

# **Workplaces on Trial:** Social processes and organisational systems responsible for bullying and harassment at work

*Professor Dianna Kenny*

*The University of Sydney*







## Justice for Brodie Panlock

[Join](#)[Wall](#)[Info](#)[Discussions](#)[Photos](#)[Video](#)[Events](#)**Basic Info**

Name: Justice for Brodie Panlock

Category: [Common Interest - Beliefs & Causes](#)

Description: Please read the discription and notes carefully before posting. This is not a mob group to take out these men. We want to change society and the law. Her story needs to be told, so people understand how horrific bullying can be, but dont think we want people to run around with pitchforks and stakes looking for these men. Again 'they could be anyones sons'. They did a terrible thing but hate only breeds hate, what we all need is change. So we don't become that which we are trying to... [\(read more\)](#)

Privacy Type: Open: All content is public.

**Contact Info**

Location: Gold Coast, Australia

Please remember this is a support site for Brodie, her family and anti-bullying in general. We want to change societys attitude and law. Fill this site with love, not hate...

# Men who tormented suicide waitress Brodie Panlock *fined!!*



- Brodie (19) was subjected to a campaign of relentless ridicule and humiliation
- She was spat on, called fat and ugly, told to eat rat poison, and held down while fish oil was poured over her
- Cafe owner did not prevent bullying
- Participants fined a total of \$335,000

# Café Vamp, Melbourne

- Nicholas Smallwood, 26, Rhys MacAlpine, 28, and Gabriel Toomey, 23, all pleaded guilty in the Melbourne Magistrates Court to “failing to take reasonable care for the health and safety of persons”
- Cafe Vamp's owner, Marc Luis Da Cruz, and his company, MAP Foundation, pleaded guilty to “failing to provide and maintain a safe working environment”
- Magistrate Peter Lauritsen described their actions as "the most serious case of bullying", adding that he would have doubled the penalties if they had not pled guilty
- Smallwood was fined \$45,000, MacAlpine \$30,000 and Toomey \$10,000
- Da Cruz, 43, was fined \$30,000 and his company \$220,000.

# The Back Story

- Brodie worked at the café from June 2005 to September 2006 – 14 months
- She attempted suicide by ingesting rat poison with alcohol in May 2006 when her manager, Nicholas Smallwood, rejected her after they had engaged in an intimate relationship
- After her first suicide attempt, Smallwood's colleague, MacAlpine, put rat poison in her bag and urged her to take it
- In September 2006, Brodie threw herself from a multi-storey car park and died three days later of head injuries sustained
- Brodie's parents were unaware of Brodie's workplace difficulties
- Witnesses testified in court that they had seen the men pour fish oil over Brodie
- Brodie's friend, Asleigh, testified that Brodie had started to self-harm to cope with Smallwood's humiliation of her

# Coroner's findings:

- "I note here my view that physical and psychological bullying, when carried out in the workplace, is a very serious matter and potentially dangerous to all involved.
- Evidence of the development of this kind of harassment in an industry, which systematically employs teenage women, is perhaps indicative of a wider problem which warrants the closer examination of WorkSafe."

# Take a stand against bullying



**Serious bullying is a crime punishable by up to 10 years in jail**



**Are you a victim of bullying? Do you know somebody who might be?  
Help and support is available. Help say no to bullying by taking a stand.**

For information about Victoria's anti-bullying laws visit [www.justice.vic.gov.au/saynotobullying](http://www.justice.vic.gov.au/saynotobullying)  
Anyone who needs crisis support can call Lifeline 24/7 on 13 11 14 or your local police.



May 28, 2012

## Workplace bullying hits the national agenda in Australia...

Julia Gillard and her Workplace Relations Minister, Bill Shorten, announced an inquiry into workplace bullying to be undertaken by the **House Standing Committee on Education and Employment** and to report to Parliament in November 2012.



