

## Appendix 3 - Contacts for reporting abuse

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### Mobile phone providers

**Telstra** 1800 805 996

A complaint can also be made by filling out an online form:  
<https://www.telstra.com.au/abouttelstra/advice/unwelcome-calls/enquiry-form/index.htm>

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**3 Mobile** 133 320

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**Optus** 1800 780 219

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**Virgin Mobile** 1300 555 100

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**Vodafone** 1800 638 638

[http://support.vodafone.com.au/articles/FAQ/Stopping-unwelcome-calls?retURL=%2Fapex%2FEmailEnquiryForm%3Fc%3DA1%26k%3Dunwelcome%2Bcalls%26lang%3Den\\_US&popup=false&lang=en\\_US](http://support.vodafone.com.au/articles/FAQ/Stopping-unwelcome-calls?retURL=%2Fapex%2FEmailEnquiryForm%3Fc%3DA1%26k%3Dunwelcome%2Bcalls%26lang%3Den_US&popup=false&lang=en_US)

### Social networking websites

**Facebook**

<http://www.facebook.com/safety>

**Twitter**

<http://support.twitter.com/groups/33-report-a-violation>

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### Video hosting sites

**YouTube**

For more information, visit  
[http://support.google.com/youtube/bin/request.py?hl=en&contact\\_type=abuse&rd=1](http://support.google.com/youtube/bin/request.py?hl=en&contact_type=abuse&rd=1)

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### Instant Messaging services

#### Windows Live Messenger and Yahoo Messenger

When logged into either Messenger application, clicking on the 'Help' tab will provide an option to report abuse.

(If conversation logs are required for reporting abuse, parents should note that conversation logs are not turned on by default in most instant messaging programs.)

## Appendix 4 - Further resources

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A parent fact sheet outlining methods for removal of inappropriate content and protecting student privacy will be made available on the 'Parents and Carers' section of the Student Services website. Further advice and assistance for schools and parents on the removal of inappropriate content can be requested from the Learning Technologies Unit.

**Additional cybersafety resources are also available on the following websites:**

### DETE Student Services - Cybersafety

<http://education.qld.gov.au/studentsservices/behaviour/qsav/cybersafety.html>

This page is from the Department of Education and Training's Student Services website. It provides information and resources on cybersafety for parents, teachers and students. A link is also provided on this website for installation of the 'cybersafety button' for home use.

### Working together: A toolkit for effective school based action against bullying

<http://education.qld.gov.au/studentsservices/behaviour/qsav/index.html>

This page is from the Department of Education and Training's, Student Services website, providing information and resources on bullying for parents, teachers and students.

### Bullying No Way!

<http://www.bullyingnoway.gov.au/>

Developed and managed by all Australian education authorities for use by Australia's Government, Catholic and Independent school communities.

### Australian Communications Media Authority (ACMA) Cybersmart program

<http://www.cybersmart.gov.au>

Provides activities, resources and practical advice to help young kids, teens and parents safely enjoy the online world. Cybersmart also offers training and resources for schools. Cybersmart is part of the Australian Government's cybersafety program.

### ThinkUknow Campaign - Australian Federal Police (AFP)

<http://www.thinkuknow.org.au/>

Provides information and resources on cybersafety to parents, carers, teachers and youth aged 11 to 17 years.

### Kids Help Line

<http://www.kidshelp.com.au/grownups/getting-help/cyberspace/teachers.php>

Kids Helpline produces content on cyberbullying for different age groups. The site contains ready-made lesson packs to help teachers educate students about cyberbullying, sexting and the safe use of technology.

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Dear Parents / Caregivers

### **A message about Cybersafety and Cyberbullying**

The internet, mobile phones and instant messaging provide wonderful opportunities for children to learn, be creative and socialise online. However, the online environment also provides numerous opportunities for harm to be caused to children. Our school is aware of the risks to children in the online environment and this message is to advise you of our efforts in respect of keep your child cybersafe and what you can do as well.

The Department of Education, Training & Employment takes practical steps to prevent students from accessing inappropriate websites on the Department's network, including using web filtering software to block websites such as Facebook and YouTube when at school.

