**Cyberbullying, Schools and the Law:**

**A comparative study in Northern Ireland and the Republic of Ireland**

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**Abstract**

**Background**

This study addresses the fast developing behavioural issue of cyberbullying in schools and its complex legal context.

**Purpose**

This study set out to investigate teachers’ perceptions of the extent of cyberbullying and the extent to which school leaders in Northern Ireland and the Republic of Ireland feel knowledgeable and confident about dealing with cyberbullying problems in school. The study also examined the legal responsibility that schools in Northern Ireland and the Republic of Ireland have in dealing with incidents of cyberbullying.

**Sample**

The sample comprised 14 headteachers and senior teachers from primary and post-primary schools (focus groups), and a further 143 school headteachers in Northern Ireland and the Republic of Ireland who responded to the postal questionnaire.

**Design and Methods**

The sample was stratified according to geographical location, school management type and school size. The study had qualitative and quantitative elements. Focus group discussions were held in Northern Ireland and the Republic of Ireland, involving experienced primary and post-primary teachers and headteachers. Questionnaires were sent to primary and post-primary school headteachers (n=143 completed: response rate = 28.6%). Data were analysed to provide a descriptive overview of knowledge and attitudes as well as the experiences of staff working in schools in both jurisdictions.

**Results**

The study indicates that school leaders in both Northern Ireland and the Republic of Ireland reported a level of frustration in their attempts to deal with the growing and very complex problem of cyberbullying. They expressed a desire for more guidance from their respective government departments of education. Analysis of data suggests that confusion surrounding the legal responsibilities of schools was common in both jurisdictions. Findings indicate that rather than relying on evidence-based strategies and procedures proposed by government, school leaders were resorting to *ad hoc* solutions, at best consulting neighbouring schools, while trying to unravel intricate webs of interpersonal online aggressive acts, many of which had taken place outside of school and outside of school hours.

**Conclusion**

Recommendations are made in relation to the development and dissemination of training and resources for schools in both jurisdictions. In describing the challenges faced by school leaders in dealing with cyberbullying, this study highlights, more generally, the need for the development of guidance and professional support frameworks to help educators manage the problems that are presented by this complex and evolving social phenomenon.

**Key Words:** Cyberbullying, Schools, Law, Teachers

**Introduction**

In recent years the Internet and information and communication technologies (ICT) have had an increasingly important impact on our everyday lives (Cross et al. 2009). Use is now thoroughly embedded in children and young people’s daily lives (Livingstone et al. 2011) and electronic communication is viewed by many children and young people as essential for their social interaction (Kowalski, Limber, and Agatston 2008; Ofcom 2014). As well as the understanding gained of the very real and positive uses of the technologies (e.g., access to information, entertainment and leisure, creative outputs, social contact, development of ICT skills: Costabile and Spears 2012), there is an ongoing and concerted effort to understand the potentially negative aspects of these new and emerging media, and in particular the newest and fastest-changing form of bullying – cyberbullying.

While the prevalence and effects of “traditional” face-to-face (often called ‘f2f’) bully/victim problems are well known (Smith et al. 1999; Rigby and Smith 2011; Mc Guckin 2013) and intervention and prevention programmes are well advanced (Smith, Pepler and Rigby 2004; Farrington and Ttofi 2009), there has been much less research completed into cyberbullying. Several cross-national policies (e.g., Välimäki et al. 2013) and recent international collaborative research efforts (e.g. Mora-Merchan and Jäger 2010; Smith and Steffgen 2013) have however begun to develop our understanding of cyberbullying, yet have revealed considerable variance in its reported prevalence as a result of inconsistencies in definition, cut-off point and reference period as well as the age, gender and size of the sample (Tokunaga 2010; Frisén et al. 2013).

Of particular concern to schools are the negative consequences of the technology and the characteristics of cyberbullying that distinguish it from face-to-face bullying – for example, ‘flame mail’ (i.e. offensive or angry email message(s) or online posting(s)), pictures / video clips, SMS messages, and anonymity (Juvonen and Gross 2008). Indeed, in contrast with face-to-face bullying, cyberbullying can take place at any time of the day or night, can take place outside schools, can be anonymous, and can have a (potentially) worldwide (Internet) audience (Dooley, Pyżalski, and Cross 2009). Given these differences, the typical “whole school approach” (Rigby, Smith, and Pepler 2004) for addressing traditional face-to-face bully/victim problems in educational contexts (Samara and Smith 2008) is considered insufficient for dealing with this newest form of bully/victim problem (del Rey, Elipe, and Ortega 2012). Indeed, existing guidance and legislation related to how schools should address bully/victim problems often appears outdated when applied to incidents of cyberbullying. This is also reflected in a content analysis of anti-bullying policies in one English Local Authority where Smith et al. (2012) found that less than one third (32%) of the sampled primary and post-primary schools included any mention of cyberbullying in their policies, though it is acknowledged that the situation may have improved since this study was carried out.

