

Social and Legal Mechanisms for Prevention and Counteraction to Bullying in Youth Environment

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ABSTRACT

The scale of bullying in Ukraine and in the world in general is confirmed by statistical data and by the research data, and this scale calls for measures to secure a proper response to it. The bullying problem is international, and deployment of measures to prevent and curtail it requires an innovative approach, which encompasses using the results of modern social and psychological research to create the relevant social models for combating the phenomenon, and codifying the supportive mechanisms for this in laws and regulations. The analysis of international scholarly and practical experience of preventing and curtailing bullying shows that it is possible to apply it in Ukraine, provided that the national specificity is taken into account. Legislative support is required to improve enforcement of proper punishment by warning or fine for bullying, as is further research of the issue, deployment and implementation of innovative technologies for curtailing this phenomenon, in particular such as introducing hotlines for instant counselling, improvement of police support, deployment of mediation services in schools, etc.

Keywords: *bullying, mobbing, prevention and counteraction, youth environment, social and psychological prevention, legal regulation, school mediation service*

1. INTRODUCTION

The attention to the problem of bullying in Ukraine became more active comparatively recently, yet in the last several years a noticeable progress was made both in studies of this negative phenomenon and in developing and implementing measures to prevent and curtail it.

The scale of bullying in Ukraine is reflected in the results of the research conducted by UNICEF in 2017 – according to them, 67% in the age group from 11 to 17 encountered the problem of bullying and almost one in every four children became its victim, yet half of the victims never told anyone about it. [1]. According to the data by A. Pazychuk, in 2018-2019, over 86 thousand complaints requesting to counteract bullying in educational institutions filed by the participants of the educational process were reviewed. In particular, parents filed 27,772 complaints, teachers – 23,108, children – 30,178, and other stakeholders – 5,490 complaints. [2]. According to the data of the national children's hotline, over 25% calls are in one way or another related to bullying. At that, when evaluating the number of complaint, one should

note that bullying has a high latency and this was confirmed by the UNICEF research mentioned above.

Children most often get bullied by their peers for how they look, what they believe, how they behave, for having different circumstances compared to others, etc.) [3]. The results of the U-Report survey show that the most widespread reason for bullying is the fact that the adults ignore it (37%).

At the same time, the latest surveys show that almost one quarter of Ukrainian schoolchildren consider themselves the victims of bullying, and about 40% of the children who encountered bullying never tell their parents about it. At that, 44% of those who observed an act of bullying against their peers did not respond for fear of being bullied themselves [4].

1.1. Related Work

When deploying the national system of bullying prevention in Ukraine, it is necessary to build on the foundation of foreign and national studies, and to take into account the experience developed in other countries.

1.1.1. International sociology and psychology studies of bullying-related issues

Bullying among children and youth is not new but dangerous phenomenon as it violated rights of people. Ron Banks also accented that «bullying can also have negative lifelong consequences – both for students who bully and for their victims» [5].

Dan Olweus described that a strong societal interest in bullying was first aroused in Sweden in the late 1960s and it was spread to the other Scandinavian countries. In Norway the mass media, teachers and parents had arisen the problem but administration of schools and educational authorities did not react until in 1982 three boys committed suicide because of bullying in school. It caused a chain of reactions with result of a nationwide campaign against bullying in Norwegian primary and secondary school (grades 1-9), launched by the Ministry of Education in 1983. [6].

The word often used in Scandinavia for bullying or bully/victim problems is «mobbing» or «mobbing». This word has been used with several different meanings and conditions. «The original English word stem «mob» implies that it is a usually large and anonymous group of people, which is engaged in the harassment. However, the term has also often used when one person picks on, harasses, or pesters another» [6]. So, bullying can be initiated by one or more persons and can consist of different behaviours such as hitting, isolation, taunting, threatening against a victim who has less power.

Not only Scandinavian countries, but also in Great Britain, Canada and Japan, discussed and investigated the problems associated with bullying among youth and children. In Canada, the problem was analyzed by A.Charach, D.Pepler and S.Ziegler, in the U.S. by L. Sjoström and N.Stein.

Various reports and studies have established that «approximately 15% of students either are bullied regularly or are initiators of bullying behaviour»[6]. Dan Olweus also indicated that «bullying to increase through the elementary years, peak in the middle school years, and decline during the high school years. However, while direct physical assault seems to decrease with age, verbal abuse appears to remain constant. School size, racial composition, and school setting (rural, suburban, or urban) do not seem to be distinguishing factors in predicting the occurrence of bullying».

