FOSTERING RESILIENCE AMONG TEENS

(Artwork by Debangshu Moulik; In this picture: Siddhant Talwar)

CONTENTS

01

INTRODUCTION

Adolescence is a fascinating and complex transition in the life of every human being as childhood gently gives way to adult life. Parents, educators and healthcare professionals are committed to making this transition smoother for adolescents, however the challenges that they face manifest differently as society and technology evolve. Today, teens are faced with a different set of challenges than what their parents may have faced while growing up. Highly competitive student life, changing family structures, and easy access to technology have significantly altered the issues that teens grapple with today.

Students often attribute their mental distress to the pressure of doing well and doing more in their academic and professional lives, however, that alone may not explain the stress. It is true that the attention and means that urban parents in India can afford today to achieve academic and professional goals is unprecedented leading to more expectations but more importantly it has also changed the relationship between parents and schools. Educated parents are demanding more out of schools, and as a response the education system as a whole is also looking to reinvent itself as information loses premium in favour of 21st century skills such as problem solving, leadership, emotional intelligence and communication. Meanwhile, family setups have also changed as more nuclear families and single child homes emerge in urban India. This has massively altered the support structures for teens outside of their schools.

A complicated relationship with technology is another issue which is unique to this generation. Met with intense scepticism in its early days, the internet has now become an inseparable part of most urban teens' lives and their identities. The internet is a powerful tool for them to connect, express, build communities, follow their interests and create relationships across borders. But with these opportunities, there are also concerns around online bullying, access to inappropriate content and bad technology habits forming amongst young teens. These concerns are met with confusion by parents and educators around their approach to managing social media use among teens, ranging from instituting complete access control to following complete non-interference.

Against this backdrop, mental health issues among teens have increased. One in every four children in the age group of 13-15 years in India suffers from depression, according to a 2017 WHO report. 10% of students in India also report that they do not have close friends.[1]

Given all these changes, there is a need to address the overall 'well-being' of teens, to help them become more resilient in the face of the various pulls and pressures of their ecosystem. There is a growing realization that it is hard to look at online or offline behaviours in isolation as boundaries between the online and offline worlds blur. Some of the behaviours that take root offline find expression online and vice versa.

This report thus seeks to explore institutional changes and individual efforts that can be adopted to help teens navigate this life stage. The recommendations are an outcome of many meaningful discussions with leading educators, parents, mental health professionals, and most importantly, teens. The hope is that the shared experiences of these stakeholders can be leveraged to take steps to make the next generation of leaders more resilient.

This report examines two key issues – mental health and bullying, which have been identified as large influencers of well-being for teens. They are inextricably linked and the institutional solutions addressing these issues overlap significantly. The report will also consider themes including body image, gender, digital citizenship and celebration of diversity as contributors to mental well-being and prevention of bullying.

[1] World Health Organization. Regional Office for South-East Asia. (2017). Mental health status of adolescents in South-East Asia: evidence for action. World Health Organization. Regional Office for South-East Asia. http://www.who.int/iris/handle/10665/254982

(In This Picture and Artwork by Horia Sidiqi)

02

PART 1: MENTAL HEALTH

Mental Well-being of Indian Teens

Lately, mental health issues among adolescents have attracted attention due to an increasing number of children showing common symptoms such as anxiety, perennial distraction, depression, attention deficit hyperactivity disorder (ADHD), thoughts of self-harm or suicide etc.[2] Some of these, when untreated, may lead to long term impacts such as substance abuse.[3] These may interfere in their regular activities and daily functioning such as school, relationships, eating and sleeping.[4]

(Artwork by Nikita Jalan)

[2] Common Mental Health Disorders in Adolescence, US Department of Health and Human Services, available at https://www.hhs.gov/ash/oah/adolescent-development/mental-health/adolescent-mental-health-basics/common-disorders/index.html
[3] Adolescent Mental Health Basics, US Department of Health and Human Services, available at https://www.hhs.gov/ash/oah/adolescent-development/mental-health/adolescent-mental-health-basics/index.html
[4] Adolescent Mental Health Basics, US Department of Health and Human Services, available at https://www.hhs.gov/ash/oah/adolescent-development/mental-health/adolescent-mental-health-basics/index.html

According to WHO, 10-20% of children and adolescents world-wide are believed to be affected with mental health issues, with suicide and self-harm being the second leading cause of death in this age group after road traffic injuries.[5] These issues are borne out of physical, behavioural and psychological changes that occur during adolescence and may continue into adulthood. According to the same report, about 25% of Indian adolescents reported being depressed, 7% reported being bullied, about 8% reported anxiety, 8% reported experiencing loneliness and 10% had no close friends, all of which are warning signs for mental health issues.[6] The National Mental Health Survey of India (NMHS 2015-16) puts the current prevalence of mental morbidity in the

age group of 13 – 17 years at 7.3 % and the risk of suicides (including moderate to high risk) at 1.3%.[7] The actual figures are likely to be far higher due to under-reporting on account of lack of awareness, and due to the stigma attached to mental health.

Addictive behaviours are yet another red flag of poor mental health. The easy interphase between the real and virtual worlds today has allowed adolescents to replace what might earlier be addictions to alcohol, drugs or similar psychotropic substances with that of technology.

Smartphones and social media offer a way to escape painful feelings or troubling situations. Adolescents who already lack a strong familial/nurturing environment, have trouble forming peer connections, or are lonely, are far more vulnerable than others. In fact, a 2013 ASSOCHAM survey of 10 Indian metro cities revealed that nearly 82% of Indian children, particularly those exposed to technology early on, are at greater risk of negative health outcomes such as social isolation, insomnia, depression, anxiety, obesity

and mental health impact.[8] The same survey also found children of working parents to be far more susceptive to technology addiction in the absence of adult supervision.[9] Increased awareness of the results of technology addiction on Indian adolescents have resulted in de-addiction centers being set-up such as the Delhi based Centre for Children in Internet and Technology Distress,[10] and the SHUT (Services for Healthy Use of Technology) Clinic[11] at NIMHANS, Bengaluru.

(Artwork by Horia Sidiqi and Yashvi Jain)

[5] World Health Organization. Regional Office for South-East Asia. (2017). Mental health status of adolescents in South-East Asia: evidence for action. World Health Organization. Regional Office for South-East Asia, available at http://www.who.int/iris/handle/10665/254982

[6] World Health Organization. Regional Office for South-East Asia. (2017). Mental health status of adolescents in South-East Asia: evidence for action. World Health Organization. Regional Office for South-East Asia, available at http://www.who.int/iris/handle/10665/254982

[7] Gururaj G, Varghese M, Benegal V, Rao GN, Pathak K, Singh LK, et al. National Mental Health Survey of India, 2015-16: Prevelance, Patterns and Outcomes. Bengaluru, National Institute of Mental Health and Neuro Sciences, NIMHANS Publication No. 2016;129, Pg 111

[8] 85% metros kids play with technology gadgets: ASSOCHAM Survey. ASSOCHAM India (15th September, 2013), available athttp://www.assocham.org/newsdetail.php?id=4174; ,

[9] Ibid n. 8

[10] Center for Children in Internet & Technology Distress, Uday Foundation (Delhi), available at http://www.udayfoundationindia.org/centre-for-children-in-internet-and-technology-distress-/;

While timely medical, familial and behavioural interventions are capable of identifying and interceding in most adolescent mental health cases, there are a few cases that either go unnoticed or tend to fall on the severe end of the spectrum. In such severe cases, adolescents sometimes take the extreme step of resorting to suicide to escape their problems.

While in many parts of the world, most suicides are recorded amongst the disadvantaged communities, however, in India they are being recorded among better educated youth living in prosperous regions.[12] The National Mental Health Survey reported that depression among adolescents in urban metro regions was higher as compared to their counterparts in rural and urban non-metro areas (13.5% vs. 6.9% and 4.3% respectively).[13] A 2012 Lancet also had a similar finding and stated that suicides in south India are much higher than those in other parts of the country.[14] The author of the study, Vikram Patel, a Professor at the London School of Tropical Hygiene and Medicine said, "Aspirations are at a much higher level and society around them is not always keeping pace, so the disappointment is much greater."
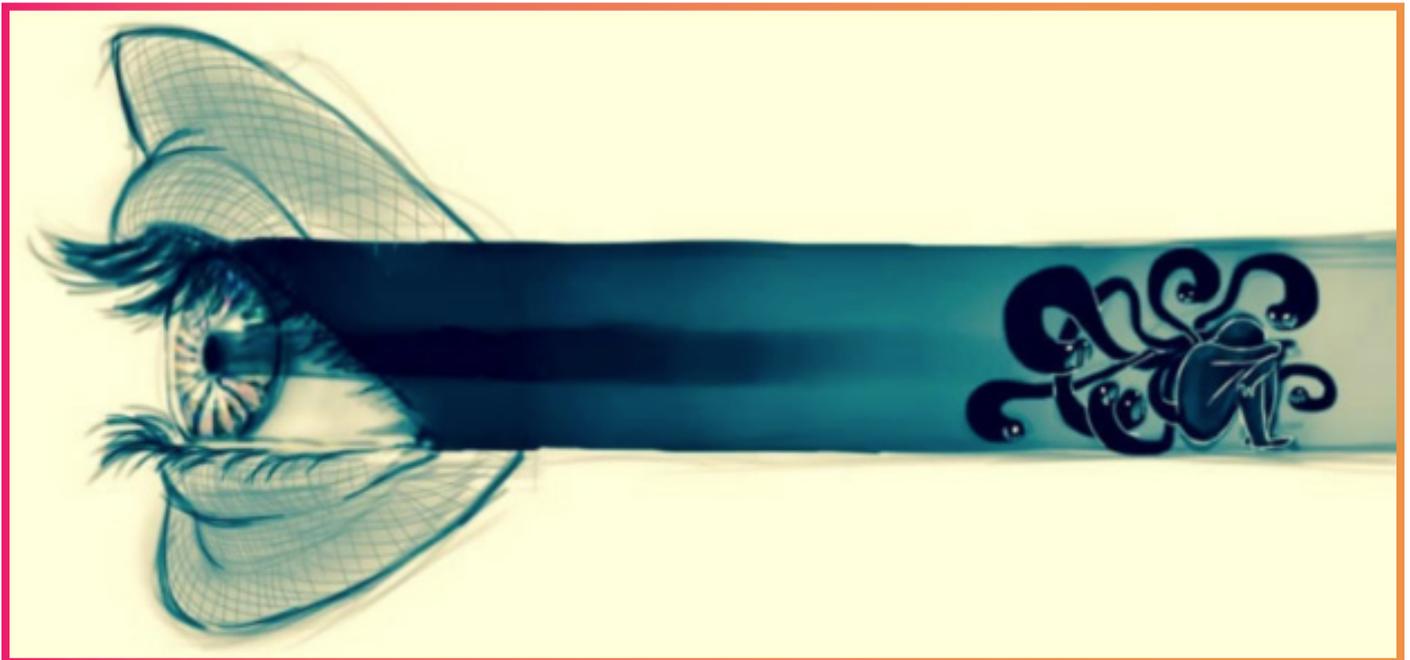
(Artwork by Nikita Jalan)

[12] In modernising India, suicide is on the rise among young, Reuters, 11 December 2014, available at https://in.reuters.com/article/india-suicide/in-modernising-india-suicide-is-on-the-rise-among-young-idlNKBN0JO2A420141211
[13] National Mental Health Survey of India 2015-16, available at http://www.nimhans.ac.in/sites/default/files/u197/NMHS%20Report%20%28Prevalence%20patterns%20and%20outcomes%29%201.pdf
[14] SU Suicide mortality in India: a nationally representative survey, Patel, Vikram et al., The Lancet , Volume 379 , Issue 9834 , 2343 - 2351

Mental Health Professionals in India

Even though awareness around mental health issues is growing, the number of mental health professionals in India is extremely low. According to the National Mental Health Survey 2015-16, there is hardly one trained psychiatrist for every 2,50,000 people, and the overall mental health workforce (psychiatrist, clinical psychologists, and psychiatric social workers taken together) availability is <1 per 1,00,000 population.[15] The average national deficit of psychiatrists was estimated to be 77%. The availability of psychiatrists varies from 0.05 per 1,00,000 population in Madhya Pradesh to 1.2 per 1,00,000 population in Kerala. In most high-income countries, there are at least 1-2 mental health professionals per 1,00,000 population. However, in India, no other state meets this criterion except for Kerala.[16]

Given the dismal provision for mental health services, it is no surprise that there is a huge treatment gap in India when it comes to mental health issues. The NMHS defines 'treatment gap' as "the number of people with active disease who are not on treatment or on inadequate treatment and is expressed as a percentage of the total number of people with active disease." It is a useful indicator to assess accessibility, utilization and quality of health care. The findings from the NMHS report an overall treatment gap of 83% for any mental health problem. Among the common mental disorders, major depressive disorders and anxiety disorder have a treatment gap of 85.2% and 84.0% respectively. The huge treatment gap in mental health arises from limited awareness, high cost of treatment, social taboos and stigma on the demand side and insufficient, inefficient and inequitably distributed resources on the supply side.