Against this fast-changing cyber-context, this study therefore explores the knowledge, attitudes, and perceptions of school headteachers and senior teachers from Northern Ireland and the Republic of Ireland regarding cyberbullying and the legal and policy issues that surround the problem.

*Defining Cyberbullying*

There is a strong consensus in the research community that bullying is a form of social aggression (Björkqvist, Ekman, and Lagerspetz 1982), which is characterised by three major criteria: intent to cause harm; repetition of the behaviour over a period of time, and; an imbalance of power between the victims and the bullies (e.g., Olweus 1993; Rigby 2002; O’Moore and Minton 2004). O'Moore and Minton (2004) extend this by arguing that just one particularly severe incident which contributes to an on-going sense of intimidation can constitute bullying.

Although there are similarities between face-to-face bullying and cyberbullying (DeHue, Bolman, and Völlink 2008; Langos 2012), there is no consensus as yet regarding a definition for cyberbullying. Although Langos (2012) argues that the main elements of traditional bullying (i.e., repetition, power imbalance, intention, and aggression) also pertain to cyberbullying, it is clear that these elements can take on a different role in cyber space. Some of the main differences relate to the very large audience associated with cyberbullying (Kowalski et al. 2008), the possibility of the perpetrator concealing their identity (Vandebosch et al. 2006), and the fact that the victim can be attacked at any time of the day or night (O’Moore and Minton 2009). As a result of these distinguishing traits, it is necessary to create a separate definition for cyberbullying.

Perhaps the most comprehensive definition of cyberbullying to date is that provided by Tokunaga (2010). Analysing and building upon existing definitions (Ybarra and Mitchell, 2004; Belsey 2006; Patchin and Hinduja 2006; Willard 2007; Juvonen and Gross 2008; Li 2008; Slonje and Smith 2008; Smith et al. 2008), Tokunaga (2010, 278) defines cyberbullying as “ . . . any behavior performed through electronic or digital media by individuals or groups that repeatedly communicates hostile or aggressive messages intended to inflict harm or discomfort on others”. Therefore, it seems that in order for behaviour to meet the criteria for cyberbullying, it must be communicated using electronic media, it must be repeated, it must be aggressive in nature, and it must carry intent to cause harm to the recipient.

*Bullying and Cyberbullying in Northern Ireland: Relevant Legislation*

With the exception of two very brief guides offered by the Northern Ireland Anti-Bullying Forum (NIABF, 2011a,b) and an analysis by Purdy and Mc Guckin (2013), there is currently no comprehensive review of the legislation relating to cyberbullying in Northern Ireland. The following presents a pertinent synopsis of the relevant legislation.

In terms of the management of bully/victim problems in schools, legislation was introduced in Northern Ireland in 2003 (The Education and Libraries [Northern Ireland] Order 2003) which requires all schools to have an anti-bullying policy. Article 19 of the 2003 Order amends Article 3 of the Education (Northern Ireland) Order 1998, which is the primary legislation dealing with school discipline / promoting positive behaviour. Article 19 places new duties upon the school, as follows: (i) the Board of Governors shall consult with registered pupils and their parents before making or revising the school’s disciplinary policy, (ii) the Principal shall determine measures to be taken to prevent all forms of bullying among pupils, and (iii) the Principal shall consult with registered pupils and their parents before deciding upon measures to encourage good behaviour and to prevent bullying. Accompanying guidance (DENI 2003,§§14 and 15) recommends that all schools will need to be satisfied that their current discipline / promoting positive behaviour policy deals with the prevention of bullying “in a sufficiently clear and robust way” to satisfy this legal requirement. Any revision of existing school disciplinary / promoting positive behaviour polices must be preceded by a consultation exercise with registered pupils and their parents.

As well as the Articles within the 2003 Order (which do not, understandably, mention cyberbullying), DENI (2007) issued a circular in relation to the acceptable use of the Internet and digital technologies in schools. This circular emphasised that Boards of Governors must ensure that their schools have a policy on the “safe, healthy, acceptable, and effective use of the Internet and other digital technology tools” (p.1). The Boards of Governors are also guided to ensure the active promotion of safe and acceptable working practices for all staff and pupils. The Circular further notes that while there is no legal requirement to provide support or guidance to parents, this would be “a responsible step for a school to take (p.3).” In relation to the extent of school responsibility, the Circular provides little guidance but would seem to recognise a limit to the school’s involvement:

“Deliberate abuses which happen outside schools, but which impinge upon or affect school pupils and staff, should normally be dealt with through appropriate police and legal action”. (DENI, 2007, p.3)

In terms of criminal law, there are three pieces of legislation which may provide protection from cyberbullying, though none is written with specific reference to cyberbullying: (i) Protection from Harassment (Northern Ireland) Order 1997, (ii) Malicious Communications (Northern Ireland) Order 1988, and (iii) The Communications Act 2003 (see NIABF 2011a,b; Purdy and Mc Guckin 2013).