Students who engage in bullying behaviours want to feel power. Violators/bullies often suffer from abusive behaviour and violence at their homes. Victims of bullying often have low-esteem, low communication skills, lack of friends and support from family. A physical form of victims shows that they are usually physically weaker than their peers, but other physical characteristics such as weight or wearing eyeglasses do not appear to be significant factors that can be correlated with victimization [7].

Student surveys reveal that not many students believe in support and protection by adults. Students even afraid that adult can only bring more harassment from bullies. «The bullies' aggression occurs in social contexts, in which

teachers and parents are generally unaware of the extent of the problem and other children are either reluctant to get involved or simply do not know how to help» [8].

The Internet has changed bullying in the late 1990th. Different types of violence, humiliation and abuse moved online. Children suffer from use of IT technologies and cell phones, which at the same time are necessary and dangerous. Cyberbullying can affect an individual of any age, but teens experience it the most. Name-calling or insults, spreading gossip and rumours, and circulating pictures were listed as common forms of cyberbullying. Children make very often inappropriate photos or videos by themselves or by coercion. These materials are the most hurtful and distressed and could be used for bullying.

Pew Research Center survey finds that 59% of teens in United States have experienced abusive online behaviours. Nearly 42% of teens say that they have been called offensive names via their cell phone or online. 32% of teens say someone has spread false rumours about them online, while smaller shares have had someone other than a parent constantly ask where they are, who they're with or what they're doing (21%) or have been the target of physical threats online (16%). About quarter of teens, say they have been sent explicit images they did not ask for. And 7% say someone has shared explicit images of them without their consent» [9].

23% of students reported that they have said or done something mean or cruel to another person online. 27% reported that they have experienced the same from someone else [10].

There is an apparent gender divide in the content of the bullying behaviour: girls typically received messages criticizing their popularity or appearance, or alternatively they were excluded or isolated in the online environment, while boys often received homophobic messages or derisive comments about their physical abilities. Girls are more likely than boys to be both victims and perpetrators of cyberbullying. 15% of girls and 6% of boys have been the target of at least four different kinds of abusive online behaviours. [11].

1.1.2. Codification of research results in laws and regulations

The majority of scholarly research in the sphere of prevention and counteraction to bullying has been conducted in the fields of psychology, sociology and psychiatry. At the same time, as the results of such research become the basis for taking the relevant measures, a need emerges to regulate the implementation legally, and this calls for some legal studies. For example, Tony and Farrington in 1995 outlined four main strategies for prevention of violence:

- Prevention of development is about interventions, focused on preventing the criminal potential in people, especially those who are risk-prone;
- Community prevention is about interventions focused on changing social conditions and institutes (for example,

families, peers, social norms, clubs, organizations), which have influence on violations in the communities;

- Situational prevention is about interventions intended for prevention of crimes by means of reducing risk opportunities and mitigating offences;
- Prevention in criminal justice (criminal judicial procedure) is about traditional deterrent, used in the laws that guide the bodies of executive and criminal justice. To secure such prevention on the local level, the suggestion is to create local agencies that organize prevention of risk-oriented crime. Local prevention agencies can administrate measuring risk factors and social problems in local administrative units (rayon), using archival records and local surveys of households and schools. Such agency could take stock of available resources, develop and implement a prevention strategy plan. [12].

1.1.3. Sociological and psychological studies of bullying prevention in Ukraine

Research of bullying-related issues in Ukraine was conducted by sociologists, psychologists, and by jurisprudence. O.L. Lutsenko, when studying psychological laws of human adaptation on the modern stage of evolution, described psychological peculiarities of bullying, which is considered an aggressive behaviour of individuals, aimed to gain status and resources using methods that are the most effort-saving and safe for such individuals. The researcher identified the psychological features of both individuals inclined to bully (envious, pragmatic, aggressive, anxious, having a negative moral status, family problems, frustrated, suffering from fears, low self-esteem, inclined to become an alcoholic) and the victims of bullying (low self-esteem, melancholic temper, humanist, liberal views). The researcher claims that bullying is socially and psychologically reactive, which results in victims of bullying becoming bullies themselves as they learn how to bully and want revenge for being bullied. It is stated that bullying is widespread in schools (16-32%), and classification for bullying was offered into verbal, physical, moral suppression, prohibition and boycott. Being engaged in bullying (as a bully or as a victim) and poor academic success showed a high correlation. Gender-based peculiarities of bullying were identified: males are noticeably more inclined to be bullies compared to females. [13].