The school recognises that students access these types of sites via personal electronic devices and home networks. No school student will face disciplinary action for simply having Facebook or other website membership (the school is not responsible for monitoring your child's compliance with website membership rules). The school accepts that, if used safely, such websites offer students opportunities to learn and communicate. However, when used inappropriately, such sites can become hurtful and dangerous places.

There are a number of potential cybersafety risks for students online. These include accessing inappropriate content, compromising personal information and cyberbullying. Cyberbullying occurs when technology, such as email, mobile phones, chat rooms and social networking sites such as Facebook, are used to verbally or socially bully another person. This could include sending or posting abusive, threatening, humiliating or harassing messages, images or videos.

It is unacceptable for students at our school to engage in cyberbullying, or other inappropriate online behaviours. Our school's *Responsible Behaviour Plan for Students* (school to link to Plan on website) and *ICT Acceptable Use Agreement* provide written guidelines on acceptable online behaviour by students. If an online incident impacts on the good order and management of the school, the school may impose disciplinary consequences for the behaviour. This could include suspension and/or exclusion in serious cases. In serious cases the school may also report an incident to the police.

You should note that the school cannot impose disciplinary consequences where the behaviour in question does not negatively impact upon the good order and management of the school. For example, where cyberbullying occurs between a student of this school and a student of another school outside school hours, this school will not become involved. This is primarily a matter for parents and/or the police to consider and resolve.

It is recommended that you help your child to engage in safe online activities and highlight the importance of appropriate online behaviour. Help your child to take steps to block anyone who makes them feel uncomfortable, harassed or bullied. The school recommends that you do not respond online to any inappropriate behaviour directed at your child on your child's behalf. Such steps are unlikely to improve matters and may in fact inflame the situation.

If your child is connected to any social networking site, reviewing their 'friends list' may help you manage their safety and reduce the risk of them associating with inappropriate contacts.

You should check that your child is accessing sites that are age appropriate. For example, Facebook's statement of rights and responsibilities requires a user to be at least 13 years of age to create an account. For information from Facebook about how to report under age accounts for removal go to: <https://www.facebook.com/help/parents>

To assist you, provided below are websites containing advice and resources:

<http://www.cybersmart.gov.au/>

<http://www.dbcde.gov.au/easyguide>

<http://www.staysmartonline.gov.au>

The Department has recently published the document *Cybersafety and Cyberbullying – A Guide for Parents and Caregivers*. This guide provides important information for parents about cybersafety and cyberbullying. It suggests what parents and caregivers can take if their child is the target of or is responsible for inappropriate online behaviour. The guide is available at:

<http://education.qld.gov.au/student-services/behaviour/qaav/docs/cyberbullying-cybersafetyprintfriendlyguide.pdf>

Please remember, as a parent you play an important role in helping your children have safe and positive experiences online.

If you have any concerns and would like to discuss further I invite you to make an appointment to discuss the matter with me.

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## Appendix #

### Appropriate Use of Social Media

1. (School name) embraces the amazing opportunities that technology and the internet provide to students for learning, being creative and socialising online. Use of online communication and social media sites and apps can provide positive social development experiences through an opportunity to develop friendships and shape identities.
2. When used safely, social media sites and apps such as Facebook, Twitter and Instagram can provide positive opportunities for social learning and development. However, inappropriate, or misguided, use can lead to negative outcomes for the user and others.
3. (School name) is committed to promoting the responsible and positive use of social media sites and apps.
4. No student of (School name) will face disciplinary action for simply having an account on Facebook or other social media site.
5. As is set out in Appendix 2 "Procedures for Preventing and Responding to Incidents of Bullying (including Cyberbullying), Harassment or Victimisation", it is unacceptable for students to bully, harass or victimise another person whether within (School name's) grounds or while online. Inappropriate online behaviours can have a negative impact on student learning and the good order and management of (School Name) – whether those behaviours occur during or outside school hours.
6. This policy reflects the importance of students at (School name) engaging in appropriate online behaviour.

### Role of Social Media

7. The majority of young people use social media sites and apps on a daily basis for school work, entertainment and to keep in contact with friends. Unfortunately, some young people misuse social media technologies and engage in cyberbullying.
8. Social media by its nature will result in the disclosure and sharing of personal information. By signing up for a social media account, users are providing their personal information.
9. Students need to remember that the internet is a free space and many social media sites and apps, like Twitter, have limited restrictions placed upon allowable content and regulated procedures for the removal of concerning posts.
10. Social media sites and apps are designed to share online content widely and rapidly. Once students place information and/or pictures online, they have little to no control over how that content is used.
11. The internet reaches a global audience. Even if students think that comments or photos have been deleted, there can be archived records of the material that will continue to be searchable into the future.
12. Inappropriate online behaviour has the potential to embarrass and affect students, others and the school for years to come.