Media reports suggest that due to the shortage of mental health professionals in the country, existing psychotherapists also experience rapid burnout themselves and they have little support, unlike in developed countries.[17]

[15] Gururaj G, Varghese M, Benegal V, Rao GN, Pathak K, Singh LK, et al. National Mental Health Survey of India, 2015-16: Summary. Bengaluru, National Institute of Mental Health and Neuro Sciences, NIMHANS Publication No. 2016;128

[16] Gururaj G, Varghese M, Benegal V, Rao GN, Pathak K, Singh LK, et al. National Mental Health Survey of India, 2015-16: Summary. Bengaluru, National Institute of Mental Health and Neuro Sciences, NIMHANS Publication No. 2016;130

[17] "Mental health workforce is battling burnout", 31 Jan 2018, Scroll.in available at https://scroll.in/pulse/867001/in-dealing-with-other-peoples-trauma-indias-mental-health-workforce-is-battling-burnout

Adolescent Mental Health: A Policy Perspective

India was one of the first countries in the developing world to frame a National Mental Health Program (NMHP) in 1982.[18] The program was to be decentralized through District Mental Health Plans and a model DMHP was initiated by the National Institute of Mental Health and Neuro-Sciences (NIMHANS) in 1985. The plan evolved and developed through the years and received funding under various five-year plans.

The National Mental Health Policy however was finally framed in India as recently as October 2014 with a vision "to promote mental health, prevent mental illness, enable recovery from mental illness, promote de-stigmatization and desegregation, and ensure socio-economic inclusion of persons affected by mental illness by providing accessible, affordable and quality health and social care to all persons through their lifespan, within a rights-based framework."[19] While the Policy is ambitious in its goals of providing universal mental healthcare, it doesn't specifically mention mental health of adolescents.

Prior to this, in January 2014, the Ministry of Health and Family Welfare had also launched the National Adolescent Health Strategy which was developed with the UN Population Fund.[20] This strategy was launched under the umbrella program of Rashtriya Kishor Swasthya Karyakram, a health program specifically directed at adolescent health,[21] where enhancing mental health is listed as an objective. Through the operational and implementation guidelines, the program aims to institutionalize adolescent health specifically through the existing public health system to ensure overall health and well-being of children in this age group.

[18] Report of the Technical Committee on Mental Health constituted by the National Human Rights Commission, available at http://nhrc.nic.in/Documents/Mental_Health_report_vol_I_10_06_2016.pdf
[19] National Mental Health Policy 2014, available at https://www.nhp.gov.in/sites/default/files/pdf/national%20mental%20health%20policy%20of%20india%202014.pdf
[20] India launches its National Adolescent Health Strategy, UNFPA News, available at https://www.unfpa.org/news/india-launches-its-national-adolescent-health-strategy
[21] The website of the Ministry of Health and Family Welfare, Government of India, available at http://nhm.gov.in/rashtriya-kishor-swasthya-karyakram.html

With both the rising awareness of, and incidences of mental health issues, the Government also brought about the Mental Health Bill in 2013. This was passed in March 2017 as the Mental Healthcare Act. Touted as a landmark legislation, it covered many gaps in the existing policy framework. However, with respect to adolescents' mental health, the Act does not specifically lay down any provisions for caregivers and educational institutions. What it does do is that it lays down the rights of minors suffering from mental health issues and gives them control over decisions affecting their mental health treatment.[22]
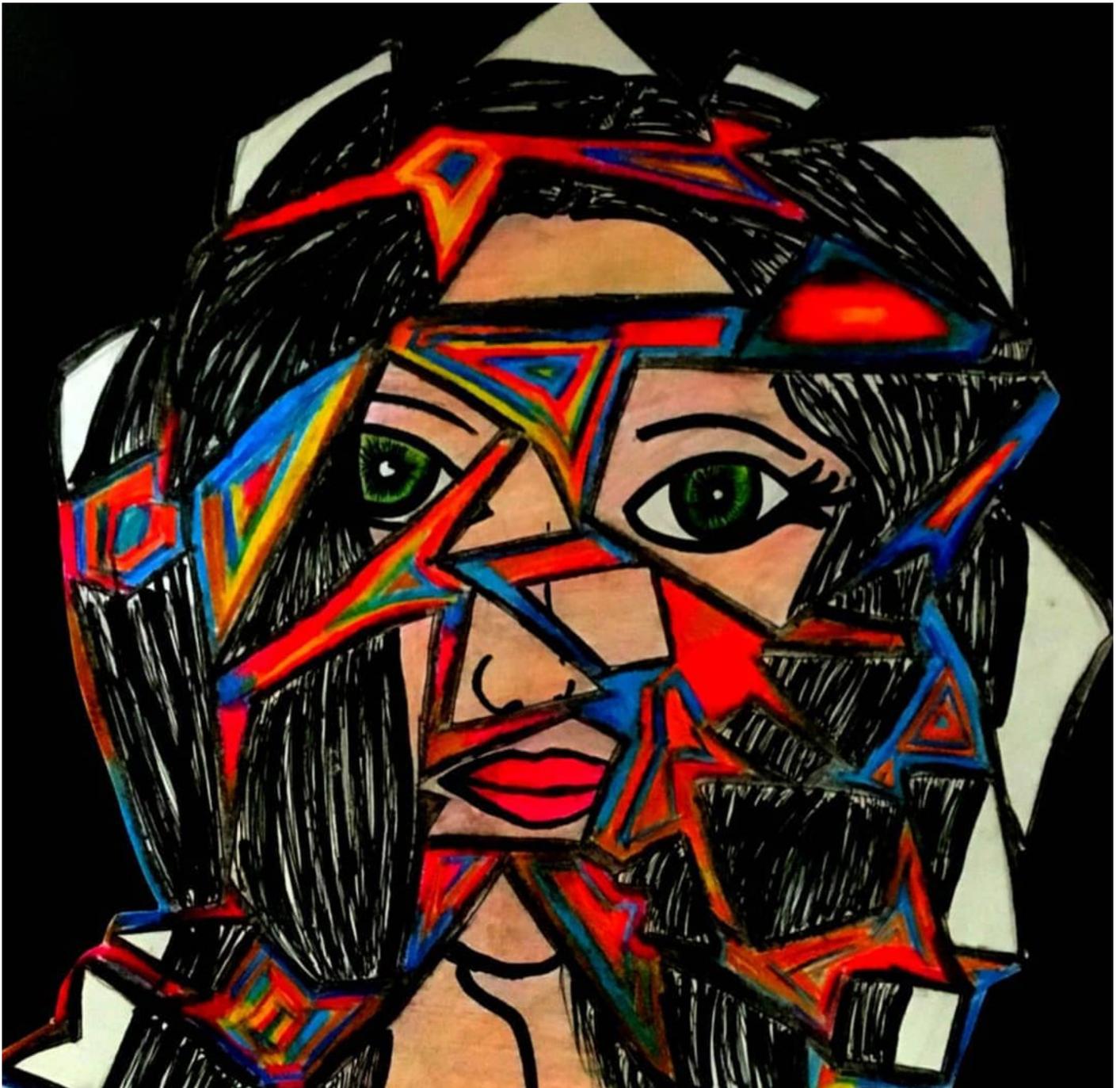
(Artwork by Riti Aggarwal)

[22] The Mental Healthcare Act 2017, available at http://www.prsindia.org/uploads/media/Mental%20Health/Mental%20Healthcare%20Act,%202017.pdf

Specifically with respect to schools, mental health has been dealt under various education policies such as the National Policy for Education, 1986 and the Program for Action, 1992 which introduced counselling services at schools. The National Curriculum Framework, 2005 also made counselling a part of the school curriculum and directed that teacher training must incorporate skills and competencies in teachers whereby they can help students find solutions faced by them on a day-to-day basis. The National Curriculum for School Education 2000 stressed on the provision for a guidance counsellor for every higher secondary school and one visiting school counsellor for a cluster of 3-4 secondary schools.[23]

The Central Board of Secondary Education (CBSE) through various circulars has also emphasized the importance of taking steps to reduce stress amongst school children. It has recommended that all secondary and senior secondary schools should have an in-house counsellor to address the needs of students and has directed schools to engage students in activities towards building their ability to withstand pressure.[24]

Further, government and private health institutions are also taking varying approaches to address the mental health crisis that India faces among its adolescents. For instance, AIIMS has partnered with the Mental Health Foundation (India) to form School Health Clubs which are aimed at ensuring the mental and emotional well-being of school students.[25] Owing to the absence of a formal support structure, many schools have also started employing peer support programs to extend help to those who need support.[26] Other initiatives include private hospitals such as Fortis which have mental health programs for adolescents where they conduct workshops and talks for students, teachers and parents around the topic of mental health.[27]

[23] Guidance and Counselling Guidelines for States, NCERT, available at http://www.ncert.nic.in/departments/nie/dse/activities/advisory_board/pdf/guidelines_for_guidance_and_counseling.pdf

[24] School mental health programs in India: Current status and future directions, Kumar, Devvarta et al., available at https://www.researchgate.net/publication/290306647_School_mental_health_programs_in_India_Current_status_and_future_directions

[25] AIIMS plans to launch mental health program for schoolchildren, 11 October 2017, The Hindu, available at http://www.thehindu.com/news/cities/Delhi/aiims-plans-to-launch-mental-health-programme-for-schoolchildren/article19835869.ece

[26] Mumbai school students start mental health program, release book to help peers, 14 December 2014, Firstpost.com, available at https://www.firstpost.com/living/mumbai-school-students-start-mental-health-programme-release-book-to-help-peers-2545060.html