Y. O. Klymenko, N. O. Saiko and V. V. Shevchuk suggest differentiating social and psychological prevention of bullying among students into primary (promoting active lifestyle, enjoying their rights, satisfying their personal needs and interests), secondary (trainings, training programs and other forms of work focused on forming changes in attitude to themselves and those around them, training them how to behave in situations that can lead to violence) and tertiary (individual integration into society for people who survived violence). [14].

O.M.Kormylo, studying bullying as a negative social and psychological phenomenon that exists in the educational sphere, deems feasible to introduce into theory and practice

of educational institutions the grounded and effective bullying prevention programs that are based on international experience and take into account the national specificity, and to introduce the educational institutions' rules or charters, or to amend the existing ones, with provisions aimed to counteract bullying, to create in classrooms the conditions for effective communication and interaction between children, and to secure teachers' attentive and positive attitudes to children and positive interaction between them. [15].

1.1.4. Legal mechanism to prevent and curtail bullying.

The above-mentioned psychological studies of the known patterns for counteracting bullying are naturally complemented with scholarly research of legal mechanisms to regulate such counteraction.

T. Myroniuk and A. Zaporozhets, who studied the ways to improve regulatory, legal and organizational tools to counteract bullying in Ukraine, define bullying as «... illegal, guilty act, committed on purpose, which manifests as a prolonged aggression, associated with repeated violent acts of physical, mental, economical, sexual nature by a person or a group of people, who have certain advantages (physical, psychological, etc.), which is committed for doing physical and/or moral harm to an individual and infringes on this individual's life, honour and dignity». [16], 2019). The authors point out that factors that increase the likeliness of bullying are generally the same as for other crimes, including economic instability, absence of an ideology generally accepted by the society, propaganda of aggression, the Joint Forces Operation in the East of Ukraine, labour migration, and lack of organized leisure of children. To prevent bullying, they suggest adopting the corresponding Comprehensive national social program, designing a free mobile application (through a start-up), which would allow the victim to ask a specialist for help and to communicate with other victims for support and advice; publication of the necessary information via mass media, and also, initiating criminalizing socially dangerous actions identified as bullying starting from the age of 16. They also propose to amend internal regulations and instructions used to organize the work of juvenile prevention units of the National Police of Ukraine, which is the leading force in prevention of bullying on the specialized criminology level. [16].

The thesis by N.V. Lesko addresses the issues of administrative and legal support of forming and implementing of the governmental policy in the sphere of protecting children from the violence and other illegal actions. The problem of bullying captures a comparatively small portion of the researcher's focus, as it is viewed only as violence between the pupils of the general education institutions. Our opinion is that such view on the problem of bullying restricts its overall understanding, and, correspondingly, impedes opportunities to prevent and curtail it. At the same time, a number of this study's observations can be extended to the problem of bullying,

and effectively used in protecting children against violence, which is part of the preventative work of bodies and institutions, whose responsibilities include prevention of violence, crisis interventions on the victims' request, and deployment of long-term psychological, sociological and rehabilitation activities, focused on both abusers and their victims. The study pays attention to the need of motivating further research, and improved HR needed to secure counteraction to violence, development and implementation of the relevant statistical reporting, generalization and improvement of judicial practice, deployment of the relevant information system in the media space, etc. Of special note is the proposal for the National Police to introduce the position of school police officer, who would be mainly responsible for protecting rights and lawful interests of students, prevention of child neglect and offences, conducting individual prevention measures with students and their parents, prevention and curtailing violence against children, between the children in the family and in the educational institution, prevention and curtailing bullying and cyberbullying, promotion of school meditation, securing civil order during educational, cultural, entertainment and sports activities that the students are engaged in. [17].