### Appropriate Use of Social Media

13. Students of (School Name) are expected to engage in the appropriate use of social media. Specific examples of appropriate use of social media sites and apps include:
  - Ensuring that personal information, such as full name, address, phone number, school name and location or anyone else's personal information, is not shared.



- Thinking about what they want to say or post, and how it could be interpreted by others, before putting it online. Remember, once content is posted online you lose control over it. Students should not post content online that they would be uncomfortable saying or showing to their parents' face or shouting in a crowded room.
  - Remembering that it can be difficult to work out whether messages typed on social media sites and apps are meant to be funny or sarcastic. Tone of voice and context is often lost which can lead to unintended consequences. If students think a message may be misinterpreted, they should be cautious and make the decision not to post it.
  - Never provoking, or engaging with, another user who is displaying inappropriate or abusive behaviour. There is no need to respond to a cyberbully. Students should report cyberbullying concerns to a teacher and allow the teacher to record and deal with the online concern.
14. If inappropriate online behaviour impacts on the good order and management of (School Name), the school may impose disciplinary consequences for that behaviour regardless of whether the behaviour occurs during or outside of school hours.
  15. Disciplinary consequences could include suspension and/or exclusion. In serious cases of inappropriate online behaviour, the school may also make a report to the police for further investigation.
  16. (School Name) will not become involved in concerns of cyberbullying or inappropriate online behaviour where the incident in question does not impact upon the good order and management of the school. For example, where cyberbullying occurs between a student of this school and a student of another school outside school hours. Such an incident will be a matter for parents and/or police to resolve.

#### **Laws and Consequences of Inappropriate Online Behaviour and Cyberbullying**

17. Inappropriate online behaviour may in certain circumstances constitute a criminal offence. Both the *Criminal Code Act 1995* (Cth) and the *Criminal Code Act 1899* (Qld) contain relevant provisions applicable to cyberbullying.
18. The Commonwealth Criminal Code outlines a number of criminal offences concerning telecommunications services. The most relevant offence for cyberbullying is "using a carriage service to menace, harass or cause offence to another person".
19. The Queensland Criminal Code contains several applicable sections for cyberbullying. Potential relevant criminal offences are:
  - Unlawful stalking
  - Computer hacking and misuse
  - Possession of child exploitation material
  - Involving a child in making child exploitation material
  - Making child exploitation material
  - Distribution of child exploitation material
  - Criminal Defamation
20. There are significant penalties for these offences.
21. (School Name) strives to create positive environments for all students at all times of the day, including while online. To help in achieving this goal, (School name) expects its students to engage in positive online behaviours.



***RTI Application 340/5/3312***

***SEVEN NETWORK***

***File C***

***Corporate Services – Human  
Resources***

MIS014212

Newett, Lota  
26-Mar-2013 12:40 PM

**Receipt Details**

Matter:	Misconduct Web	Received Date:	20-Mar-2013 12:00 AM
Matter Type:	COC Breach	Received By:	Web, Cases
Registered Date:	23-Mar-2013 12:57 PM	How Received:	iRefer
Matter Owner:	Shipman, Sam	Registered By:	Shipman, Sam
Status:	Open	Due Date:	21-Jun-2013 12:57 PM

**Summary of Incident**

It has been determined that Education Queensland employee, [s.47(3)(b) - Contrary to Public Interest], transmitted a nude photo of [s.47(3)(b) - Contrary to Public Interest] to a year [s.4] student in her school.