[27] Student Mental Health Program, Fortis Hospitals, available at http://www.fortishealthcare.com/school-mental-health-programme
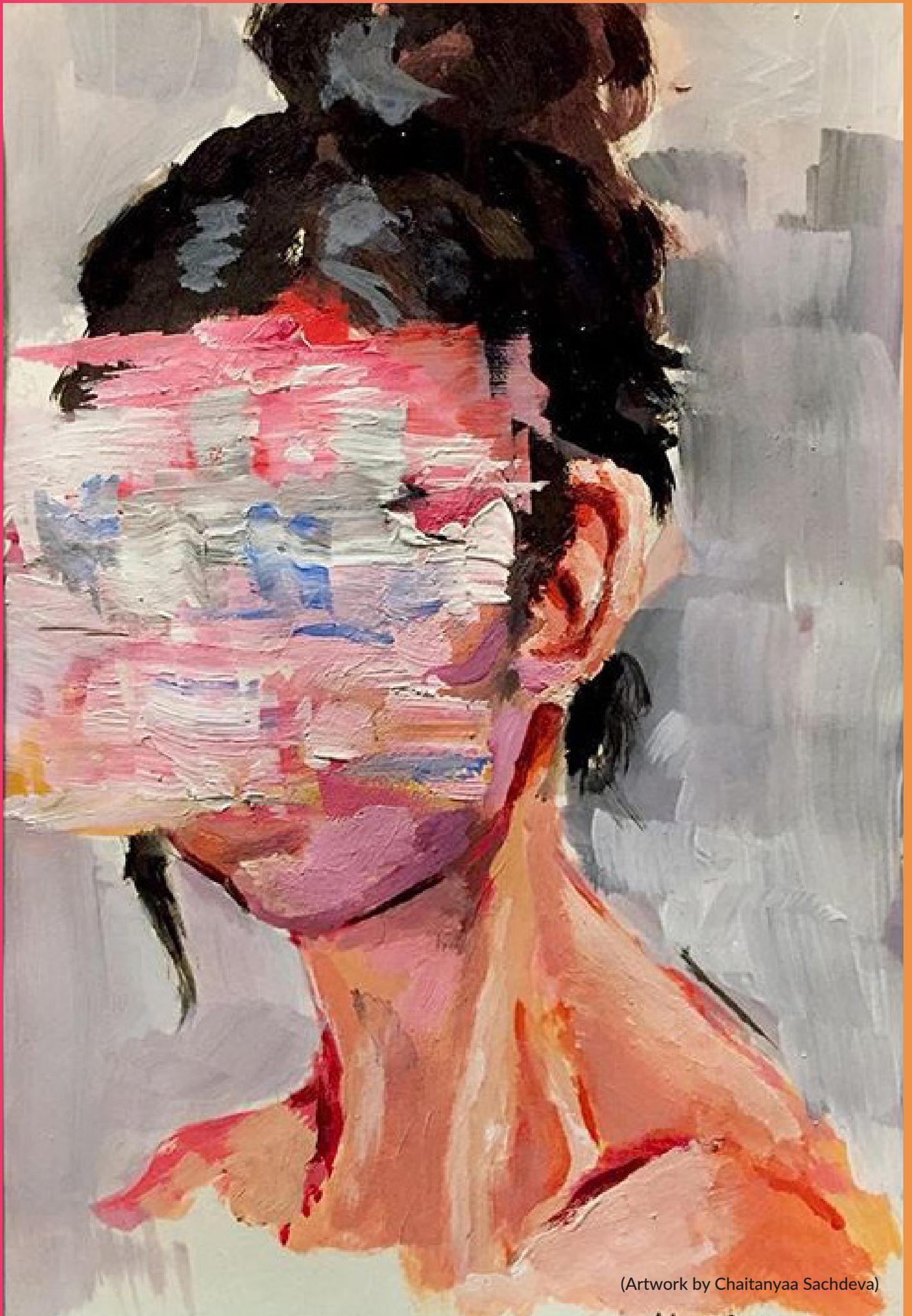
(Artwork by Chaitanyaa Sachdeva)

03

PART II: BULLYING

Bullying And Its Impact On Teens

Even though the practice of bullying has been around for a long time, there is still inadequate understanding of its long-term impact on young people's lives. This inadequacy also informs the approach to countering bullying in places where young people interact, such as schools and playgrounds, coupled with the difficulty of prescribing measures without over-regulating behaviour and thus curbing the opportunity for teens to engage in a manner that is native and authentic to them.

(Artwork by Janani Balaji)

UNESCO[28] has defined bullying as aggressive behaviour that entails unwanted, negative actions that are repeated over time and involve an imbalance of power and strength between two individuals or groups of people. It can be direct or indirect and may surface in the form of physical abuse, verbal abuse, relational exclusion and damage to property. As discussed before, it is also inextricably linked to the mental health of adolescents. The WHO study on mental health status of adolescents in India found a strong correlation between being bullied and developing mental health issues (Figure 1)

A more commonly understood form of bullying in India, is 'ragging,' practiced rampantly in higher educational institutions, usually at the start of a new academic year, and is understood to be a form of negative interaction between seniors and juniors.

Ragging is generally deemed as a grave offence with institutional guidelines and stringent laws governing the issue. However, perhaps due to the difference in naming, the same seriousness is not accorded to other instances of bullying which tend to be more peer to peer and do not have a set pattern in their occurrence. The distinction between the two is superficial as the consequences of bullying are equally grave if not more, in primary and secondary establishments of education.
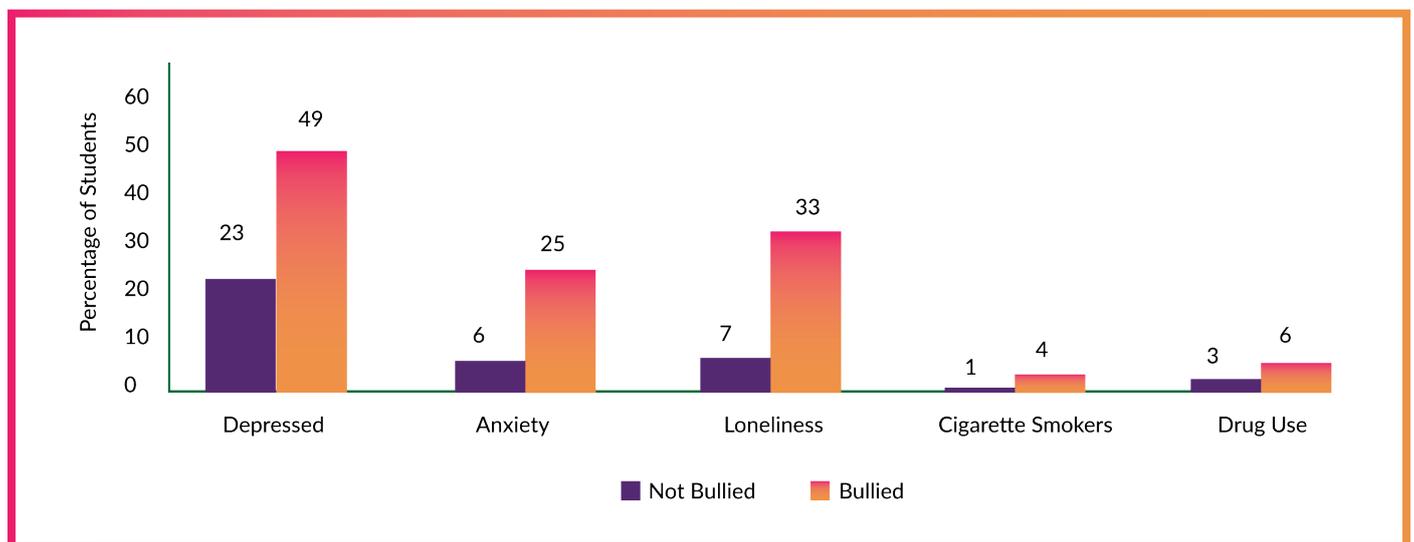
Figure 1: Being bullied as a predictor of mental health problems

[28] Dan, Olweus,"Bullying at School: What we Know and What we can Do (1993), www.unesco.org, http://bit.ly/2FX1k0z

Ragging/Bullying And Its Origins

Practiced and promoted in military schools in 18th and 19th century Europe, ragging was seen as an activity which brought newly inducted cadets closer to their seniors and helped the military become a "unit, tightly bound by ties of fraternity and loyalty". Such practices and activities were encouraged because they helped foster a sense of camaraderie, which was especially needed then because the unit was defending a nation or an empire.[29]

Over time however, this practice percolated down to other kinds of higher educational institutions and subsequently found its way into primary and secondary schools across the world. Various incidents of ragging, of different degrees of severity, have emerged in schools and colleges across the world and from within Indian institutions. Cases of assault leading to many forms of injury and humiliation, sometimes even death, have come to the attention of the authorities and media.

In 2009, the Supreme Court, aided by the University Grants Council, appointed a committee of mental and public health professionals to examine why ragging still existed despite various measures being instituted to prevent it. The committee, which interviewed 10,632 students from 37 colleges, and 1,453 high school students from government and private schools in Bengaluru and Delhi found that 40% of students reported being ragged, of which 4% claimed to be ragged severely. Those who were interviewed had an inconclusive opinion towards bullying and ragging. While some felt it helps build bonds and brings peers and seniors closer together, others felt it affects the psyche of the students and lowers their self-confidence. This study was last updated in Dec 2015.[30]

Ragging is often associated with acts like coerced drinking, sexual harassment, violent assault and the use of abusive language. Similar traits can also be found in the way bullying manifests itself in schools. Inappropriate behaviour such as physical assault, having money or other personal property taken, malicious teasing, name calling, shunning and social exclusion are just some of the ways in which bullies operate.

[29] Ban on Ragging, Economic and Political Weekly, Vol. 42, No. 22 (Jun 2-8, 2007), p. 2033
[30] Psychosocial Study of Ragging in Selected Educational Institutions in India, Dec 2015 available at https://www.ugc.ac.in/pdfnews/7661310_Psychosocial-Study-of-Ragging.pdf

(Artwork by Vedanusha Chakrabarti)

Bullying in an Interconnected World

Teens today use the internet for a wide range of activities; connecting with their closest friends and peers to share moments from their lives – both highs and lows, watching funny videos, observing trends in music, fashion and pop culture, following their favourite celebrities, finding creative inspirations in art and culture, accessing resources and readings for school projects, finding opportunities to expand their academic experiences, peer to peer mentoring, staying updated with news and current affairs and connecting with experts and influencers who broaden their understanding of the world beyond the immediate one they inhabit. The internet and social media have become one of the primary venues for communication and expression for iGens not just with each other, but also the world at large, and their digital self-representations are a very real and big part of their identities and sense of self.

While the internet and social media platforms offer developmental and educational benefits to teens, their unguided access and overuse can expose them to inappropriate information, misinformation, online abuse and exploitation. According to a report published by McAfee in 2014 titled "Tweens, Teens and Technology", 71% teens admitted to interacting online with people they don't know in person and 66% youth said that they feel more accepted on social media than in person. Further, 64% admitted to having created fake profiles to appear more likeable and mature while 46% said that "they put themselves in danger to see more engagement/activity on their posts (e.g. for more shares, likes and retweets)."[31] According to a Counter Speech Fellow[32] with YLAC, being liked on social media tends to translate into popularity in real life and so teens are cautious in how they present themselves online.

In addition to these online behaviours, teens can also become victims of cyberbullying where they are targeted based on their upbringing, socio-economic class, primary language, appearance, religious or ethnic background, etc. Defamation, morphed photographs, explicit videos and offensive messages are common forms of online harassment. Anonymity can give more power to bullies to push out negative commentary without having to bear any significant consequences. And while these negative words and actions may be thoughtless acts for harassers, their impact on recipients can be deeply damaging and long lasting.