T.M. Lezhneva and S.V. Chernopyatov research bullying as an administrative offence. Correspondingly, they identify the object, the objective element, the offender and the mental element of such offence. The authors provide underpinning for the necessity to identify not just civil order and public safety, but also mental health, physical health, and mental, physical, economic and sexual inviolability as objects of this offence. Analysing the objective element of such action, the authors justly note that it fails to take into account a quite integral feature of bullying – offence that is systematic and repeated, and this feature is already reflected in the relevant regulative norm of the Law of Ukraine «On Education». Also, they point out that although the law identifies the purpose of bullying, it is not there in the Code of Administrative Offences of Ukraine, which needs to be there. Based on the mentioned above, they suggest amending the administrative law accordingly by adding to the description of bullying such features as systematic nature (repetitiveness), offence committed under the conditions, where the offender and the victim share the educational process, and the bully's actions focused on making the victim feel strong humiliation, fear or anxiety; the victim's subjugation to the offender's interests and will, causing the victim's social isolation or other impairment of the victim's social status in the educational environment [18].

Supporting the authors' positions, we however express our doubt about their position, according to which the legislator in the Law of Ukraine «On Education» did not identify minors and underage people as participants of the educational process. We emphasize that according to part 1, article 52 of the Law of Ukraine «On Education» «...the participants of the educational process are: education recipients; pedagogical, research & pedagogical, and research employees; parents of education recipients; individuals, who conduct educational activities; other

people as stipulated by special laws and engaged in the educational process based on the procedure established by an educational institution». [19]. Thus, all education recipients should be considered the participants of the educational process, including minors and underage individuals, and the legislator's definition extends to all students and pupils of educational institutions.

1.2. Our Contribution

This document, using sociological measurements and statistical data, identifies the scale of bullying as a negative social phenomenon, and explains why deploying a response to it is a feasible option. It summarizes the results of sociological, psychological, and legal research, as well as progressive organizational and regulatory international experience, and establishes ways of practical implementation of this experience in Ukraine. It emphasizes the importance of the innovative model of the system to counteract bullying, which requires generalizing the results of the relevant sociological and psychological studies, development of effective anti-bullying systems based on such results, and codifying such systems in the legislation and the regulatory framework. It analyses the national anti-bullying legislation, identifies controversies in the normative and legal regulation of counteracting to bullying, and offers the means to address them. It summarizes the judicial practice for application of law in the sphere of counteracting to bullying, and emphasizes the necessity of its regular studying and improvement. It also suggests organizational and pedagogical systems of counteracting to bullying.

1.3. The Goal, Methodology and Paper Structure

The purpose of this article is to identify and study the social and legal mechanisms of prevention and counteraction to bullying in youth environment as well as justification of ways to improve the situation. To achieve this goal, a systematic methodological approach was applied. The approach was based on the scientific and legal provisions for the recognition of the highest social value of human being, his life and health, honour and dignity, integrity and security, and entrusting the state with the function of protecting these values. This methodology was elaborated through the application of a set of general scientific and special methods of cognition: dialectical, comparative-legal, formal-legal, structural-logical and structural-functional, concrete-sociological, hermeneutic, as well as methods of scientific abstraction, analysis and synthesis, classification and grouping, etc. The structure of the article is built according to its purpose and methodology. Section 1 is devoted to the substantiation of the relevance of combating bullying, the analysis of international and

national legal and social psychological studies of the problem, their consolidation in the legal field, the development of regulatory mechanisms to prevent and counter this negative social phenomenon. Section 2 presents the developments related to scholarly underpinning for systematic measures to counter bullying and generalizes the accumulated experience of direct application of such counteraction. Subsection 2.1 offers studies and generalizations of foreign experience of responding to bullying from the point of view of how practical is it for use in Ukraine. Subsection 2.2 offers analysis of provisions of national legislation that regulate the procedures of prevention and counteraction to bullying, as well as the relevant judicial practice, controversies and inconsistencies are pointed out, as well as the ways to mend them. Subsection 2.3 is dedicated to covering the organizational experience of systematic bullying prevention on the level of school. The presentation ends in subsection 2.4, which provides underpinning for feasibility of hotlines for victims of bullying and other people who find themselves in the situation related to this negative phenomenon.

2. BACKGROUND

2.1. Analysis of International Practice for Prevention and Counteraction to Bullying

Because bullying as a social phenomenon is known internationally, and its definition and responsibility for the act is in the law of many countries of the world, it is timely to study and implement international practice of combating it.