*Bullying and Cyberbullying in the Republic Of Ireland: Relevant Legislation*

While there are, likewise, no pieces of legislation dealing specifically with school-related cyberbullying in the Republic of Ireland, there are a number of criminal law and education law provisions, and guidelines given to schools, which implicitly include these behaviours (for a comprehensive review of legislation related to bully/victims and schools in the Republic of Ireland, see Smith 2013; Purdy and Mc Guckin 2013).

A number of publications issued by the Office of Internet Safety (OIS) explicitly include the behaviours (e.g., OIS 2008, 2012). Department of Education documents are of relevance in this regard: *Guidelines on Countering Bullying Behaviour in Primary and Post-Primary Schools* (Department of Education 1993), the *Action Plan on Bullying* (DES 2013a), and *Circular letter M18/99: Guidelines on Violence in Schools: Intended for Post-Primary Schools* (Department of Education and Science 1999). [[1]](#footnote-1)Under Criminal Law, remedy may be pursued under the Criminal Damage Act 1991 (especially section 5), the Non-Fatal Offences Against the Person Act 1997 (section 10.1), the Communications Regulation (Amendment) Act 2007, Part 2.

In 2012, a private member’s bill (the Education [Welfare] [Amendment] [No. 2] Bill 2012) was brought before the Irish parliament, which sought to make it the legal responsibility of the Board of Management of a school (that is the elected management committee of the school to whom the principal is accountable) to record incidents of bullying, to implement anti-bullying procedures and to respond in writing to parents/guardians within five working days, outlining the response taken by the school. Although in 2013 the bill was defeated on its second reading, the Department of Education and Skills has since published an *Action Plan on Bullying* (DES 2013a), and also revised guidance for schools (DES 2013b) which replaces guidance dating back twenty years (DES 1993). This new guidance defines bullying, and requires schools to adopt, implement, and revise annually their anti-bullying policy (a model is provided), and record incidents of bullying behaviour using a standardised template. The headteacher must also provide a report “at least once in every term” to the Board of Management setting out the number of cases of bullying reported and confirmation that these cases have been dealt with in accordance with the school’s anti-bullying policy and the departmental guidelines. The procedures repeatedly stress the importance of addressing the issues of cyberbullying and identity-based bullying. This guidance was published in September 2013, several months after the data was collected for this study.

**Aim and purpose of the research study**

Based on the review of the research, policy, and legislation, the current research set out to answer the following questions:

1. What are teachers’ perceptions of the extent of cyberbullying in schools in Northern Ireland and the Republic of Ireland?
2. To what extent do school leaders feel knowledgeable and confident about dealing with cyberbullying problems in school?
3. What legal responsibility do schools in Northern Ireland and the Republic of Ireland have in dealing with incidents of cyberbullying?

**Methodology**

The study made use of qualitative and quantitative methods. It began qualitatively with focus group discussions, followed by the use of questionnaires to give a quantitative overview of knowledge and attitudes, which served to supplement the qualitative data. This approach was adopted to avoid simplistic polarities between quantitative and qualitative methods, and to seek a less confrontational approach instead (Denzin 2008, 322) and a greater degree of convergence between the two (Brannen 2005). Denzin (2008) and Creswell (2009) have both recommended an approach which acknowledges the benefits of integrating different methodological designs and forms of data. The result is a more complete picture of the subject in question and helps overcome the weaknesses of any one individual research method (Denscombe 2008).

Two focus group interviews were conducted in Northern Ireland, the first comprising primary school headteachers and senior staff (n=4), the second comprising post-primary senior pastoral staff from both selective and non-selective schools (n=5). In the Republic of Ireland one focus group was conducted with a mix of primary and post-primary senior teachers (n=5). In each case, the interview began with a discussion of participants’ experiences of tackling cyberbullying and their level of confidence as a result of their understanding of policy, legislation and guidance. They were also asked to make suggestions which would support them as they sought to address cyberbullying more effectively in their respective school contexts.

In addition questionnaires were sent to 125 primary and 125 post-primary schools in Northern Ireland and 125 primary and 125 post-primary schools in the Republic of Ireland. The sample was stratified according to geographical location, school management type and school size. In total, there were 143 questionnaires returned, representing a response rate of 28.6%. The achieved sample equates to 3.1% of all primary and post-primary schools across both jurisdictions (7.5% of all primary and post-primary schools in Northern Ireland, and 1.8% of all primary and post-primary schools in the Republic of Ireland). Three quarters of the schools represented (75%, N=107) were co-educational, while 11% (n=16) were single sex boys’ schools and 14% (n=20) were single sex girls’ schools. The mean number of registered pupils in the schools was 444, with a range between 25 and 1551 pupils across the sample. Further detail of the sample is provided in Table 1 (below).