Studies have shown that people who are repeatedly trolled and bullied are more susceptible to issues of mental disorders, sleep disturbances and in extreme cases may also end up engaging in forms of self-harm.[33] For instance, In October 2014, two young boys in Bengaluru kidnapped a fifteen-year-old girl, clicked nude pictures of her and forwarded them to their friends. Unable to bear the sense of shame and embarrassment that followed the episode, the girl committed suicide.[34]

---

[31] Tweens, Teens and Technology, McAfee, 2014 available at https://cybermumindia.files.wordpress.com/2014/11/ttt-2014-infographic-final.pdf
[32] The Counter Speech Fellowship engages exceptional teen leaders on themes important to young netizens around the world. Launched in 2017, the first edition of this fellowship ran in the cities of Delhi and Mumbai. In 2018, the fellowship is being expanded to Kolkata and Bengaluru.
[33] Chou, W.S., Prestin, A. & Kunath, S. Behav. Med. Pract. Policy Res. (2014) 4: 314. available at https://doi.org/10.1007/s13142-014-0256-1
[34] Ashwaq Masoodi, "For victims of cyberstalking, justice is elusive", Live Mint, 6th July, 2016, http://www.livemint.com/Politics/St93190XdGvpiclGWwnX0I/For-victims-of-cyber-stalking-justice-is-elusive.html

There is a severe lack of awareness on how to report abuse, seek assistance and use the existing safeguards provided by the platforms and applications they use. Schools are now beginning to realize that it is important to socialize young users on hygiene practices that help secure their online presence and ensure that the experience of being online stays positive. The idea of privacy – what to share, when to share, how much to share, and whom to share with, are questions that are beginning to be addressed through digital citizenship initiatives by social media platforms and educational institutions, but a lot more needs to be done.
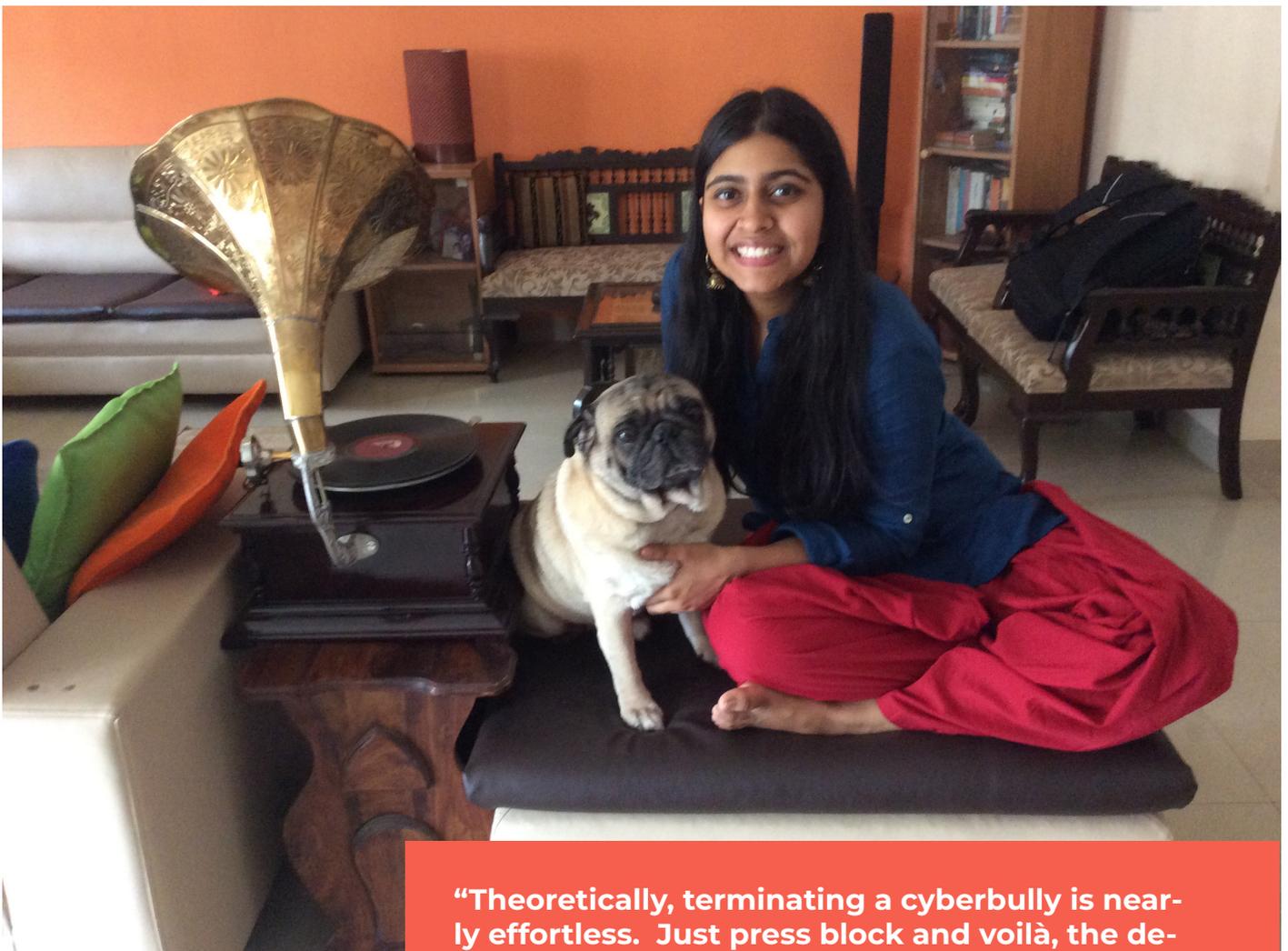
"Theoretically, terminating a cyberbully is nearly effortless. Just press block and voilà, the derogatory treatment is over. But, if only it was that easy. One keeps reeling back to the insults as an afterthought. The comments grow in your head until you're shattered beyond repair and reporting them seems irrelevant. Why? Well because they're in your head now and you start believing them."

Vani Sharma, Counter Speech Fellow, 2017

Role of Gender and Sexuality

Variance from traditional gender expectations is another major cause leading to incidents of school violence and bullying. Aggression among boys and girls should not just be viewed as a trait but "rather as a social behaviour that emerges from the interplay of biological tendencies, environmental risk and, social processes". Studies that were undertaken to investigate the role of gender and how it played out in the context of bullying found that boys are more likely to get involved in acts of physical aggression and these traits become evident at an early age. In contrast, studies that solely focused on bullying through indirect verbal behaviours, like acts of spreading rumours, gossip and attempts to socially exclude peers found that girls had a higher tendency to gravitate towards such mechanisms. Even though the aforementioned types of behaviours are more common to their respective gender sets, it cannot be concluded that they are exclusive to them.[35]

In another study, titled "Girls, Bullying Behaviours and Peer Relationships; The Double Edged Sword of Exclusion and Rejection",[36] also conducted to understand how and why girls bully, it was discovered that generally girls view their friendships with their peers as exclusive, full of intimacy and often have a sense of disclosure. When such intimate relationships break down, they often result in abuse, ridicule and rejection. If a former friend discloses their shared moments, a relationship that was earlier between equals becomes unbalanced. Groups are quick to form, leaving the victim alone and excluded.

Sexuality also plays a huge role in teens' sense of identity and may be a cause of bullying. In a report published by UNESCO on 'School Violence and Bullying,'[37] 246 million children seem to undergo some form of harm every year. This kind of coercion is 3 to 5 times more aggravated amongst lesbian, gay, bisexual and transgender students who find it more difficult to report such acts to school authorities and even to their parents.

(Artwork by Chaitanyaa Sachdeva)

[35] "Cover Bullying: A review of national and international research", Australian Covert Bullying Prevalence Study, https://bit.ly/2pwnujQ

[36] Leckie Barbara, "Girls, Bullying Behaviours and Peer Relationships; The Double Edged Sword of Exclusion and Rejection". Paper presented at the Annual Conference of the Australian Association for Research in Education, Brisbane, Australia

[37] UNESCO and The Institute of School Violence and Prevention at Ewha Womans University for the International Symposium on School Violence and Bullying: From Evidence to Action, Seoul, Republic of Korea, 17 – 19 January 2017, "School Violence and Bullying, Global Status Report", 2017, Published by UNESCO, http://bit.ly/2iZP83k

Role of Religion

Religious identity is also a leading cause for teenagers to face social exclusion. Teens today have access to all kinds of news, sensational videos and social media posts which spread hate and division. Students from religious minorities are often singled out because of their belief systems and tradition. This problem is particularly aggravated among those students who carry obvious markers of their faith such as those who wear a Janehu (sacred thread), turban, hijab, etc.

This is also coupled with an increase in 'Islamophobia', not just in India but around the world. Nazia Erum author of the book "Mothering a Muslim" interviewed more than a hundred upper middle class and well-to-do Muslim families across India. Her book documents the extreme Islamophobia in school children from a very young age which is seen in their aggressive and insulting comments targeting fellow classmates from minority communities, who remain tormented for a long time as a result of this.

An extreme dimension of cyberbullying which exploits religious curiosity among teens is cyber extremism. It is practiced by organized non-state actors, who use various social media websites to promote, propagate and implement their radicalized thoughts and beliefs. Young and curious minds while searching for more information about their faiths chance upon radical, religious and violent websites. Since many teens or young adults don't themselves have in-depth knowledge of their religion, these websites often try and leverage this information asymmetry. Powerful imagery, motivational videos and the lure of financial incentives often attract young blood to such outfits and leave the ones who already feel excluded more vulnerable. An absence of international agreements to counter extremism online further aggravates this issue.

(Artwork by Apurva Sharma)

Children with Disabilities

There is a strong correlation between having a disability and the likelihood of being bullied. Children with disabilities too, are more likely to be bullied than other children. They are also more susceptible to physical abuse, sexual abuse and criminal acts.[38] Social, physical and emotional differences which are evident and observable can lead to the lack of empathy and often even indifference among peers.

Individuals with a development or physical disability in general have a smaller peer and support network. Depending on the type of disability, individuals may not be able to communicate effectively verbally or through non-verbal cues. They are therefore often unable to create new relationships and bonds with their peers.[39]

A study titled "Learning difficulties, social intelligence, and self-concept" conducted to understand the link between disability and bullying, found that individuals with a higher social ability were not bullied so often. This could be so be-cause they find it much easier to grasp feelings and persuade others into understanding their thought process. Another study "The problem of school bullies," published in 2008, observed that individuals with moderate disability are likely to be bullied the most whereas individuals with chronic health problems, multiple disorders, fall completely out of the typical social hierarchy and so are completely excluded.[40]

Another important fact to make a note of here is that, adolescents who have developmental disabilities can also be bullies. It has been found that incidents of bullying carried out by differently abled adolescents and teens are higher in classrooms specifically designed for them.[41] Such bullies have often been victims themselves and counter such behaviour by being bullies later. This gets aggravated when they are living in unsupportive environments.

[38] Fred Pample, "Bullying and Disability : An overview of the research literature", University of Colorado Population Center, University of Colorado at Boulder, http://bit.ly/2GSE3hD

[39] Fred Pample, "Bullying and Disability : An overview of the research literature", University of Colorado Population Center, University of Colorado at Boulder, http://bit.ly/2GSE3hD

[40] Beaty, L. A., & Alexeyev, E. B. (2008). The problem of school bullies: What the research tells us. Adolescence, 43(169). 1-11.