In the US, the prevention of bullying is regulated, as a rule, on the federal level, – in most states, there are certain legislations or policies that define bullying and regulate measures for its prevention and counteraction. In some states, the powers to define bullying and create certain policies can be delegated to school boards. In the overwhelming majority of instances, when the bullying cases are considered in the court of law, the victims cite anti-discrimination legislations, not anti-bullying laws.

Anti-bullying laws are in effect in all states, each of which conducts its local policy to resolve this problem. The relevant laws and enactments that regulate different aspects of the problem focus on both the individual's and the school's responsibility for safety, giving their due to the issues of anonymity and confidentiality.

Generally, when making a decision whether the action in question is bullying, in the US they are guided by the context of interpersonal relations between the students, not the geographical or territorial framework of the educational process. For this reason, situations of violence in various contexts are also identified as bullying, without being restricted to a school building and official hours of studying: in school and during school events, at elective courses, on the way to or from school, on the playground, at a stadium, in the neighbourhood, online, etc. Due to their unique

dynamics and special context of the relations between siblings or partners in romantic/intimate relationships, violence between them is not considered bullying. [20].

Great Britain also has no legislative definition of bullying. At that, the legislation establishes that school principals and the pedagogical staff have a right to discipline students in the situations of bullying that take place outside of the school, for example, in public transport, on the streets or in the city. Still, they can do it only in the circumstances where such intervention is reasonable. The specific disciplinary measures concerning students can be acceptable and can be applied only on the territory of the school, or when the student is within the area of responsibility of school staff (for example, during a school field trip). The school staff should inform about cases of serious bullying, or risk thereof, to local bodies of the government / child protection services, and in the cases where the Penal code can be applied to such actions – to the police. [21].

In addition to legislative provisions, detailed recommendations on measures to prevent and counteract bullying by school principals, school staff and governmental agencies are presented in special guides that are published by the U.K. Department for Education. [22]. In the majority of states of the Council of Europe, bullying is not defined in law, neither are the specific circumstances of committing it. Often parallel terms for it are used, such as «school violence», «aggression», «discrimination», etc. Because of this, locations where such violence is committed are not limited to school premises, but can include buses and bus stops, neighbouring locations and locations where the students «hang out»/«spend their time», cyber-space, etc. [23].

2.2. Legal Regulation for Prevention and Counteraction to Bullying in Ukraine

In the Ukrainian legislation, the notion of bullying is clearly defined. Yet, in the context of identifying an action as bullying, especially considering possible background circumstances, this definition does not always work. In particular, the definition of bullying in the Law of Ukraine «On Education» and in the Code of Administrative Offences of Ukraine are not the same. First of all, the definition of the Law of Ukraine «On Education» includes such feature of bullying as systematic (repeated) nature: «bullying (mobbing) is an activity (action or inaction) of the participants of educational process, which is psychological, physical, economic, sexual violence, including the one using the means of electronic communications, committed against a minor or an underage person, and (or) by such person against other participants of educational process, which could cause harm to mental or physical health of the victim». [19]. At the same time, this feature, the systemic nature of the phenomenon, is not in the Code of Administrative Offences of Ukraine, there is no such feature in the description: «Bullying (mobbing), that is, actions of

the participants of educational process, that involve psychological, physical, economic, sexual violence, including actions committed using the means of electronic communication, taken against a minor or underage person, or by such a person against other participants of the educational process, and that could cause harm to mental and physical health of the victim» (Code of Administrative Offences). We deem it advisable to include into the definition in the Code of Administrative Offences of Ukraine that bullying is a systematic phenomenon.

The circle of those who commit bullying and its victims as defined can also be problematic, as the legislator identified them as participants of educational process, while the Law of Ukraine «On Education» proposes a very broad circle of participants of the educational process. At that, the administrative regulations stipulate liability of the head of an educational institution for failure to report to the authorized subdivisions of the National Police of Ukraine on the cases of bullying (mobbing) of a participant of the educational process, while the responsibilities of a head of an educational institution stipulated in the Law of Ukraine «On Education» demand the official to report the cases of bullying (mobbing) in the educational institution to authorized subdivisions of the National Police of Ukraine bodies and to the Child Protection Services. Such inconsistencies, on the one hand, restrict the pedagogical staff's responsibility to the limits of the educational institution only, and, on the other hand, unjustifiably extend without setting any certain limits at all. Resolving this problem can be in identifying the limits where the teachers and administrators of an institution are to conduct prevention and counteraction to bullying – within the confines of the educational process that the educational institution performs.