- **Minister Bill Shorten:** “This is a dreadful experience for any family. Bullying is a **secret scourge**; it is **far too common** in all Australian work places. There is **no excuse** for bullying. Having a parliamentary inquiry, where the voices of people who have been bullied can be heard, where families can explain what they’ve been through, I think puts a very human touch on what is a national problem.
- The experts say it costs between \$6 and \$36 billion in the work place. The Commonwealth Government is moving to have **national safety laws**, but we believe that workplace bullying, even if it can’t always be seen, is as big a scourge as anything else which is hurting our people at work, in particular our **young people**.”

June 2012

**Brodie's Law not being applied. Perhaps a broader context is needed?**

*Kevin Jones – SafetyatWorkBlog*

*<http://safetyatworkblog.com/2012/05/28/workplace-bullying-hits-the-national-agenda-in-australia/>*

- **Brodie's Law** represented a change to the **Crimes Act** (not to OHS legislation) that amends stalking provisions to include bullying.
- It made provisions for victims to apply for the protection of a staking intervention order
- It brought the anti-bullying law under the auspices of the **police**.
- Are police properly constituted as agents of **harm prevention in workplaces?**
- **Police actions are fundamentally reactive, post-incident and post-harm.**
- Does criminal prosecution of bullies act as a deterrent to prospective bullies in the workplace?

# Take a moment...

- **Reflecting on this tragic case:**

1. What was your immediate emotional response to this story?
2. What aspect affected you most? Other aspects?
3. Who or what was responsible for this tragic outcome of workplace bullying?

**Now: Compare notes with the person to your right... what did you discover about your different responses to this case?**

# Where did you focus your attention?

- Co-workers?
- Café's manager?
- Brodie (victim)
- Witnesses?
- Brodie's parents?
- Legal process and outcome?
- Language used by magistrate?
- Any other focus or reaction?

## Developmental needs of children in families and workers in workplaces

<b>Domain</b>	<b>Child needs</b>	<b>Workplace</b>
Physical	<b>Physical care and safety</b>	OHS – physical safety
Emotional	<b>Empathic attention and attunement, secure attachment relationships</b>	Collegiate and respectful relationships  Anti-discrimination – free of emotional harms
Behaviour	<b>Emotional and behavioural self-regulation</b>	Bullies and victims have disordered self-regulatory capacities
Social	<b>Role models</b>	Management, like parents, model appropriate behaviour and attitudes
Cognitive and cultural	<b>Thinking processes (e.g., problem solving), cultural education, acculturation</b>	OHS and anti-discrimination legislation prescribe workplace attitudes and behaviour; but internalization of these values must occur to be effective

# Bullies and victims

- Bullies are part of highly structured social groups that require a sophisticated theory of mind to engage in bullying successfully.
- Theory of mind refers to the ability to attribute mental states to oneself and others in order to explain or predict one's own and others' behaviour.
- Indirect bullying (e.g. exclusion) requires an understanding of:
  - who is a safe target
  - who will join the bully in excluding the target
  - what reasons co-workers will consider justifiable to engage in excluding co-workers, and
  - mobilizing those cognitions in order to incite others to exclude the target.

Such sophisticated cognitions do not support the view that bullies are cognitively inept or intellectually challenged in their interactions with peers (Sutton, Smith, & Swettenham (1999).

# Bullies and victims

- Consistent across different cultures, individuals characterized either by themselves and/or their peers as
  - submissive
  - withdrawn
  - introverted
  - unassertive

are likely to become victims of maltreatment by peers/co-workers

(Schwartz, Farver, Chang & Lee-Shin, 2002; Kaltiala-Heino et al., 1999)



# Bullying is a relational phenomenon

- Bullying occurs in a social context
- Individual characteristics interact with the environment to produce behaviour
- A full understanding of bullying cannot be found in the examination of the individual characteristics of bullies and victims alone
- Behaviour of co-workers who either participate in or observe bullying behaviour often reinforces bullying through provision of attention to the bully, or deferential behaviour towards him/her after the bullying incident.
- Bullying interventions need to take an ecological approach to the problem that includes individuals, dyads, groups and the whole school community

# Bullying and social psychological processes

- Five iconic experiments in social psychology elucidate powerful dynamics of group processes that show how individuals abandon their personal ethics to conform to group norms and expectations
- Understanding bullying within the framework of group behaviour is important because changing the group dynamic may be more effective than attempting to change the bully or the victim BUT
- Unless immediate negative consequences are delivered to the bully, bullying behaviour is reinforced and there is an increased likelihood of recurrences (Yoon & Kerber, 2003).