- \* Seven year [s.4] student witnesses were interviewed
- \* [s.47(3)(b) - Contrary to Public Interest] (Victim) was interviewed
- \* [s.47(3)(b) - Contrary to Public Interest] (Perpetrator) was interviewed
- \* Education Queensland officials were contacted ([s.47(3)(b) - Contrary to Public Interest])
- \* Ethical Standards Unit contacted (Report)
- \* Witness Reports undertaken (Attached)

Reminded of code Of conduct, standard of practice and or student protection procedure expectations;  
Dismissal Requested

**Location**

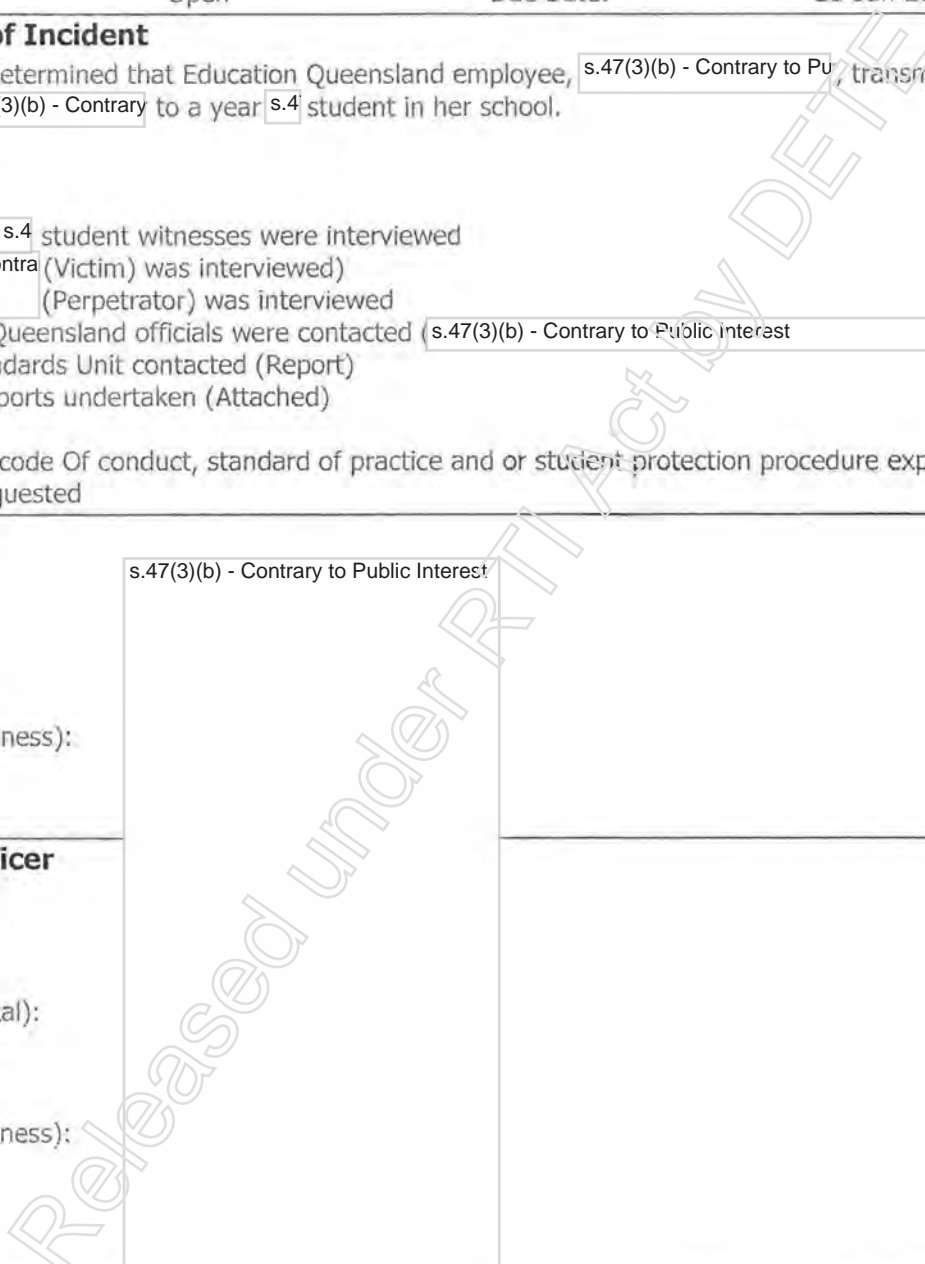
Name: [s.47(3)(b) - Contrary to Public Interest]  
 Phone (BH):  
 Phone (FX):  
 Email:  
 Address (Business):