It is also necessary to understand that not every conflict, even in school, is bullying. Bullying is an action with the intention of harming physical or mental health, or indeed an action that caused such harm. If two children quarrelled and one of the children fell down and got hurt — it is not bullying. Nevertheless, in the case where there was mockery, humiliation, obscene words, pushing done with intention to harm and to subjugate the victim to the perpetrator, such actions are bullying, and the governmental agencies need to respond to it.

Locations of bullying. Judicial practice of implementing the legislation in the sphere of counteraction to bullying is in its early stages yet, yet it already requires analysis and generalization, and the corresponding improvement. As of December 31, 2019, the register of judgments contains about 350 judgments based on article 173-4 of the Code of Administrative Offences of Ukraine. [24].

Based on the content of article 173-4 of the Code of Administrative Offences of Ukraine, we can categorize bullying cases into two categories. The first category of

cases (p.1-4 of Art. 173-4 of CAOU) is about bullying proper by a participant of the educational process, which results in liability of the perpetrator (if the perpetrator is in the age of sixteen or more), or their parents or guardians (if the perpetrator is under the age of sixteen). The second category of cases (p. 5 of Art. 173-4 of CAOU) is about liability for failure to report by the head of an educational institution to authorized subdivisions of the National Police of Ukraine about the cases of bullying of an educational process participant. Currently, the great majority of judgments based on Article 173-4 of CAOU in the Register of Judgments falls in the first category of cases. [25].

2.3. Systematic Support of Bullying Response measures

Systematic support of measures focused on prevention and counteraction to bullying must be based on in-depth sociological and psychological study of this negative social phenomenon. To conduct such study, in May of 2019, NGO «La Strada Ukraine», with support of UN Children's Fund (UNICEF) and in cooperation with the Ministry of Education and Science of Ukraine, surveyed 1,497 students, 826 parents and 271 teachers in Luhanska and Donetska oblasts to identify the level of prevalence of violence and mobbing (bullying) among children.

Based on the survey results, it was established that 64.2% of respondents never encountered the manifestations of violence or bullying. As to the characteristics of the bullies, 27.6% of the surveyed students are of the opinion that most often the bullies are children who have qualities of a leader; 20% of the surveyed students think that males are more likely to be bullies, 19.8% think that bullies are likely more physically developed. Still, 54.2% of students pointed out that anyone can be a bully.

As to the characteristics of victims of bullying, 20.6% think that girls are more likely to be such victims. The respondents think in the most likely case (71.1%), the children being bullied are those in some way different from others; the next identified likely features of a victim are absence of modern gadgets or clothing and physical weakness (34.0%). 26% of the surveyed said that in their educational institution there were cases of bullying where victims and bullies were of different genders.

Teachers and parents think that the most efficient measures that would reduce the number of cases of violence in the educational environment are: conducting systematic educational events on non-violent behaviour (61.7% of parents think it could be effective, and 89.7% of teachers), implementation of high-quality prevention programs (51.3% parents, 76.0% teachers), creating an anti-bullying policy (51.0% parents, 80.8% teachers).

Taking into account the survey results mentioned above, and after the conducted sociological, psychological and legal studies of the problems of prevention and counteraction to bullying by the NGO «La Strada Ukraine» with support of the UN Children's Fund (UNICEF) in

January-June of 2019, the model «Designing the system to counteract bullying in educational institutions for promoting a safe educational environment and participation of children, taking into account the capabilities of school mediation services» was launched as a pilot study. Taking into account the social and geopolitical factors, this project was first implemented in educational institutions of Donetsk and Luhansk oblasts. The main identified factors of the system's effectiveness were introduction of mediation and restorative practices, and the institutional support was vested in the educational institution's mediation service, whose operation should facilitate reduction of social stress in relations between individuals by means of mediation and forming the skills of conflict-free communications and resolving conflicts in all participants of the educational process (both teachers and students). The project's methodological support was based on the ideas of safe educational environment. [26]. NGO «La Strada Ukraine»'s national trainer network trained educators in bullying counteraction skills – through workshops for directors of the institutions and through training-for-trainers for teachers, based on the developed methodological materials. [27].