<Insert Table 1 here>

In the absence of an appropriate research instrument, an “audit style” questionnaire (based on Mc Guckin and Lewis, 2008) was developed for the study. The content of the instrument was derived from a review of the literature and incorporated the views of educational experts and practitioners. To explore issues relating to validity, two pilot studies (n=18) were conducted using school leaders enrolled on Master’s level programmes in Northern Ireland who were invited to complete the draft questionnaire and offer feedback on the clarity of the format of each question. Apart from minor instances of re-phrasing of questions, no significant alterations to the questionnaire were required. Information collected during the pilot survey was not included in the final data set of the study, nor were the volunteer schools included in the participant group.

The questionnaire began by presenting definitions of face-to-face bullying (Olweus 1993) and cyberbullying (Tokunaga 2010), both of which include reference to the repeated, intentional nature of the aggressive action. There followed a total of 32 questions, including questions eliciting responses based on Likert rating scales (e.g. To what extent do you agree with the statement: “Cyberbullying is a growing problem in my school”?), multiple choice questions (“Are you aware of any incidents of cyberbullying in your school to date?” Yes/No), and open ended questions (“If parents did receive training, what form did this take [e.g. seminar, presentation from an invited speaker, etc] and who provided the training?”) As in the focus groups, survey questions focused on teachers’ experiences of dealing with cyberbullying in schools, the extent of the training and guidance they had received, their knowledge, confidence and understanding of the legal requirements on schools, and the measures they would recommend to help schools tackle cyberbullying more effectively.

Following the granting of ethical approval for the research by the respective institutional Ethics Committees, and guided by the ethical guidelines of the British Educational Research Association (2011), all schools and individuals invited to take part in the research were informed that they would not be identified individually, and that all data collected would be aggregated for the purpose of analysis and reporting. Focus group participants were asked to sign a consent form prior to the interview, indicating that they accepted that they had been fully informed of the purpose of the study and their role in it; that the interviews would be recorded and notes taken; that the data would be stored securely; that anonymity would be guaranteed; that the findings would be used solely for the purposes of the research project; that their participation in the project was voluntary; and that they could withdraw at any stage from the project without adverse consequences.

**Results**

The results from the questionnaires and focus groups highlighted a number of central issues in relation to the reported incidence and nature of cyberbullying in schools; the relationship between home and school; school responses; the guidance available to schools, especially in relation to the issue of cyberbullying and the law; and recommendations to improve practice in the future. Findings from the analysis of the focus group interviews are presented first, followed by the results of the analysis of the questionnaire responses.

*Focus Group Interviews*

The participants in the focus groups generally agreed that the incidence of cyberbullying was on the increase in their schools, but suggested that the nature of incidents of cyberbullying appeared to vary by age and gender. Post-primary teachers reported that while some younger pupils still used text/instant messages to cyberbully (e.g., Blackberry Messenger – BBM), there was a worrying rise in incidents among older pupils using social media sites (e.g., Facebook, Ask.FM) where perpetrators were more sophisticated in their use of technology and better able to disguise their identity. Participants cited cases among older pupils which included a Facebook hate campaign, sexting (sharing of explicit image), bullying on social networking sites, chat room abuse, and playing online games with adult strangers.

The growing incidence of cyberbullying caused by the rapid expansion of technologies into even the lower classes in primary schools was also highlighted through focus group interviews in both Northern Ireland and the Republic of Ireland, as the following example illustrates:

“Certainly the tablet technology – which is rapidly and exponentially accelerated – has created a broadening problem of cyberbullying. There’s no doubt about that. It was rare for children to have a mobile phone coming into school, but that increased quite quickly – see, every time you had a birthday or Christmas, another swathe of children have a tablet . . . Smartphones, iPads, iPad Minis, Samsung tablets as well . . . That’s the stuff children are getting for presents . . . I was talking to a P1 last Wednesday and she got an iPad Mini for her birthday, at 4 and half, 5 years of age . . . it’s beyond belief, and therefore social networking stuff, the text and instant messaging, is rapidly increasing as a problem.” (NI – primary headteacher)

When the issue of gender was raised in the interviews, the primary teachers did not speak of any significant differences in prevalence. By contrast several post-primary teachers were vocal in their claims that cyberbullying cases in their school more often involved girls:

“ . . . the wee crafty ones are the ones that are posting it. You know, the bad boys don’t post anything – they’ll tell them to their face. They’ll say it. But it’s the wee crafty ones that are sitting in the group behind them, the wee ones that keep posting stuff, niggly wee things – girls, especially, in our place – that gets into their head. Whereas someone who says, ‘I don’t like you’ – you move on with that.” (NI – post-primary teacher)

Teachers also remarked on the variation or “different standards” (RoI, teacher) of different parents, many of whom “don’t seem to have enough of an understanding” (RoI, teacher) of the dangers associated with buying their children mobile phones and tablets with Internet access. One primary headteacher even suggested that parents who are under pressure see tablets as a convenient form of entertainment and a means to “keep kids out of parents’ hair” (NI, primary headteacher). Several teachers also remarked on how some parents are increasingly getting involved in online incidents, at times exacerbating a situation through comments which they post on a social networking site (“They’re throwing in their tuppence worth about what they think” – NI post-primary teacher).