# 1. Stanley Milgrim - Obedience

- In the 1960s, Stanley Milgram experimentally tested the limits of obedience to authority, including what people would do in a situation in which they were instructed to physically harm, possibly to the point of death, a complete stranger, on the basis that the person had been instructed to do so by a prestigious authority figure

[http://www.youtube.com/watch?feature=player\\_embedded&v=yr5cyjokVUs](http://www.youtube.com/watch?feature=player_embedded&v=yr5cyjokVUs)

# Results due to

- Blind obedience to authority?
- Identification with a leader?
- Belief in the value and rightness of the cause?
- Divide between ordinary people and “evil psychopaths” is narrow and much more so when people act in groups (or when people fail to act)
- Bullying mostly occurs in a social setting that disinhibits it

## 2. Bandura (1961) - Aggression

- Is aggression learnt through the processes of observation and modelling or through direct reward for aggressive behaviour?
- **Bobo doll** experiment
- Exposure to aggressive or bullying behaviour increases aggression and bullying in observers
- Effects are heightened if aggressors are rewarded

# Bandura...

Observation and imitation are powerful modes for the social transmission of behaviour – what are the implications of this study for workplace bullying?



### 3. Philip Zimbardo (1973) – Stanford Prison Experiment

- An investigation into the situational determinants of behaviour - how does behaviour change if one becomes either a prisoner or a prison guard in a simulated prison environment.
- <http://www.youtube.com/watch?v=Z0jYx8nwjFQ>
- What are the implications of this experiment for workplace bullying?

## 4. Solomon Asch (1956) -Conformity

- **Conformity** is a form of social pressure that describes a behavioural tendency to comply with the implicit rules of a group to which an individual belongs, even if such norms are contrary to one's own beliefs
- Three main influences on conformity:
  - **Normative influence** (wanting to fit in with the group)
  - **Informational influence** (believing that others know more than you, particularly if they have high status)
  - **Social support** (having an ally in the group).

<http://www.youtube.com/watch?v=TY1h4MkcfJA>

What are the implications of conformity for workplace bullying?



# Irving Janis (1972)-Groupthink

- Groupthink is an extreme form of conformity in which people are prepared to keep the peace at all costs.
- Occurs in homogenous groups, when a powerful and charismatic group leader is insistent on the preferred course of action, when the group is under severe stress, where significant moral dilemmas are part of the decision matrix and where objective outside experts are not called upon.

## Janis...Consequences of groupthink process:

- illusion of invulnerability
- collective rationalization
- stereotyping of out-groups
- self-censorship
- incomplete survey of alternatives
- failure to appraise the risks of the preferred solution
- selective information processing, and
- conflation of ethics and expedience (Turner & Pratkanis, 1998)

What are the implications of groupthink for understanding and managing workplace bullying?

# When different psychologies fail to communicate...

Bullying has a broad range of impacts on an organisation. The negative effects of bullying on a workplace and workers extend beyond the direct target of the behaviour.

*The negative effects of bullying appeared to extend beyond those currently bullied to include also those who were bullied in the past and for those who witnessed bullying taking place (Hoel & Cooper, 2000, p. 4).*

Ref: Hoel H & Cooper C (2000). Destructive Conflict and Bullying at Work, sponsored by the British Occupational Health Research Foundation, Manchester School of Management, UMIST.

## What social psychological processes underpin this statement?

# Returning to Brodie...

- What social processes were operating at Café Vamp that led to the suicide of this 19-year-old waitress?
- How does understanding these processes assist you to analyse cases of workplace bullying and determine how to intervene?

# Strategies for resolution

- Immediate demand from manager for bully to cease the behaviour
- Immediate investigation if complaints of bullying are made
- Training of both offender and victim in rights and responsibilities
- Coaching, counselling, support or mentoring as needed
- Mediation, where appropriate
- Disciplinary action

Thanks for listening ...