3. CONCLUSION

Therefore, the problem of prevention and counteraction to bullying is urgent because of the sheer scale of prevalence of this negative social phenomenon in Ukraine and in the world. The system of such counteraction should be based on the results of innovative sociological, psychological and pedagogical research, and to be regulated in compliance with the developed and implemented normative and legal standards. The research confirmed that the preventative work should address all participants of the educational process (students, teachers, and parents) and should start with pre-school education. Legislative support of counteraction to bullying in Ukraine is quite progressive, yet it requires certain correction and improvement, just as the relevant court practices, whose deployment has only just begun. It is also necessary to conduct systematic national and local (on the level of amalgamated territorial communities) educational and awareness-raising campaigns on the meaning of legal norms on prevention and counteraction to bullying. The article proposed an underpinning for the system of counteraction to bullying on the school level; the main factor of its effectiveness is mediation and restorative practices, and its institutional base is the educational institution's mediation service. Effectiveness of over-the-phone counseling for people in the situation of bullying was emphasized, and this calls for broad and targeted dissemination of information on

2.4. Counseling People in Situation of Bullying

We consider counseling an important factor in prevention of bullying, including over-the-phone counseling. «La Strada-Ukraine» offers an example of effective organization of such counseling; this NGO runs the national children's hotline, which functions in Ukraine with the Europe-wide number 116 111. During 2019, this line accepted 2,667 calls related to bullying in the educational environment. Mostly these calls were coming from children who became victims of bullying. Other callers were parents of such children to consult on legal ways to resolve the problem. There were some calls from parents whose children committed bullying to consult on possible amicable resolutions of the issue. Many calls were from children who witnessed bullying in the educational environment.

There is an interesting trend of teachers who identified themselves as victims of bullying by students. Some calls were from homeroom teachers and school psychologists about a correct response to bullying against their children. Most calls on bullying in the educational environment came from Odeska and Kyivska oblasts, Kyiv city, Zhytomirska and Lvivska oblasts. All callers received necessary psychological and legal counseling and, when needed, were referred to relevant governmental agencies.

counseling services and support to the National hotline for children.

REFERENCES

- [1] UNICEF launches a campaign against bullying. Bullying is an important problem for children in Ukraine. Pedagogical Portal: Education Press, 2017 (access date: 23.01.2020) URL: <http://pedpresa.ua/185372-buling-vazhlyva-problema-dlya-ditej-v-ukrayini-yunisefrozpochynaye-kampaniyu-proty-bulingu.html>
- [2] Pazychuk A. Half a year combating bullying in schools – expert's conclusions. 2019. Civil Space. (access date 26.01.2020)URL: <https://www.prostir.ua/?news=piv-roku-borotby-z-tskuvannyam-u-shkolah-pidsumky-eksperta>
- [3] Stop bullying. URL: <https://www.stopbullying.com.ua> (access date: 25.01.2020).
- [4] Explanatory Note for the draft of the Law on amendments to certain legislative acts of Ukraine on combating bullying, 2018 (access date 26.01.2020) URL: http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=64402