However, there seems to be less interest shown by parents in attending training sessions offered by the school, and some teachers felt that parents unfairly see it as the school’s responsibility to deal with any cyberbullying incidents which might occur, no matter how complex and time-consuming. One teacher referred to this as a parental “abdication of responsibility” (NI – post-primary teacher).

A further key issue to emerge was a lack of clarity in relation to the boundaries between school and home, boundaries which are blurred by cases of cyberbullying which may be initiated out of school, but which involve school pupils, and which often spill over into the school the following day. Some schools adopt a firm line in refusing to deal with such incidents which originate out of school hours, but through all the focus groups there was a lack of certainty as to whether the school response adopted was the correct one. The following comment illustrates the frustration and uncertainty among teachers:

“ . . . it’s where our responsibility lies, especially if it’s a home case. …. If it’s happened at home and it’s trailing right the way through school, it comes out in the playground – that then manifests itself into the physical or it could be in the verbal that it manifests itself; it blurs the line between home and school. It’s very merged at the moment.” (NI – primary teacher)

A level of frustration among school leaders emerged in both jurisdictions. This frustration resulted in part from the perception that parents, and society in general, are increasingly expecting them to sort out their problems, when they as educators want to get on with the business of teaching (“with all these issues, teaching could nearly become your part-time job” – NI primary headteacher). In addition, teachers in post-primary schools explained that responding to cyberbullying incidents compared to other more traditional forms of bullying was difficult and very time consuming:

“A fight is easy now. You know, a fight between two boys is easy, whereas when there’s someone in your reception who says that their daughter has been cyberbullied, you don’t know where this will disappear, and how far do we get involved? And again, especially if it’s a Monday, if it’s happened at the weekend . . . You don’t get to teach for the first three periods probably!” (NI – post-primary teacher)

The teachers also expressed varying levels of knowledge and confidence in using technology and in understanding the nature of online cyberbullying. One teacher remarked that “it’s all very new, so adults are constantly playing catch up” (RoI, teacher), while several others remarked that the senior management of schools often do not understand how social media sites work. One senior teachers reported that her school had been slow to respond to cyberbullying until the headteacher himself was targeted.

School leaders in the focus groups also expressed a strong desire for more guidance from their respective government departments of education. (“You get nothing. And that’s not being critical. It’s like zero” – NI primary headteacher). Headteachers and school leaders explained that they relied on each other for support instead, based on their knowledge of which neighbouring schools had recently dealt with similar incidents (“We literally have nothing except each other” – NI primary headteacher).

In particular, school leaders expressed confusion regarding the legal parameters of their responsibility in relation to cyberbullying incidents involving their pupils which take place off-site and outside school hours. For many, the nature of such cyberbullying incidents “blurs the line” between home and school. There appeared to be variations between schools, some of which were firmly refusing to deal with cases which began out of school, and others which felt a moral duty to respond to all reported cases.

When asked to make recommendations to improve school practice, teachers referred to the need for more training for themselves, for pupils and for parents, as well as more guidance from government which would help alleviate the current situation where school leaders “tend to run around in a cloud of uncertainty” (NI – primary headteacher).

*Questionnaire Results*

This section presents the results of the questionnaire analysis. As detailed above and set out in Table 1, the total number of responses was 143 and this comprised respondents from primary and post-primary institutions working in Northern Ireland and the Republic of Ireland. Findings are presented in terms of the overall n and, where differences of note were identified, by sub-group (i.e. primary / post-primary and Northern Ireland / Republic of Ireland). However, the relatively small numbers of respondents in the sub-groups must be borne in mind and, therefore, the findings noting differences between the groups must be treated with caution.

When asked in the questionnaire how many incidents of bullying had come to their attention in the past couple of months, 15.8% (n=22) of school leaders reported more than five incidents of *traditional* face-to-face bullying while 8.7% (n=12) reported more than five incidents of *cyber*bullying, showing that traditional forms of bullying are still more commonly reported in schools in both Northern Ireland and the Republic of Ireland. However, three quarters (74.3%, n=104) of school leaders were aware of at least one incident of cyberbullying in their school to date, and, more than half of the respondents (55%, n=77) *agreed* or *strongly agreed* that cyberbullying was a growing problem in their school (61.6%, n=48 in NI, compared to 46.8%, n=29 in RoI). When analysed further, there was a statistically significant difference between primary and post-primary responses: 73.6% (n=56) of post-primary school leaders *agreed* or *strongly agreed* that cyberbullying was a growing problem in their school, compared to just 32.8% (n=21) of primary school leaders (p=0.000, χ2=24.996, df=4).

Respondents were also asked whether they felt that cyberbullying was more common among girls than boys in their school. Almost half (49.6%, n=61) were unsure, although one-third (33.4%, n=41) did agree that it was more common among girls than boys. There was no difference between Northern Ireland and the Republic of Ireland, but statistically significant findings emerged when the results were analysed by school phase: just over half of *post-primary* respondents *agreed* or *strongly agreed* (50.7%, n=33) that cyberbullying was more common among girls, compared to just 15% (n=9) of *primary* respondents (p=0.001, χ2=18.504, df=4).