[41] Rose, C. A., & Monda-Amaya, L. E. (2012). Bullying and victimization among students with disabilities: Effective strategies for classroom teachers. Intervention in School and Clinic, 48(2), 99-107

"I think it is important schools sensitise students by including chapters on disability, success stories of PwDs in school syllabus to ensure disability is humanised and students are sensitised towards it. It is also imperative that disability is demystified for teachers and they are trained to be empathetic and not sympathetic towards students while ensuring they understand the unique requirements"

Nipun Malhotra, CEO, Nipman Foundation

Bullying in Indian Law & Policy

The foundation of independent India's commitment to education and educational institutions was laid out in the Indian Constitution through a series of articles encapsulating both Fundamental Rights and Fundamental Duties, and by way of its inclusion in the Constitutional Lists.[42] These have found themselves subjected to regular scrutiny and amendment based on the needs of a changing society. For instance, in its original avatar, the Indian Constitution defined 'education' as a state subject found only in the State List. However, post the recommendations of the Swaran Singh Committee in 1976, the 42nd Constitutional amendment brought education within the Concurrent List, making it the joint responsibility of both the Central and state governments.[43]

Accordingly, this rendered the Centre and States partners in framing educational policies, with the Centre retaining the overarching authority with respect to laws regarding education, and the state having its powers limited to the extent that they did not impede or prejudice the exercise of the powers of the Centre.[44]
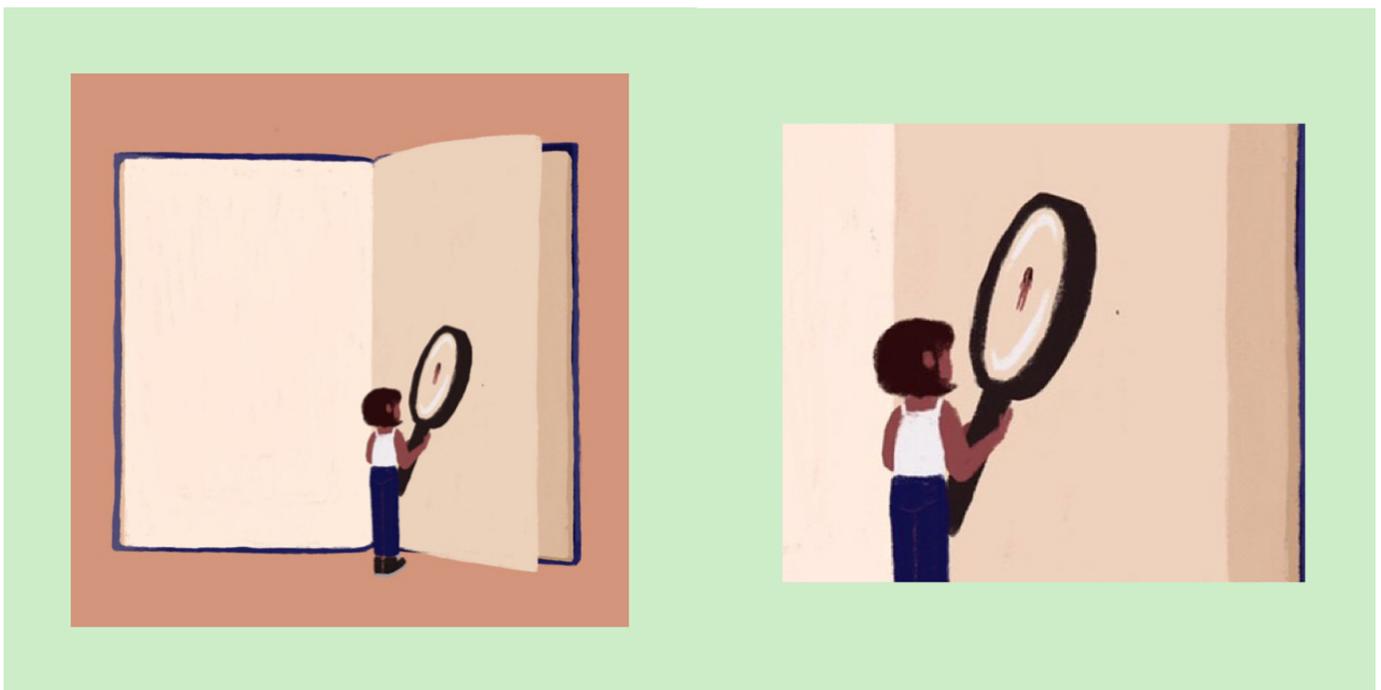
(Artwork by Freya Gupta)

[42] Constitutional Provisions for Education, Apeejay Stya Education Research Foundation (ASERF), available at http://www.aserf.org.in/docs/Constitutional%20Provision%20for%20Education.pdf;

[43] The Right to Education, Joint Report on India - Submission by National Coalition for Education and World Vision India, for Universal Periodic Review, (13th Session, 2012), available at http://lib.ohchr.org/HRBodies/UPR/Documents/session13/IN/JS6_UPR_IND_S13_2012_JointSubmission6_E.pdf;

[44] Center-state relations relating, Constitutional Provisions, Ministry of Human Resource Development, available at http://mhrd.gov.in/centre-state-relations;

The Inception of 'Ragging' – the Big Brother of Bullying

A part of the Government's responsibility with regard to education involves ensuring a proper environment conducive to academic accomplishment and all-round student well-being. This goes beyond merely ensuring the timely conduct of exams or adequate staffing. It involves being cognizant of the changing physical and psychological needs of the student body, and being able to meet them in a way that allows for a safe and secure environment for holistic student development.

As highlighted earlier in this report, one of the most damaging practices that has crept into India's educational institutions is ragging - the employment of abusive behaviour spanning verbal, physical and/or sexual actions by senior students on incoming students (or "freshers"), often as a way of establishing dominance via the exercise of power. Such behaviour, understood to manifest in higher educational institutions in India, was often dismissed as harmless and part of the induction process. Therefore, it enjoyed zero government scrutiny. However, in the aftermath of the death of two freshers in a Regional Engineering College in the late 1970's, the Government of India issued a formal notification banning ragging.[45]

Despite this, the practice of ragging continued unabated as ever, and remained largely removed from the national narrative, barring legislative action by a few states like Tamil Nadu which was the first one to enact a state law against ragging (The Tamil Nadu Prohibition of Ragging Act, 1997), and ordinances passed by Kerala (The Kerala Prohibition of Ragging Ordinance No. 16, 1997), and Karnataka (Ordinance regarding prevention of ragging in Colleges and Hostels, University of Mysore, 1982).[46] It took another two decades before administrators and governments became more cognizant of the gravity of the psychological and physical harms of ragging.

In 1998, the Vishwa Jagriti Mission, a social and charitable NGO, petitioned the Supreme Court[47] to take action against ragging, in light of deaths, suicide attempts, sexual abuse, and mental torture inflicted on freshers by senior students.[48] In response to this, the University Grants Commission (UGC) set up a four-member committee, chaired by Professor K.P.S Unny of Jawaharlal Nehru University to look into this. The committee's report published in 1999 attempted to arrive at a definition of ragging[49] that was derived from already existing state laws and ordinances, in addition to describing the impact that the practice could have. The report prescribed a PPP (Prohibition–Prevention-Punishment) approach and asked that offenders be immediately identified and punished, including imposing rigorous imprisonment of up to 3 years by a court of law. It also suggested that media and films stop eulogizing the practice of ragging.

(Artwork by Freya Gupta)

[45] Report of the Committee to curb the Menace of Ragging in Universities/Educational Institutions, UGC (2000), available at https://www.ugc.ac.in/oldpdf/ragging/11.pdf;

[46] Ibid.

[47] Vishwa Jagriti Mission through President v. Central Government through Cabinet Secy. & Ors (AIR 2001 SC 2793), available at https://indiankanoon.org/doc/301513/;

[48] Dhananjay Mahapatra, Ragging needs social ban, more than laws, The Times of India (New Delhi, 22nd March, 2009), available at https://timesofindia.indiatimes.com/home/sunday-times/deep-focus/Ragging-needs-social-ban-more-than-laws/articleshow/4298362.cms;

[49] The 1999 UGC Report defined 'ragging' loosely as the "display of noisy, disorderly conduct, teasing, excitement by rough or rude treatment or handling, indulging in rowdy, undisciplined activities which cause or likely to cause annoyance, undue hardship, physical or psychological harm or raise apprehension or fear in a fresher, or asking the students to do any act or perform something which such a student will not do in the ordinary course and which causes him/her shame or embarrassment or danger to his/her life". – As taken from Report of the Committee to curb the Menace of Ragging in Universities/Educational Institutions, UGC (2000), available at https://www.ugc.ac.in/oldpdf/ragging/11.pdf;

However, the Supreme Court, despite agreeing that some of the reported incidents of ragging 'crossed the limits of decency, morality and humanity,'[50] did not ask for the offenders to face criminal charges. By insisting that ragging cannot be cured merely by making it a cognizable offence, the Supreme Court in its 2001 judgement chose to have the practice dealt primarily 'within the institution and by exercise of disciplinary authority of teachers over students and of managements of the institutions over the teachers and students'.[51] Thus, despite the holistic approach adopted by the 1999 Report,[52] implementation of its suggestions suffered in the absence of any statutory enforcement.

A turn in the tide: The Raghavan Committee Report (2007)

Reports of ragging continued to dog higher education institutions in India, with the Indian NGO Society Against Violence in Education (SAVE), recording 7 reported ragging deaths in the year 2007 alone, and 31, between 2000 and 2007.[53] The Special Leave Petition filed before the Supreme Court in The University of Kerala v. Council of Principals of Colleges,[54] once again forced the Court to confront this issue. The Apex Court appointed yet another Committee, this time chaired by Shri RK Raghavan (former chief of the CBI) to look into the menace of ragging and come up with implementable solutions to the problem.[55]

This Committee looked at how well the recommendations of the 1999 Report had been implemented and found that many of the guidelines issued by the Hon'ble Supreme Court following the 1999 Report, had been neglected by educational institutions and other authorities. In turn, the Committee gave its own recommendations, which were a combination of preventive and pre-emptive measures.

---

[50] Vishwa Jagriti Mission through President v. Central Government through Cabinet Secy. & Ors (AIR 2001 SC 2793), available at https://indiankanoon.org/doc/301513/

[51] Vishwa Jagriti Mission through President v. Central Government through Cabinet Secy. & Ors (AIR 2001 SC 2793), available at https://indiankanoon.org/doc/301513/

[52] Note: While not lengthy by any means, the 1999 UGC Report was nevertheless extremely exhaustive; from suggesting a need to penalize institutions which didn't have enough safeguards against ragging, to decreasing the dependence of new students on seniors and awarding anti-ragging activism, the report understood the issue in its entirety and attempted to give solutions for all the myriad complications that arose due to ragging and bullying for the perpetrators, victims and the institutions where such incidents occurred.

[53] Rajesh Garg, Ragging: A public health problem in India, Indian Journal of Medical Sciences, (July 2009), available at https://www.researchgate.net/publication/26671360_Ragging_A_public_health_problem_in_India;

[54] SLP (C) No. 24296-24299 of 2004, W.P (Crl) No. 173/2006 and SLP (C) No.14356/2005

[55] The menace of ragging in Educational Institutions & measures to curb it, Report of the- Committee constituted by the Hon'ble Supreme Court of India In SLP No. 24295 of 2006, submitted in May 2007, available at http://dos.iitd.ac.in/anti-ragging/menace.pdf;

(Artwork by Aadya Agarwal)

With respect to institutions of higher education, the Committee recommended that all Universities incorporate in their prospectus and admission related material, information on the consequences of ragging. They also asked that Universities set up Anti-Ragging Squads and Anti-Ragging Committees, and institute regular feedback and reporting mechanisms with colleges under them, to ensure proper implementation of norms. The Head of every institution was also made responsible for filing FIRs on behalf of the victim during instances of ragging. Additionally, the recommendations suggested that the government, too, be part of such an initiative by starting awareness campaigns to sensitize the public, and by monitoring institutions to financially incentivize or dis-incentivize them on the basis of cases of ragging reported by them, and their follow-up with respect to it.