**Subject Officer**

Name:  
 Email:  
 Address (Postal):  
 Address (Business):

**Primary Complainant**

Name: [s.47(3)(b) - Contrary to Public Interest]  
 Email:  
 Address (Postal):  
 Address (Business):



s.47(3)(b) - Contrary to Public Interest

**Parties**

Party	Name	Phone	Email	Address
Concerned Party:	s.47(3)(b) - Contrary to Public Interest			
Referring Officer:				

**Misconduct Matter Details**

Phase	Active
Misconduct Stage	Regional
MEC Employment Status	Active
Summary of Incident	It has been determined that Education Queensland employee, s.47(3)(b) - Contrary to Public Interest, transmitted a nude p...
PID Matter	No
CMC Matter	Yes
CMC Type	38
QPS Matter	No
QCOT Matter	No
WR Matter	Yes
Date Sent to WR for risk consideration	25-Mar-2013
Assessment	Business Unit Investigation
Assessment Date	25-Mar-2013
Web Case	Yes
WR Action Sent	Yes
Documents Processed	No
Web Case Data	SP1 ...

**Actions - 11 (2 Open, 9 Completed)**

Action	Comments	Owner	Due	Completed
Set Case Due Date		Web, Cases	21-Jun-2013	23-Mar-2013
Select Matter Type		O'Loughlin, Julia	03-Apr-2013	25-Mar-2013, Newett, Lota: COC Breach
Misconduct Matter Referred to WR		Butler-White, Jonathan	26-Mar-2013	
Attend Assessment Meeting		Garland, David	28-Mar-2013	26-Mar-2013, Newett, Lota: External Referral
Add Misconduct Case Note	Lodged as SP1 referral but recorded as COC breach and referred to WR ,as per CMT Manager's instruction.	Web, Cases	25-Mar-2013	25-Mar-2013, Newett, Lota
Add Misconduct Case	Moved to assessment	Web, Cases	25-Mar-	25-Mar-



Note	meeting		2013	2013, Newett, Lota
Add Misconduct Case Note	Called Principal to request him to send through the attachments but he's in a meeting. I spoke to [s.47(3)(b)] who said he will pass my message on to P.	Garland, David	25-Mar-2013	25-Mar-2013, Newett, Lota
Send Advice to Parties		Garland, David	15-Apr-2013	26-Mar-2013, Newett, Lota
Manage Investigation File		Garland, David	04-Apr-2013	26-Mar-2013, Newett, Lota: Regional
Liaise with Business Unit		Shipman, Sam	04-Apr-2013	
Add Misconduct Case Note	Statements and reports received and added to file. Referral to Region and CMC and ToR drafted and moved to CMT Manager for approval	Shipman, Sam	26-Mar-2013	26-Mar-2013, Newett, Lota

### Matter Documents - 7

Title	Date Added	Created By	Status
Statements and Reports re [s.47(3)(b) - C] Mar 2013	25-Mar-2013 5:34 PM	Newett, Lota	CheckedIn
[s.47(3)(b) - Confidential Report(2)	26-Mar-2013 9:24 AM		CheckedIn
[s.47(3)(b) - Confidential Report - Witness Reports(2)	26-Mar-2013 9:25 AM		CheckedIn
Assessment re [s.47(3)(b) - C] Mar 2013	26-Mar-2013 11:27 AM	Newett, Lota	CheckedIn
Terms of Reference re: [s.47(3)(b) - C] Mar 2013	26-Mar-2013 11:35 AM	Newett, Lota	CheckedIn
Letter to Regional Office to investigate re [s.47(3)(b) - C] Mar 2013	26-Mar-2013 11:51 AM	Newett, Lota	CheckedIn
CMC Referral re [s.47(3)(b) - C] Mar 2013	26-Mar-2013 11:52 AM	Newett, Lota	CheckedIn

TO: DIRECTOR, ETHICAL STANDARDS UNIT  
THROUGH: ASSISTANT DIRECTOR, ETHICAL STANDARDS UNIT  
FROM: PRINCIPAL INVESTIGATOR, ETHICAL STANDARDS UNIT  
SUBJECT: **CASE CLOSE – COMPLAINT AGAINST** s.47(3)(b) - Contrary to Public Interest  
s.47(3)(b) - Contrary to Public Interest