School leaders were asked about the cyberbullying of teachers. Almost one in six claimed that teachers in their school had been victims of cyberbullying from pupils (15%, n=21), while a further 7.2% (n=10) responded that teachers in their school had been victims of cyberbullying from parents.

The survey confirmed that while 55% (n=76) of schools had provided training for parents to help prevent or deal with traditional forms of bullying, and 58.5% (n=79) of schools provided training for parents on cyber safety, fewer schools (49.6%, n=68) had provided training in relation to cyberbullying. Such training for parents was more likely to be offered by post-primary schools (55.4%, n=41) than by primary schools (42.9%, n=27), and more likely to be offered in the Republic of Ireland (54.8%, n=34) than in Northern Ireland (45.3%, n=34).

In terms of school responses to cyberbullying, all respondent schools had an anti-bullying policy, the vast majority of which (79.6%, n=109) were stand-alone policies. However, schools in Northern Ireland were much more likely to have anti-bullying policies which referred to cyber-bullying than schools in the Republic of Ireland (NI: 89%, n=65; RoI: 67.2%, n=41; p=0.002, χ2=9.579, df=1).

There were also important differences between the two jurisdictions in terms of the training received by teachers in schools: in Northern Ireland the majority of respondents noted that teaching staff in their schools had received training on cyber safety (73%, n=56) and procedures for dealing with cyberbullying incidents (52.6%, n=40), while in the Republic of Ireland these figures were much lower (cyber safety: 39%, n=25; cyberbullying incidents: 31.7%, n=20). In both cases these results were statistically significant (cybersafety: p=0.000, χ2=16.203, df=1; cyberbullying incidents: p=0.013, χ2=6.125, df=1).

In addition, there was a significant difference in relation to the extent of pupil training on cybersafety (NI: 92%, n=72; RoI 79%, n=49; p=0.023, χ2=5.190, df=1) and a smaller (not statistically significant) difference in relation to preventing/dealing with cyberbullying (NI: 85%, n=66; RoI: 73%, n=47). Northern Irish schools were much more likely to have a designated member of staff to deal with incidents of cyberbullying (NI: 61%, n=47; RoI: 39%, n=24; p=0.009, χ2=6.853, df=1), and this member of staff was almost three times more likely to have received training for this position in Northern Ireland (58%, n=33) than in the Republic of Ireland (23%, n=10) [p=0.001, χ2=11.999, df=1]).

The questionnaire data also revealed that many school leaders lacked confidence in their knowledge of the relevant legislation on cyberbullying. While the vast majority (87.8%, n=122) *agreed* or *strongly agreed* that they knew the relevant legislation with regard to traditional forms of bullying, less than half (43.9%, n=61) *agreed* or *strongly agreed* that they knew the relevant cyberbullying legislation. This figure varied little between Northern Ireland and the Republic of Ireland. Almost all of the respondents (97.2%, n=136) *agreed* or *strongly agreed* that they would welcome greater clarification of the legal responsibilities of schools in relation to cyberbullying.

The vast majority of school leaders (91.5%, n=129) *agreed* or *strongly agreed* that schools need more guidance in tackling cyberbullying, and 96.5% (n=137) *agreed* or *strongly agreed* that it is important that all teachers are taught about how to prevent/tackle cases of cyberbullying. When school leaders were offered a list of options which might help them as they address cyberbullying, the most popular choices were “More information on the legal position of schools” (83.8%, n=119), “More information for parents on preventing/tackling cyberbullying” (82.4%, n=117), and “More practical strategies for dealing with incidents of cyberbullying” (81.7%, n=116). A majority of school leaders also called for “More CPD courses to help schools respond to cyberbullying” (67.6%, n=96), “More resources for teaching pupils about e-safety” (63.4%, n=90), and “More policy guidance from the Department of Education” (63.4%, n=90).

**Discussion**

This study set out to explore school leaders’ perceptions of the extent of cyberbullying in their schools; their knowledge and confidence in dealing with cyberbullying; and the legal responsibilities of schools in Northern Ireland and the Republic of Ireland in dealing with cyberbullying.

Firstly, some overall limitations of the study should be noted. The study was constrained to some extent by the rather low response rate (28.6%) from the questionnaires (representing 3.1% of all primary and post-primary schools in Northern Ireland and the Republic of Ireland), and the low numbers involved in the focus group in the Republic of Ireland (n=5). Therefore, the results must be interpreted with caution and, in particular, the small numbers of participants in the sub-groups must be borne in mind. It is also important to note that the study was also conducted just months ahead of new anti-bullying guidance being issued to schools in the Republic of Ireland (DES, 2013b).

Notwithstanding these limitations, the study has helped to provide insights into teachers’ perceptions of the growing and very complex problem of cyberbullying, and gauge the extent to which school leaders feel confident and knowledgeable about dealing with cyberbullying problems in school.