Though predominantly aimed at institutions of higher learning, the Raghavan Committee also touched upon schools. The Committee was cognizant of how such abusive behaviours developed earlier on in life, and recommended that schools, as influencers of student behaviour, also be brought under the ambit of scrutiny. Interestingly enough, this was the first time an official acknowledgement/recognition was lent to the role schools played in shaping such intimidator behaviour, with the term 'bullying' being interchangeably used with 'ragging' to describe the same. In this regard, the Committee recommended that -

• The National Council of Educational Research and Training (NCERT) bring in some new syllabi which would raise the awareness of students around 'ragging and its harmful effects'.

• That lower class students be introduced, via lessons and exercises, to ideas regarding "respect for human rights, consciousness against violating others' rights, respect for privacy, diversity, and equality", to inculcate such values in them.

• That all schools compulsorily maintain a qualified counsellor, and that secondary and senior school students have access to regular psychological counselling sessions, alongside their parents.

• That schools issue character certificates that give in-depth information on the behavioural pattern of students, rather than generic school leaving certificates, so that higher education institutions can use these to keep close watch on those who've exhibited negative behaviour.

Additionally, the Committee also recommended certain strong legislative changes, key among them being -

•Enacting a centralized comprehensive Anti-Ragging Act along the lines of the "Prevention of Sexual Harassment in the Workplace".

• Amending the Indian Penal Code to include a chapter on "Offences Related to Ragging" wherein ragging is made a cognizable, non-bailable, non-compoundable offence with punishment ranging from one-year imprisonment and fine up to 7 years rigorous imprisonment and fine.

• Bringing bullying and sexual intimidation in schools within the ambit of the Juvenile Justice Act.

The recommendations of the Raghavan Committee while appreciated, were not accepted in their entirety. The recommendations to the legal system in particular remain unheeded. However, the suggestions with respect to allowing institutions to register police cases against the accused, and expelling the guilty, were accepted by the Apex Court.

The continued lack of an enforcement mechanism was starkly brought to light by the tragic death of Aman Kachroo, a 1st year MBBS student of Dr. Rajendra Prasad Medical College, Himachal Pradesh due to brutal ragging by third year seniors.[56] Following the incident, the UGC immediately came out with the Regulation on Curbing the Menace of Ragging in Higher Educational Institutions, 2009, detailing out what constitutes 'ragging' and laying out detailed directions to higher education institutions on tackling it.[57] These were subsequently amended in 2012, 2013,[58] and more recently in 2016[59] to reflect the changing needs of institutions.[60] Individual statutory bodies in India, who are in charge of specific educational spheres like medicine and technical education, too heeded the UGC's call. For instance, both the All India Council for Technical Education (AICTE)[61] and the Medical Council of India (MCI)[62] came out with their own regulations against ragging under their respective parent Acts.

(Artwork by Khushi Daryani)

[56] The Horror of Ragging that Aman Kachroo Faced, The Newswire, Outlook India (Shimla, 1st April, 2009), available at https://www.outlookindia.com/newswire/story/the-horror-of-ragging-that-aman-kachroo-faced/657216;

[57] Ragging related Circulars, UGC, available at https://www.ugc.ac.in/page/Ragging-Related-Circulars.aspx;

[58] The 2013 Amendment introduced the mandatory signing of an undertaking by both students and their parents/guardians that they/their ward will not indulge in ragging, and if the did, they were aware of, and agree to, the consequences they would face.

[59] The 2016 Amendment broadened the definition of ragging - by adding an additional clause (j) - to encompass "colour, race, religion, caste,ethnicity, gender (including transgender), sexual orientation, appearance, nationality, regional origins, linguistic identity, place of birth, place of residence or economic background'.

[60] Ragging related Circulars, UGC, available at https://www.ugc.ac.in/page/Ragging-Related-Circulars.aspx;

[61] All India Council for Technical Education (Prevention and Prohibition of Ragging in Technical Institutions, Universities including Deemed to be Universities imparting technical education) Regulations 2009.

[62] The Medical Council of India (Prevention and Prohibition of Ragging in Medical Colleges/Institutions) Regulations, 2009

Bullying by any other name is still... bullying

However, India continues to lack a central mechanism by which norms may be imposed and ragging still seems to be widely prevalent. According to CURE's reports, a total of 717 cases of ragging were reported in the English print media across the country from January 2007 to September 2013.[63] The NGO Aman Movement[64] which administers a National Ragging Prevention Program, though notes that while incidents of ragging may be on the rise, so is the reporting of it.[65]

As discussed above, the 2007 Raghavan Committee Report had recognized the possibility of the inclination to rag as originating in schools, and interchangeably referred to this phenomenon as bullying. The 2015 UGC funded and Court mandated study, 'Psychosocial Study of Ragging in Selected Educational Institutions in India' (2015 Study),[66] however

went a step ahead. The study undertook surveys of 6 schools across India to understand this phenomenon – which it consistently referred to as "bullying", thereby differentiating it from "ragging" also covered in the same report - and gave certain limited recommendations to tackle it.

However, unlike the term "ragging" which is defined in the 2009 UGC Regulations,[67] and under certain state laws, "bullying" as a term still remains legally undefined. For instance, as noted in the interaction with stakeholders undertaken by the Raghavan Committee, the National Curriculum Framework (NCF) 2005, which covers the school sector of education does not reflect on bullying but speaks of discipline from the perspective of participatory management.[68] One of the central reasons could be that ragging is

[63] Psychosocial Study of Ragging in Selected Educational Institutions in India, (2015) available at https://www.ugc.ac.in/pdfnews/7661310_Psychosocial-Study-of-Ragging.pdf;

[64] The Aman Movement comprises the initiatives against ragging taken by Prof. Raj Kachroo, whose son,Aman Kachroo was killed in a ragging incident in a medical college in 2009. The Aman Movement currently collaborates with the UGC's anti-ragging cell and monitors the UGC's anti-ragging activities; it also runs a helpline.

[65] Mannar Mannan, Ragging Worry: 200% jump in ragging complaints in 2017 compared to 2015, in Indian colleges, EdX Live (November, 2017), available at http://www.edexlive.com/news/2017/nov/29/ragging-worry-200-jump-in-ragging-complaints-in-2017-compared-to-2015-in-indian-colleges-1690.html;

[66] Mannar Mannan, Ragging Worry: 200% jump in ragging complaints in 2017 compared to 2015, in Indian colleges, EdX Live (November, 2017), available at http://www.edexlive.com/news/2017/nov/29/ragging-worry-200-jump-in-ragging-complaints-in-2017-compared-to-2015-in-indian-colleges-1690.html;

[67] UGC 2009 Regulations Gazette Notifications https://www.ugc.ac.in/oldpdf/ragging/gazzetaug2010.pdf;

[68] The menace of ragging in Educational Institutions & measures to curb it, Report of the- Committee constituted by the Hon'ble Supreme Court of India In SLP No. 24295 of 2006, submitted in May 2007, available at http://dos.iitd.ac.in/anti-ragging/menace.pdf;

associated with dominant power displays between seniors and newer students, whereas bullying is understood to be peer-to-peer, which somehow lessens the intensity of the behaviour in the eyes of the public and the government. But as the 2015 Study "Psychosocial Study of Ragging in Selected Educational Institutions in India" reflected, unlike ragging which peaks in the early part of the academic year, bullying appears to happen throughout the school year, making students in schools more susceptible.[69] Thus, guidelines for institutional policies with mechanisms for implementation similar to ragging, need to be considered for schools as well.

A brief attempt at preventing bullying was made in 2012-13, when the former HRD Minister Shri. MM Pallam Raju formed a Committee of academic and mental health experts, headed by then CBSE Chairman Vineet Joshi to review the scale of bullying in schools and to recommend preventive measures.[70] The study was subsequently submitted to the Ministry of Human Resource Development (MHRD). In 2015, the MHRD issued suggestions to states on tackling bullying in schools.[71] The suggestions were divided into state, district and school level interventions, and sought to provide a systematic approach to tackling the issue. The MHRD missive tried to address the issue from the perspective of the 3 key parties to the problem: the victim, the perpetrator, and the bystander. Despite using the terms 'ragging' and 'bullying' interchangeably, the suggestions were holistic in nature, involving all manner of stakeholders such as students, teachers, schools and parents. Additionally, the guidelines also recognized cyberbullying as part of bullying in schools. Despite the holistic nature of the notice, it comprised merely of 'suggestions' and was bereft of a proper enforcement mechanism.

[69] Psychosocial Study of Ragging in Selected Educational Institutions in India, (2015) available at https://www.ugc.ac.in/pdfnews/7661310_Psychosocial-Study-of-Ragging.pdf;
[70] Aditi Tandon, After ragging, govt prepares separate rules to tackle school bullies, The Tribune (Chandigarh, 2014), available at http://www.tribuneindia.com/2014/20140901/main7.htm;
[71] Regarding Prevention of Bullying & Ragging in Schools, MHRD, (12th February, 2015), available at http://educationhp.org/Files/bullying.pdf15_58_2015_09_03_41.pdf;

This has led to CBSE issuing its own set of broad guidelines,[72] and the ICSE doing the same.[73] The levels of implementation of such guidelines are unknown; besides which, it is unknown if other school boards have also come out with these, and if they have, whether they are uniform in nature.

This also highlights another problem plaguing the enforcement of norms in schools – the absence of a single statutory regulator for all schools who can monitor the functioning of any laws/norms that seek to curb bullying. Currently, all schools are affiliated to individual boards, some of whom have adopted the MHRD's guidelines and some that haven't. Even those that do have guidelines, leave the active enforcement to schools. This absence leaves much of the thinking and implementation to the discretion of individual schools, and unfortunately very few schools in the country take into account the need to put in place stricter provisions to deal with incidents of bullying.

Current legal landscape for tackling abusive behaviour

(Artwork by Anshula Tiwari)

It could be argued that educational institutions may perceive a vested interest in keeping reports of abusive behaviour – be it ragging or bullying – under wraps, fearing litigation, loss of reputation, or loss of funding for the institution. The victims too remain quiet, fearing reprisal or loss of cooperation of peers and seniors during their crucial years of education. This enforced blanket of silence often creates roadblocks towards the official reporting of such incidents, and in the imposition of penal sanctions.

Tackling ragging remains a slightly easier prospect since it is usually perpetrated by students who are considered adults under Indian laws, and a number of states such as Andhra Pradesh, Maharashtra, Karnataka, Uttar Pradesh, Chandigarh, Tripura, Tamil Nadu, Assam, Kerala, West Bengal, Goa, and Jammu & Kashmir have come out with state legislations to tackle this menace. Additionally, ragging can also be tackled under the general provisions of the Indian Penal Code (IPC).