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## Complaint

1. On 20 March 2013, the Ethical Standards Unit received a complaint relating to the conduct of s.47(3)(b) - Contrary to Public Interest
2. It was alleged s.47(3)(b) - Cc had engaged in inappropriate and unprofessional conduct by transmitting a nude photograph of s.47(3)(b) - Contrary to to a Year s.47 student at her school.
3. Initial inquiries were conducted by s.47(3)(b) - Contrary to Public Interest who spoke to Year s.47 student s.47(3)(b) - Contra who received the photograph as well as other students who had seen the image. s.47(3)(b) - Cont also spoke with s.47(3)(b) - Cc who admitted transmitting the naked photograph of s.47(3)(b) - Contrary to Public Interest advised he had several nude photographs of s.47(3)(b) - Contran on a USB device and when viewing the image on the computer, he took a photograph of it on his mobile phone and then sent that photograph to student s.47(3)(b) - Contrary to Pi did not consider the image had been 'photoshopped' and believed it was a real image of s.47(3)(b) - Contrary

## Summary

4. On 27 March 2013, s.47(3)(b) - C was suspended from duty with remuneration.
5. Preliminary inquiries indicated the allegation was likely to be assessed as official misconduct and as such was referred to the Crime and Misconduct Commission (CMC) on 2 April 2013.
6. On this same date, Mr Peter Edwards, Director, Ethical Standards Unit referred the matter to s.47(3)(b) - Contrary to Public Interest for investigation.
7. s.47(3)(b) - Contrary to Public Interest Senior Investigator was subsequently appointed to conduct the investigation on the department's behalf.
8. On 12 April 2013, the CMC Matters Assessed Report was received referring the allegation to the department and requesting outcome advice only.
9. The matter was later reported to the Queensland Police Service by s.47(3)(b) - Contrary to Public Interest s.47(3)(b) - Contrary to Public Interest s.47(3)(b) - Contrary to Public Interest No further departmental investigation was conducted whilst the police investigation was undertaken.
10. Senior Constable s.47(3)(b) - Contrary to Public Interest Police Station conducted inquiries with relevant persons including student s.47(3)(b) who received the transmitted image, s.47(3)(b) - Contrary to Public Interest s.47(3)(b)

11. Student [s.47(3)(b)] confirmed receiving a photograph via text message from [s.47(3)(b) - Co]. He confirmed the photograph had been of [s.47(3)(b) - Contran] however was unsure whether the photo had been edited. He recalled [s.47(3)(b) - Co] told him the image was real and had not been edited. Student [s.47(3)(b)] admitted sending the image to another friend via text message and showing the image to approximately five other students at the school before deleting it.

12. [s.47(3)(b) - Contrary to Public Interest]

13. Senior Constable [s.47(3)(b)] considered whilst [s.47(3)(b) - Cont] actions were unbecoming, no criminal offence had been committed.

14. [s.47(3)(b) - Contrary to Public Interest]

15. On 4 April 2014, Mr Edwards wrote to the Deputy Commissioner, Queensland Police Service requesting access to their investigative data including the intelligence submission based on the investigation conducted by Senior Constable [s.47(3)(b)].

16. [s.47(3)(b) - Contrary to Public Interest]

17. On 20 June 2014, the QPRIME intelligence submission was received by the Ethical Standards Unit.

18. An assessment of the information contained in the QPRIME intelligence submission as well as the initial inquiries conducted by [s.47(3)(b) - Con] is considered sufficient to make a finding.

## Conclusion

19. On the basis of the evidence available at this time, the allegation [s.47(3)(b) - Co] engaged in inappropriate and unprofessional conduct by transmitting a nude photograph of [s.47(3)(b) - C] [s.47(3)(b) -] to a Year [s.4] student at the school is capable of being substantiated.

## Recommendation

20. That the matter be referred to Workforce Review for consideration of disciplinary action.



Kelly-Jane Doyle  
Principal Investigator  
Ethical Standards Unit  
24 June 2014



**ASSISTANT DIRECTOR'S COMMENT:**

Recommendations accepted  YES/NO

Action as recommended  YES/NO


Initials: BKD.  
Date: 25-6-14

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**DIRECTOR'S COMMENT:**

Recommendations accepted  YES/NO

Action as recommended  YES/NO

Initials:   
Date: 20/6/14

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