awareness of cyber security through student activities and competitions.

Thank you, President.