- [5] Ron Banks. *Bullying in School*, ERIC Clearinghouse on Elementary and Early Childhood Education Champaign IL., 1997, ED407154.
- [6] Dan Olweus. *Bullying at School: What We Know and What We Can Do* / Blackwell Publishing, 1993, 137 p. ISBN 0-631-19241-7.
- [7] Batsche, George M.; Knoff, Howard M., *Bullies and Their Victims: Understanding a Pervasive Problem in the Schools*. 1994, EJ490574
- [8] Charach, A., Pepler, D., & Ziegler, S. *Bullying at school – a Canadian perspective: A survey of problems and suggestions for intervention*. Education Canada, 1995, 35 (1), 12-18. EJ 502058.
- [9] Monica Anderson *A Majority of Teens Have Experienced Some Form of Cyberbullying*, Pew Research Center. 2018 (access date 26.01.2020), URL: <https://www.pewresearch.org/internet/2018/09/27/a-majority-of-teens-have-experienced-some-form-of-cyberbullying/#fnref-21353-1>
- [10] Patchin, Ph.D, Justin. "2019 Cyberbullying Data." (access date 26.01.2020), URL: <https://cyberbullying.org/2019-cyberbullying-data>
- [11] Facts about Cyberbullying, (access date 31.01.2020), URL: <https://www.dosomething.org/us/facts/11-facts-about-cyber-bullying>
- [12] Farrington D., *Childhood Risk Factors and Risk-Focused Prevention*, Institute of Criminology, University of Cambridge, 2006, 61 p. (access date 27.01.2020), URL: <https://pdfs.semanticscholar.org/2d2a/d1026a0dfb56471e6977868b88196ff88b5e.pdf>
- [13] Lutsenko O.L. *Patterns of humans' psychological adaptation at the current state of evolution*. Thesis ... of doctor of psychological sciences. Kharkiv, 2018, 446 p.
- [14] Klymenko Yu.O., Sayko N.O., Shevchuk V.V. *Sociopsychological prevention of bullying in the educational environment*. Science and Education a New Dimension. Pedagogy and Psychology, VI (75), Issue: 181, 2018. URL: <https://seanewdim.com/uploads/3/4/5/1/34511564/https://doi.org10.31174/send-pp2018-181vi75-18.pdf> (access date 27.01.2020). DOI: <https://doi.org/10.31174/SEND-PP2018-181VI75-18>
- [15] Kormylo O.M. *The phenomenon of bullying in the educational space*. Issues of Humanities. Series «Psychology». No. 37 (2015), p. 174-187. (access date 26.01.2020) URL: <http://phsps.dspu.edu.ua/article/viewFile/159032/158274>
- [16] Myroniuk T.V. Zaporozhets A.K. *Improvement of bullying prevention measures in Ukraine*. Scientific Bulletin of the National Academy of Internal Affairs. 2019. No. 3(112), p. 21–28, p. 24. DOI: <https://doi.org/10.33270/01191123.21>
- [17] Lesko N.V. *Administrative and legal foundation for development and implementation of the state policy in the sphere of protection of children against violence and other unlawful acts*. Thesis ... of the doctor of legal sciences. Lviv, 2019, 490 p.
- [18] Lezhneva T.M., Chernopyatov S.V. *Bullying as administrative offence*. Comparative Legal Research. No. 2 2019, p.136-139. (access date 26.01.2020) URL: http://www.pap.in.ua/2_2019/37.pdf
- [19] Law of Ukraine. *On Education*. In force as of 16.01.2020. (access date: 23.01.2020) URL: <https://zakon.rada.gov.ua/laws/show/2145-19>
- [20] Gladden, R.M., Vivolo-Kantor, A.M., Hamburger, M.E., & Lumpkin, C.D. *Bullying Surveillance Among Youths: Uniform Definitions for Public Health and Recommended Data Elements, Version 1.0*. Atlanta, GA; National Center for Injury Prevention and Control, Centers for Disease Control and Prevention and U.S. Department of Education; 2014, c.7-8. (access date: 25.01.2020) URL: <https://www.cdc.gov/violenceprevention/pdf/bullying-definitions-final-a.pdf>
- [21] GOV.UK. *Bullying at school*. (access date: 25.01.2020) URL: <https://www.gov.uk/bullying-at-school/bullying-outside-school>
- [22] *Preventing and tackling bullying Advice for head teachers, staff and governing bodies*. Department for Education. July, 2017 p.5-7. (access date: 25.01.2020). URL: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf
- [23] *Addressing violence in schools through education for democratic citizenship and human rights education* (2016). Council of Europe. p. 39, 54. (access date: 25.01.2020) URL: <https://edoc.coe.int/en/childrens-rights/7204-addressing-violence-in-schools-through>

[education-for-democratic-citizenship-and-human-rights-education.html](#)

[24] Code of Administrative Offences of Ukraine, in force as of 19.01.2020. (Access date: 23.01.2020) URL: <https://zakon.rada.gov.ua/laws/show/80731-10>

[25] Unified register of judgments. (access date: 28.01.2020) URL: <http://reyestr.court.gov.ua/>

[26] Tsiuman T.P., Boychuk N.I. Code of safe educational environment: Guidelines. Kyiv, 2018. 56 p. (access date: 25.01.2020) URL: <https://mon.gov.ua/storage/app/media/zagalna%20serednya/protidia-bulingu/21kbos.pdf>

[27] Creation of the mediation services system to introduce peer-to-peer mediation and peaceful conflict resolution in educational institutions. Team of authors. Kyiv: Private entrepreneur Nichoga S.O., 2018. 174 p.; Set of curricula «Peaceful conflict resolution. Basic skills of mediation». Team of authors, Kyiv, 2018. 140 p.