In terms of the first research question exploring the prevalence of cyberbullying, almost three-quarters of school leaders in this cross-border study had already dealt with at least one incident of cyberbullying, and an overall majority of school leaders (including three quarters of post-primary school leaders) reported that cyberbullying is a growing problem in their schools. The results echo previous research (e.g., DENI, 2011) which has suggested that cyberbullying is more prevalent among post-primary school pupils than their younger primary counterparts. Interestingly, many more post-primary than primary school leaders in this study also reported that girls were more likely than boys to be involved in incidents of cyberbullying, again in line with the evidence of recent pupil data in Northern Irish schools (DENI, 2011). At primary level, there appears to be a less marked difference. This also raises important questions for schools and policy-makers as they seek to educate post-primary pupils (and girls in particular) about e-safety in general (e.g., sexual exploitation, sexting) and cyberbullying in particular. This study suggests that there remains much urgent work to be done to address the issue of cyberbullying among girls through social media sites. The study is in line with many of the previous international research findings in relation to the particular challenges facing pupils and schools in tackling the growing problem of cyberbullying. It supports firstly the claim of Livingstone et al. (2011) that Internet technology is deeply embedded in children’s lives, and indeed highlights how the ownership and use of mobile and tablet technology is pervasive even among the youngest and most vulnerable children in primary schools across Ireland, with ever younger children being given Internet-ready devices for birthdays and Christmas by well-meaning parents, conscious, perhaps, of the need to embrace the many positive benefits of modern technology (Costabile and Spears, 2012).

In response to the second research question, which sought to explore teachers’ knowledge and confidence in dealing with cyberbullying, and in the context of the “always on” generation (Belsey, 2006), this study exposes the growing digital generational divide between the generations as many parents and teachers struggle to keep up-to-date with the fast changing cyber world (Ofcom 2014). While training is recommended for pupils, parents and teachers (Kowalski et al., 2008), this study indicates that the extent of this training varies considerably between schools and even between jurisdictions, with significantly higher levels of training on cybersafety and dealing with cyberbullying incidents for staff and pupils in Northern Ireland than in the Republic of Ireland, and less than half of all responding schools offering any training on dealing with cyberbullying incidents to parents.

In terms of the third research question ,which examined the legal responsibilities of schools in tackling cyberbullying, this study gives a picture of a complex legal context in both jurisdictions, where - in the absence of specific legislation on school-related cyberbullying - there exists a range of often quite dated pieces of legislation which can be brought to bear on incidents, depending on their specific nature. It would, therefore, appear that the law itself in Northern Ireland and the Republic of Ireland is struggling to keep up with the changing abuses of new technologies, and that high-tech cases have to be “shoehorned” at times into ill-fitting legislation which was written many years ago, in some cases before the emergence of the Internet, and which does not always relate easily to the school context. There is no one single piece of cyberbullying legislation in either jurisdiction, and it is clear that each case must be considered on an individual basis, taking into account factors such as the age of the children or young people involved, the severity of the offence, the degree of criminal intent, and whether the victim and their family actually wishes to pursue legal action, which is not always the case for a number of reasons. Furthermore, consideration must be given as to whether recourse to the courts is necessarily the most appropriate way of dealing with all incidents of cyberbullying (especially involving younger children), and whether a more educative school or community-based approach might in some cases be more effective. There are also very clear legal difficulties in policing a worldwide web, and in removing offensive material from websites which are hosted in other legal jurisdictions. Notwithstanding the wide range of possible legislative measures which could be applied in dealing with a range of possible incidents of cyberbullying, and the individuality of each case brought before the courts, this research project highlights the need for some accessible guidance to be prepared by the respective government departments to address the fundamental question of the extent of the legal responsibility of the school, especially in dealing with the “blurred” distinction between home and school in cases where cyberbullying has occurred outside school premises and/or outside school hours.

Less than half of the school leaders who responded to the questionnaire felt confident themselves in their knowledge of the legislation surrounding cyberbullying, and almost all of them would welcome greater clarification of their legal responsibilities in relation to cyberbullying. A large majority of school leaders also call for more professional development courses, more practical guidance and more resources to help schools respond to cyberbullying. There was considerable confusion surrounding the legal responsibilities of schools in relation to incidents of cyberbullying which take place out of school hours. School headteachers and teachers expressed frustration with their respective government education departments for their lack of guidance in this fast-changing area (“You get nothing . . . It’s like zero”) and the resulting uncertainty when incidents do arise. Focus group participants spoke of phoning colleagues in other schools who might have dealt with similar incidents in recent months, rather than turning to definitive departmental guidance. Reliance on ad hoc, quick-fix solutions is, of course, unreliable and potentially ill-advised, but it would appear that school leaders in some cases felt that it was the only recourse open to them.