---

[72] Guidelines for prevention of Bullying and Ragging in Schools, Reg:(D.O. No. 12-19/2012-RMSA-I), CBSE (dated 9th March, 2015), available at http://ptlb.in/ccici/wp-content/uploads/2015/03/CBSE-Guidelines-For-Prevention-Of-Bullying-And-Ragging-In-Schools-9th-March-2015-Circular-No.-Acad.-17-2015.pdf;
[73] Madhurie Singh, ICSE Board Announces Anti Bullying Measures for all schools, http://www.madhuriesingh.com/superindiankid/index.php/2016/icse-board-announces-anti-bullying-measures-for-all-schools/;

In instances of bullying however, in the absence of specific laws, the Indian Penal Code alone applies. Numerous sections, ranging from S. 294 (Obscene acts and songs), S. 339 (Wrongful restraint), S. 340 (Wrongful confinement), S. 341 (Punishment for wrongful restraint), S. 342 (Punishment for wrongful confinement), S. 323 (Punishment for voluntarily causing hurt), S. 324 (Voluntarily causing hurt by dangerous weapons or means), S. 325 (Punishment for voluntarily causing grievous hurt), S. 326– (Voluntarily causing grievous hurt by dangerous weapons or means) to S. 506 (Punishment for criminal intimidation) can be employed in such instances.[74] As both parties involved in instances of bullying are usually below 18 years of age, the procedure laid out under India's Juvenile Justice (Care and Protection of Children) Act, 2015 will prevail. The Act largely adopts a child-friendly approach in the adjudication and disposal of matters in the best interest of children and does not prescribe strong punishments. The Act aims at reform rather than punishment, and the actions prescribed under it can range from simple warnings to community service to release on probation and fines, to stay for up to 3 years at special homes.[75] While successful rehabilitation rather than sanction is the general aim of the Act, it also allows for juveniles in conflict with the law in the age group of 16–18 years, who are involved in the commission of heinous offences,[76] to be tried as adults under Indian laws. This is however not the default option, rather a call that is taken by the Juvenile Justice Board (JJB), on a case-by-case basis.

(Artwork by Riti Agarwal)

---

[74] Sudip Ghosh, Anti-bullying Laws in India for Schools, Colleges & Cyber World, iPleaders Blog (December 2016), available at https://blog.ipleaders.in/anti-bullying-laws-in-india-schools-colleges-cyberworld/;

[75] The Juvenile Justice (Care And Protection Of Children) Act, 2015, available at http://www.indiacode.nic.in/acts-in-pdf/2016/201602.pdf;

[76] As per S.2(33) of the Juvenile Justice (Care and Protection of Children) Act, 2015, Heinous Offences includes the offences for which the minimum punishment under the Indian Penal Code or any other law for the time being in force is imprisonment for seven years or more.

India also does not have a specific anti-cyberbullying legislation; so, where the contours of traditional or physical bullying or ragging crossover or overlap with that of cyberspace, provisions under India's Information Technology Act, 2000 have to be used to bolster the penal sanctions already available under IPC. Some of the relevant sections under the IT Act that could apply are Sec.67 (Publishing or transmitting obscene material in electronic form), S. 67A (Publishing or transmitting of material containing sexually explicit act, etc. in electronic form) and S. 72 (Breach of confidentiality and privacy). And while not exhaustive by any means, even these sections lag when it comes to addressing cyberbullying in schools. Specifically, The IT Act is better positioned to address issues between adults, or between adult and child (such as child sexual exploitation), but not between children themselves.

If recent reports are to be believed, the Union Ministry for Human Resource Development, concerned with the growing number of cases of bullying in schools, will soon bring it under their purview. While this is a move in the right direction, it alone may not suffice. Only the development of a robust legal framework can do the job. Piecemeal provisions spread across different laws, no matter how strong, do not by themselves enable the easy prevention of bullying. For one, existing laws/provisions take cognizance of bullying only once the phenomenon has occurred, they cannot pre-empt it, and they do not prevent it. A holistic policy that addresses all aspects of the phenomenon, and which aids in pre-empting, and preventing them, in addition to handling them is needed. Rehabilitation of victims and of perpetrators should also be addressed in this policy.

---

[77] A Guide to Worldwide Bullying Laws, Henry Carrus Associates, available at https://www.hcalawyers.com.au/blog/bullying-laws-around-the-world/;

[78] Laws and Policies, US Department of Health and Human Services, available at https://www.stopbullying.gov/laws/index.html

[79] Republic Act No. 10267, Philippines, available at https://lawphil.net/statutes/repacts/ra2013/ra_10627_2013.html

[80] China lays down the law on school bullying, 29 December 2017, SixthTone, available at http://www.sixthtone.com/news/1001470/china-lays-down-the-law-on-school-bullying

[81] A Guide to Worldwide Bullying Laws, Henry Carrus Associates, available at https://www.hcalawyers.com.au/blog/bullying-laws-around-the-world/;

[82] Diet passes antibullying legislation, 21 June 2013, Japan Times, available at https://www.japantimes.co.jp/news/2013/06/21/national/upper-house-enacts-anti-bullying-law/#.WrOfL2publU

Table: Legislative Actions to Counter Bullying by Governments around the World

Country	Legislation/Plan on Bullying?	Salient Features of the Legislation	Covers Cyberbullying?
United States of America	No federal law; all states have individual laws	Most states also have an anti-bullying policy in place along with legislation. In some states, bullying appears in the criminal code and may also apply to juveniles.77 Despite the absence of a federal law, in 2010, the US Department of Education (DoE) reviewed all state laws and identified 11 components common to many of the laws.78 Also, depending on the nature of bullying, federal anti-discrimination laws can be enforced by the US DoE's Office for Civil Rights.	48 states' laws cover cyberbullying
United Kingdom	No	No specific legislation, but schools are required to institute a behaviour policy including measures to prevent bullying.	No
Australia	No	No specific legislation to address bullying; however, bullying dealt with under various anti-discrimination acts.	No
Philippines	Yes	Philippines enacted an Anti-Bullying Act in 2013 which clearly defines bullying along with cyberbullying. It is a school specific law that includes students and staff and mandates all elementary and secondary schools to adopt policies to address bullying in their respective institutions. The Act also states the minimum provisions for the anti-bullying policies to be adopted by schools. The principals of the schools are held responsible for the implementation of the Act and the adoption of the policy under their school. It also addresses bullying across institutions and specifies how the school administrations must handle such cases. Non-compliance with the provisions of the Act leads to strict punishments for school administrators. In case of erring private schools, their permits to operate may be suspended if they don't comply.79	Yes
China	Comprehensive Govt. Plan	Even though China doesn't have a law, in December 2017, China's education ministry announced a comprehensive plan to address the issue of bullying in schools. This new plan specifically targets primary, secondary and vocational schools and defines bullying clearly. The specific punishments depend on the severity of the case, and guilty students can be expelled from school and sent to reform homes. The plan also puts the responsibility of implementing anti-bullying measures on the Vice-Principal and the Office of Student Affairs in case of primary and secondary schools.80 In the case of cyberbullying, China recently passed legislation requiring people to register their real names online; this makes it easier for law enforcement officials to track what people post online.81	Yes
Japan	Yes	In 2013, Japan passed a law requiring schools to address the problem of bullying in elementary, junior high and high schools. The law requires schools to report 'serious cases' and defines it within its ambit. The schools, along with reporting such cases, must also setup investigative panels to examine the case and provide information to victims. With respect to cyberbullying, the law states that central and regional governments must monitor the internet for online bullying and also cooperate with law enforcement authorities if online harassment is deemed criminal.82	Yes

(In This Picture and Artwork
by Niharika Talwar)

I STAND
FOR
DIVERSITY

Best Practices: Positive Interventions in Schools for Mental Wellness and Bullying

With the increasing awareness around bullying and related issues such as mental health among teenagers, there has been a spurt in the research and development of wellness programs and initiatives for teenagers. The programs which specifically tackle bullying can generally be split into three tiers, which are universal, selective and, indicated.[83] Universal prevention programs are designed for everyone in the community, irrespective of whether or not they face the risk of becoming bullies or victims. Selective preventive intervention programs are especially crafted for the youth who are at risk of being bullied or engaging in bullying. These programs concentrate on building socio-emotional skills and coping mechanisms among the youth. Indicated preventive interventions are designed for those children or adolescents who have already shown signs of aggression and have a history of bullying. The program also helps those who have been bullied and have shown signs of anxiety and depression. Such initiatives require the participation of a number of individuals associated with the victim, such as the parents, teachers, school officers etc. The idea is to get help for the victim at a number of ecological levels.

Most of the universal prevention programs have socio-emotional lessons which also teach the students how to respond to bullying and other matters centred on bullying and mental well-being. Such programs also lay down some basic ground rules which everyone can follow while navigating and using various social media networks. Adhering to such rules also helps in preventing incidents of cyberbullying. Results of such programs have showed that a universal approach is always beneficial since it not only improves the condition of 'at-risk students' but also helps in improving the overall school environment and eliminates aggressive behaviour among teens and even young children.

---

[83] Frederick Rivara and Suzanne Le Menestrel (Eds), "Preventing Bullying Through Science, Policy and Practice, Consequences of Bullying Behaviour, Pg- 180-181, The National Academic Press, 2016

[84] Tracy E. Waasdorp, Catherine P. Bradshaw, Philip J. Leaf, "The Impact of School Wide Positive Behavioural Intervention and Supports on Bullying and Peer Rejection: A Randomized Control Effectiveness Trial", University of Nevada, School of Medicine, 9th August, 2014, http://bit.ly/2FTK5AY

It is also important to note here that most of the prevention focused models generally have components of all three tiers in them, some of which have been discussed below:

Positive Behavioural Interventions and Supports[84]

The PBIS program is a universal anti-bullying prevention program which is non-curricular in nature. It focuses on three major principles - social, behavioural and organizational improvements. This prevention program tries to improve the school environment by putting in place better systems (e.g. discipline and data management of reported incidents) and procedures (e.g. officer referral, behavioural reinforcement). One of the key features of the program is to teach universal vocabulary across the school that can be used to respond to bullying. The vocabulary has three[85] words which are used to respond to any problem behaviour; "stop", "walk" and "talk". The idea behind these signals is that it instils a simple approach among students - first they should signal stop to the aggressor when they find themselves in a difficult situation, next they should walk away, and if the behaviour continues, they should talk to an adult about this. This is successful because the three steps are short and easy to remember and reinforced from time to time.

A study was undertaken to understand the effects of this program, 12,344 children took part in this study and it was carried out over the span of four years.[86] The results showed that this program was proving to be effective and there was a marked improvement in the behaviour of children. This program has now been implemented in 14,000 schools across the US.

[85] Scott Ross, Rob Horner, Brianna Stiller, "Bullying Prevention in Positive Support Behaviour", Educational and Community Supports, http://bit.ly/2FScHuH
[86] Tracy E. Waasdorp, Catherine P. Bradshaw, Philip J. Leaf, "The Impact of School Wide Positive Behavioural Intervention and Supports on Bullying and Peer Rejection: A Randomized Control Effectiveness Trial", University of Nevada, School of Medicine, 9th August 2014, http://bit.ly/2FTK5AY

Olweus Bullying Prevention Program. [87]

One of the most widely studied and used anti-bullying prevention programs in the world, the Olweus bullying prevention program was developed by Dr. Dan Olweus, a professor of psychology at the University of Bergen in Norway. Even though societies around the world had recognised bullying as an issue infesting schools and colleges, no research on understanding the problem had been done till the mid 1900's. It was only in 1970 that the first academic research study to understand the phenomenon was undertaken by Dr. Olweus. The findings of the study were published in 1973 in a Swedish book. The report of the study was also published in the United States in a book titled "Aggression in the Schools: Bullies and Whipping Boys".

In 1983, the Norwegian Government's Ministry of Education launched a massive national campaign against the menace of bullying in schools. This was done in the wake of a tragic incident which shook the nation, when three school boys committed suicide. It has been speculated widely that they were ruthlessly bullied by their classmates, which led them to take this extreme step. The government then implemented the 'Olweus Bullying Prevention Program' (OBPP) in the country. This was the first time that any government had taken up the mantle of deploying this program at scale. The approach involves posting and enforcing schoolwide rules against bullying, holding regular class meetings, developing partnerships with local community members and having open channels of communication with parents.

Since then, the OBPP has been employed extensively in schools and even at the individual level in countries across the world. In the United States, six large scale evaluations of 40,000 students revealed that there was an average reduction of 20 to 70 percent in reports of students being bullied and bullying others.[88] There has also been a substantial reduction in the levels of the anti-social behaviour among the students. Incidents of theft, vandalism and fighting have gone down.

Schools also reported an improved classroom environment as well as increased positivity among students.

---

[87] Olweus Bullying Prevention Program, Hazelden Foundation
[88] Olweus Bullying Prevention Program, 2007- Published by the Hazelden Foundation

KiVa program [89]

This is another multi-tier program which was implemented nationally in the schools of Finland, from grades 1 to 9. Here too, like in the rest of the programs mentioned above, all stakeholders in a student's life are targeted and their role taken into consideration. Activities around increasing awareness about the 'bystander effect', teacher training modules and specific interventions for bullies and victims are all a part of this program. Safe spaces are created where students and teachers can have discussions with each other, the staff is trained in disciplinary strategies and help is also available for parents whose children are either the victims or the bullies.

Second Step:
A violence Prevention Curriculum [90]

This program works well for students between the age groups of 4-14 and is especially designed to lessen impulsive, high-risk and aggressive behaviours among students while also increasing their social and emotional fitness. This program stresses on teaching four major skills - empathy, impulse control, problem solving, and anger management. Sessions around these themes are conducted for parents and students, while teachers also learn how to handle disturbing and harmful behaviours displayed by students. Studies which looked at how well this program performs, discovered that aggression rates fell among both students and teachers after this program had been implemented in their school.

It has also been observed that when students are given the responsibility of making their classrooms and schools safe, it always works out well. If students work in tandem with the authorities, incidents of bullying and abuse reduce substantially.

[89] Frederick Rivara and Suzanne Le Menestrel (Eds), "Preventing Bullying Through Science, Policy and Practice, Pg- 198, The National Academic Press, 2016
[90] Frederick Rivara and Suzanne Le Menestrel (Eds), "Preventing Bullying Through Science, Policy and Practice, Pg 202, The National Academic Press, 2016

04

PART III: RECOMMENDATIONS: TOWARDS A SAFER AND HAPPIER TEENAGE

The three main adult stakeholders, who can positively impact lives of teens, are schools, parents and policymakers. Through our discussions at the roundtables[91] and our research, we have gathered the following recommendations for building lasting support systems for teens:

For Schools

Counselling Support for Students:

• Schools must invest in ensuring counselling support for students. Many a times, schools cite lack of resources as a reason for not offering such services. However, given the gravity of the problem, schools should experiment with having a visiting consultant every week for students to access these services. In parallel, teachers should be trained to become the first responders for students so that they can flag more serious issues to the visiting mental health professional.

• To overcome the stigma of accessing counselling services, schools may make it compulsory for all students to have 1-on-1s with a counsellor twice a year. This may help in normalising such interactions and in the identification of at-risk teens.

Peer to Peer Support and Safe Spaces:

• Schools should adopt the concept of 'safe spaces' where students are encouraged to open up about the issues that they are facing without the fear of judgement. Many schools have found that such conversations especially between senior and junior students around mental health prove to be useful. Having been in a similar position earlier, senior students are often in a position to guide the younger/junior students and give them a sense of hope. However, senior students should be adequately trained to conduct such dialogues and should be able to flag to school counsellors any serious cases where they feel an intervention is required.

• Students can also run a weekly radio through the PA system or in assemblies, where each week one child is invited to share an incident which was challenging for them and talk about how they overcame this problem. This is aimed at starting a dialogue in schools on overcoming difficulties as much as celebrating achievements of the student community.

[91] YLAC India and Instagram hosted roundtables in Delhi and Mumbai in April 2018 with senior educators, mental health professionals, parent bodies and students around the theme of this report.

"While it is imperative that more and more lay counsellors also take up the role of helping people who are having mental health issues, it is equally important that there should be an awareness of their limits. Hence having professionals in school is highly recommended. This would enable a more educated and refined outlook on the whole spectrum of mental health, with a reduction of the possibilities of missing out on minute but psychologically significant issues."

Dr. Kersi Chavda, Psychiatrist and consultant, Hinduja National Hospital.

Digital Citizenship:

• Schools in partnership with parents should actively curate curriculum and workshops around digital citizenship. These workshops should aim to create awareness about safe online behaviour, safety features of popular social media platforms and using internet for personal development. Many organizations around the world are working to develop age appropriate materials to talk about online identity and safety, which can be leveraged. It is also imperative for parents and educators to educate themselves about popular online tools that teenagers use, to be able to guide them appropriately.

• Schools can organise inter class/house competitions to create awareness around safe online behaviour. The aim should be to incentivise students to self-learn some of the precautions that need to be undertaken when online. There should also be an open dialogue in schools about the negative effects of cyberbullying on victims so that students feel safe in reporting these issues, if they are ever faced with them.

Engaging with Parents:

• Schools should actively try to sensitize parents through workshops and seminars on symptoms of mental health distress and the steps they can take to ensure well-being of their children. This will help in fostering a sense of shared responsibility between school authorities and the parent community around the overall well-being of children.

• Schools and parents can also come together to form 'school safe committees' where discussions around issues like sexuality, social media, and bullying can take place at regular intervals. This will ensure that schools and parents get a forum to discuss issues that have been encountered by them.

Target Hotspots:

• Most instances of bullying occur in the absence of an adult or supervisor and in unmonitored and relatively isolated locations such as hallways, restrooms, playgrounds, during lunch hour and during the journey to school and back home. Schools should therefore develop methods of effectively monitoring these locations and take adequate measures to prevent bullying during such times.

(Picture by
Rukminy Goswami)

As parents in today's digital world, we must realize that the rules of the game are evolving constantly. The challenge posed by having to regulate digital natives (our kids) by digital immigrants (us) makes it tougher but more important than ever, for us to understand technology trends, warts and all in order to keep up. Accepting that our children are growing up in a very different world is an important starting point. Since they often take their cues from us, harnessing social media to connect and have meaningful conversations and supporting relevant causes is a good starting point.

Ruchita Shah, CEO and Founder, First Moms Club

Top tips for parents:

• Parents should designate some time as a 'safe space' at home, ensuring that children can discuss anything with them during this time. This will create bridges of trust between the parents and the child. In case of bullying or abuse; parents should talk to their children and tell them what works and what doesn't. Parents must encourage the child to act confidently even if they don't feel like it, to not react overtly to the bully, and to remain unfazed.

• Even though the victim (child) might not be keen that parents take an active part in looking for solutions to their issues, it is always advisable that parents have a conversation with the school and inform the teachers as well as the administrators regarding the issues being faced by their child.

• Parents should talk to children about being online and what's appropriate to share, get familiar with the platforms they're on, and acquaint themselves on safety mechanisms and parental controls. In order to involve the children in making decisions for them, parents can sign a digital contract where they negotiate how much time their kids spend online in a day, and allocate time for them to enjoy connecting with friends/peers, watching videos etc. This will inculcate a sense of responsibility in the child and also ensure that they don't feel that parents are denying them an opportunity their peers are getting.

Legislate an overarching anti-bullying law:

Bullying is one of the leading risks to teenagers' overall well-being. The Raghavan Committee Report recommended the creation of an overarching anti-ragging law along the lines of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in order to tackle ragging in institutions of higher education. Such legislation when enacted should also cover abusive behaviour in schools. It should mandate provision of institutional support within schools for students who are victims of bullying. The legislation should focus on prevention mechanisms as well as response protocols. Since peer to peer bullying often starts offline before it manifests online or vice versa, cyberbullying among school students should also be addressed.

Focus on emotional intelligence through school curriculum:

One of the most effective ways of creating behavioural change among students on the issue of mental well-being and bullying is by making changes in the curriculum taught in schools. The Central and State school education boards should include personal, social and health education in the curriculum and also focus on life skills such as how to deal with conflict, crime and safety awareness, consequences of teasing and bullying, human rights, living in a diverse world etc.[92]

Strengthen School Management Committees:

Section 21 of the RTE Act provides for School Management Committees (SMCs) in all government and government aided schools. This section recognizes parents as the primary stakeholders in the education of their children and involves the community in monitoring and management of schools. If functioning well, SMCs can be very effective in influencing how schools address the issues faced by teens, including issues of bullying and mental well-being. However, as things stand, the government needs to build the capacity of SMCs for them to be able to carry out their responsibilities effectively, especially in low income schools.

Increase Investment in Mental Health Resources

India currently faces a huge shortfall in medical doctors and personnel required to handle the mental health issues of its population, including the increasing number of issues being faced by its adolescents. Therefore, steps must be taken to increase the number of personnel available to those who need it and allot adequate resources in order to do so. It must be kept in mind that teachers must not be burdened with this work since they usually do not have the time, resources or the expertise to counsel children. While this may be adopted as a stop gap measure, it is not recommended in the long term.

Awareness Campaigns

There exists a lot of stigma around mental health issues and bullying, and any substantial improvement in addressing the problem cannot be achieved without taking steps to remove this stigma. The government can play a big role in doing so through large scale awareness campaigns which encourage parents and teachers to take part in discussions around adolescent mental health. Schools can be roped in as well to drive such campaigns on the ground.

(Picture and concept by Aakarsha Jagga)

[92] "Safe to Learn : Embedding anti-bullying work in School", "Opportunities to promote anti-bullying messages through the curriculum",Department for Children, Schools and Families, Government of UK

About YLAC:

Founded by Harvard and Oxford alumni in 2016, Young Leaders for Active Citizenship (YLAC) aims to increase the participation of young people in the democratic process and build their capacity to lead change. YLAC's interventions are designed to re-imagine civic engagement and equip citizens with a better understanding of the society they live in and the challenges that it confronts.

YLAC currently runs its interventions across major cities in India, in addition to undertaking projects in public policy research and advocacy. Its work is guided by its Board of Advisors – Dr. Shashi Tharoor (MP, Lok Sabha), Mr. Baijayant Panda (former MP, Lok Sabha) and Prof. Michael Walton (Harvard University).

About Instagram's scope of involvement:

YLAC India has been collaborating with Instagram in India since 2017 to create youth engagement programming that addresses local policy concerns and helps amplify Instagram's well-being efforts with regards to the platform's young users in the country. As part of this engagement, Instagram has funded two Counter Speech fellowships in New Delhi and Mumbai in 2017-18, which served as an incubator for 50 teens, equipping them with the tools to use social media to create awareness around the challenges that they are confronted with, to encourage peer to peer support, and to understand how platforms like Instagram can be used to advocate for change within their communities as well as the world at large. Some of the themes examined were mental well-being, body positivity, bullying, embracing diversity and countering violent extremism. In addition to this, Instagram hosted two roundtables on fostering resilience among teens in New Delhi and Mumbai, led by YLAC India. Participants of both roundtables comprised of parents' organizations, educators, mental health professionals, civil society, and teens from the fellowship. The teens presented their work from the fellowship to highlight how they turn to social media for self-expression and support to deal with the challenges they face. The discussion was focused on how we can all collaboratively work towards alleviating these challenges at an individual and interpersonal level, but also come up with best practices that can be institutionalized to counter them systemically.

This report was created independently by YLAC India and references some of the recommendations and discussion points that emerged from the roundtables in New Delhi and Mumbai as well as uses some observations from the Counter Speech Fellowship that is run collaboratively by YLAC India and Instagram.

(Artwork by Horia Sidiqi)