A number of other important issues emerged from the research, not least the role of parents in addressing cyberbullying. While parental involvement is widely recommended (e.g., Hinduja and Patchin, 2012; Kowalski et al., 2008) in helping prevent and address incidents, it is apparent that less than half of schools had offered any training to parents. Moreover, focus group interviews revealed a real sense of frustration with the attitudes and actions of some parents who were buying Internet-capable devices for their children, and then allowing them to use them unsupervised. When cyberbullying incidents then arose out of school hours, some teachers felt that parents were too quick to ask the school to deal with these complex problems, and at times actually made the situation worse by their own interventions on social media (“throwing in their tuppence worth”), while at the same time not taking advantage of specially organized training/awareness-raising sessions when offered. Clearly, this suggests a need for a joined-up approach to preventing and dealing with incidents of cyberbullying, involving the school and home community, but this study highlights that the current situation does not represent a situation of shared understanding nor a mutually supportive approach.

Finally, the study highlights the strong desire among school leaders for more resources, training and guidance to assist them in addressing an issue which they feel they are currently struggling to deal with. Far from abdicating their responsibilities, this study highlights that school leaders report spending long hours dealing with very serious and challenging incidents, but often accompanied with a feeling of anxiety that they may be getting it wrong. Nor does it seem that schools are ignoring their responsibility to teach e-safety and to instil in children an awareness of the dangers as well as the enormous benefits of Internet technology. However, here too there is a constant need for new, up-to-date training and resources to be made available to schools as they seek to empower their pupils to navigate safely through the world of the Internet (DCSF 2008).

**Conclusion**

Despite a relatively small sample size across the two jurisdictions, this study has highlighted a previously unreported level of frustration on the part of school leaders in both Northern Ireland and the Republic of Ireland in their struggle to deal with the growing and very complex problem of cyberbullying. The study suggested that confusion surrounding the legal responsibilities of schools was common among the school leaders in both jurisdictions. Rather than relying on evidence-based strategies and procedures proposed by government, the data indicated that school leaders were at times resorting to *ad hoc* solutions, at best consulting neighbouring schools, while trying to unravel intricate webs of interpersonal online aggressive acts, many of which have taken place outside of school and outside of school hours.

By way of postscript, we would point out that new comprehensive guidance has been published in the Republic of Ireland (DES, 2013b) since the completion of this study. This guidance features a definition of bullying and details of different types of bullying (including cyberbullying), and information relating to the impact and indicators of bullying behaviour, a mandatory anti-bullying policy template, practical tips for building a positive school culture, and procedures for recording bullying behaviour. As Corcoran and Mc Guckin (2014) note, it will be important that this new policy is evaluated to assess the implementation of best practice across primary and post-primary schools over coming years. In Northern Ireland there remains, at the time of writing, an urgent need for informed, up-to-date, age-appropriate guidance in relation to cyberbullying to be disseminated to schools but also to pupils and their parents. However, there is evidence to suggest that here too progress is being made, and there is optimism that Northern Ireland’s Department of Education could soon follow the positive example shown by the Republic of Ireland’s Department of Education and Skills. In September 2013 the Minister of Education in Northern Ireland, John O’Dowd, prompted in part by the preliminary findings of this study, invited the Northern Ireland Anti-Bullying Forum to undertake a review of existing legislation, guidance and practice in schools. In answer to an oral question in the Northern Ireland Assembly on 23 June 2014, Minister O’Dowd summarised the review outcomes and outlined his proposed way forward as follows:

“The review identified these four priority issues:  wide variations in the quality of current school anti-bullying policies; inconsistent recording of incidents of bullying; a need for additional resources to address particularly complex issues such as cyberbullying; and the need for research to identify the true scale and nature of the problem.  As I said, I intend to consider all these areas to see what actions can be taken forward in the short and long term.  My officials are in discussion with the forum to agree a joint work programme for the 2014-15 year and beyond, which will include bringing legislation to the House to tighten up our anti-bullying legislation.” (NI Assembly Hansard, 2014)

As the educational literature indicates, cyberbullying is clearly a complex problem and evolving social phenomenon that presents challenges for educators in many different locations and settings worldwide. It is hoped that the study’s findings can contribute to what is known and understood about teachers’ perceptions of cyberbullying. Such research can, in turn, play a part in the development of guidance and professional support frameworks for schools and teachers.

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Table 1: Survey responses by phase and jurisdiction

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | | | Primary | Post-Primary | Total |
| Location | Northern Ireland | N participants | 34 | 45 | 79 |
| % within Location | 43.0% | 57.0% | 100.0% |
| Republic of Ireland | N participants | 33 | 31 | 64 |
| % within Location | 51.6% | 48.4% | 100.0% |
| Total | | N participants | 67 | 76 | 143 |
| % within Location | 46.9% | 53.1% | 100.0% |

1. ). Also of interest and relevant to this context are: The Disability Act (2005), The Defamation Act (2009), The Education for Persons with Special Educational Needs Act (2004), and the Equal Status Acts (Government of Ireland: 2000-2008). [↑](#footnote-ref-1)