Weapons in schools in Queensland
The nature, causes and responses
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Executive Summary

Introduction
Student violence has been highlighted as a worldwide issue of concern. Overall, however, schools provide relatively safe environments: youth violence at school only contributes to a relatively small proportion of youth violence overall.

In 2007, for example, 5,764 young people aged 10 to 24 were murdered in the United States—an average of 16 each day. However, less than one per cent of all murders and suicides among school-aged youth occurred on school grounds, on the way to or from school, or on the way to or from school-sponsored events (Centers for Disease Control, 2010).

In Australia, national mortality data indicate that assaults account for about 2 per cent of all deaths of young people aged 12-24 years. However, 2005 national hospital morbidity data\(^1\) indicate that 31.3 per cent (n=85/272) of males aged 0-14 years who were hospitalised for an assault were assaulted at school, although far fewer females aged 0-14 years (n=10/121; 8.3%) were assaulted at school (Australian Institute of Health and Welfare, 2008).

We must assume, therefore, that violence will occur in schools and that weapons may be brought to school and used in some cases. Thus, there are clear needs to examine violence and weapon carrying and use in schools to better inform prevention initiatives.

The terms of reference for this report
This report has been developed in response to a request from the Minister for Education and Industrial Relations, Cameron Dick MP, to advise him on the following matters:

- The nature, causes and responses to weapon based violence in schools in Australia and internationally
- Evidence based strategies that have been most effective in dealing with this issue nationally and internationally
- A review of laws or policy responses to weapons in schools in other jurisdictions
- The gaps in Queensland laws or policies framing the response to weapons in schools.

Our methodological approach involved a detailed examination of the extant literature regarding the nature and extent of school violence as well as weapon carrying and use, a detailed examination of literature regarding effective prevention approaches, and a legislative and policy scan regarding responses to weapons in schools. In addition, we examined relevant police crime data regarding weapons offences and offences against the person occurring at schools, and selected self report survey data from school aged youth. Whilst this issue is under-researched, the research team endeavoured to integrate the available information to inform some practical steps forward for preventing weapons in schools in Queensland. We are mindful that this approach requires a delicate

\(^1\) We presume that the number of children admitted to hospital reflected in these figures reflects only the more serious events and will thus underestimate the true number of assaults overall. It is also possible that the proportion of assaults occurring at schools demonstrated by these figures may overestimate the true prevalence of events occurring at schools due to reporting requirements that may require victims of assault to seek medical attention.
balance and our recommendations aim to reduce the nature of these problems, as well as their consequences.

Some of the important issues that arose early in our review were:

- the need to distinguish between weapons carrying and weapons use; the research evidence points to wide discrepancies in the prevalence and impacts of both
- the need to consider both the use and carriage of weapons in the broader context of violence at schools; the two are intrinsically linked
- the strong evidence that there may be multiple opportunities to prevent and ameliorate violence and weapon use both before and after it occurs
- that a ‘one size fits all’ approach is unlikely to be effective.

What is the nature and extent of the problem?

Reported offences
We examined two sources of Queensland Police Service (QPS) data to inform our review:

- specific data relating to all offences against the person occurring at Queensland educational institutions, 2007/08-2009/10
- published statistical data for reported Weapons Act 1990 offences in Queensland (a) occurring at educational institutions and (b) by the age of the offender.

Official offence data collected by police agencies including the Queensland Police Service are subject to a host of limitations related to counting and recording rules. However, they do provide useful information about the extent of (a) recorded violence (offences against the person) and weapon use within schools and (b) weapons offences occurring at and external to educational institutions and (c) the number of offences committed by children and young people. This information is useful for informing prevention and intervention activities.

Reported offences against the person
On average, 1184 offences against the person\(^2\) were committed per year at educational institutions in Queensland between 2007/08-2010/11 (total n=4735). During this four year period, about 22 per cent of these offences occurred at primary schools (n=1046) and about 40 per cent occurred at secondary schools (n=1893).\(^3\)

Almost 11 per cent of these offences (10.75%) involved weapons (classified as knives, rocks, chemical sprays, firearms, glass, tools, syringes, clubs, explosives and other weapons). The majority of offenders committing these offences in primary schools were males (76.9%) and the majority were aged 10-14 (60%) years (age range 10-77 years), with the modal, or most frequent age of the offenders, being 12 years.

The majority of offenders committing offences in secondary schools were also males (66.4%), but a higher proportion of offenders in secondary schools were females, and the majority were aged 13-

\(^2\) Defined as homicide, assault, sexual offences, robbery, kidnapping, extortion, stalking and other life endangering acts.

\(^3\) The remainder were reported to have occurred in the following locations defined by the QPS as: education, library and university/TAFE.
17 (88%) years (age range 10-76 years). The modal, or most frequent age of the offenders, was 14 years.

**Weapons act offences**
In 2009/10 there were 3455 Weapons Act offences reported in Queensland. Of the 3107 offences for which the gender of the offender was known, approximately 90 per cent were committed by males.

Children aged between 10 and 16 years were responsible for 13.7 per cent (n=427) of all weapons offences. Including youth aged 17 years in these figures increases the number of Weapons Act offences to 18.9 per cent of all weapons offences (n=591) and rises to 23.8 per cent (n=742 offences) if 18 year olds are included. In other words, almost one-quarter of all weapons offences reported to the QPS for one year were committed by people aged 10-18 years. These data suggest that children and young people have a high likelihood to access (and sometimes use) weapons. It is also important to note, however, that these figures only reflect those individuals who have been ‘caught’: the true prevalence will undoubtedly be higher.

One of the categories used for the location of Weapons Act offences is described by the QPS as ‘educational’, but this category includes Colleges, Daycare centres, Historical Schools, Libraries, Primary Schools, Secondary Schools, Universities and TAFEs, so the data overestimate the number of offences actually occurring at primary and secondary schools. Unfortunately insufficient information is publicly available to cross tabulate these data with the age of the offenders so these estimates will, necessarily, be less than ideal. Nevertheless, 80 of the 3455 weapons offences reported in 2009-10 were reported to have occurred at an educational institution. This equates to about 2.32 per cent of all Weapons Act offences reported in Queensland overall.

Given the breadth of this category we must assume that not all of these offences occurred within a primary or secondary school. Further, given that 13.7 per cent all weapons offences were committed by children aged 10-16, rising to 23.8 percent if 17 and 18 year old youth are included in these figures, these data suggest that the majority of offences were not committed within schools.

Together, our analysis of ‘offences against the person’ within schools and offences recorded under the Weapons Act suggest the following:

- Across the state more than one thousand ‘offences against the person’ are committed in educational institutions and reported to the QPS annually. About two-thirds (62%) of these occur in primary and secondary schools. Young males aged 12-14 years are responsible for a relatively large proportion of these offences. However, only about 10 per cent of these offences involve weapons.
- About 80 Weapons Act offences are reported at educational institutions in Queensland annually; fewer than this number will have occurred at primary and secondary schools. These offences represent only about two per cent of all weapons offences across the state.

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4 Almost two-thirds (63.8%) of these offences related to the possession and/or use of weapons/restricted items that are not firearms.

5 Under Queensland law, children under ten years of age are not held criminally responsible, although they may be involved in the commission of an offence. Juvenile offenders are those aged between and including ten and sixteen years. Unlike some other states, a person aged 17 and older is classified as adult in Queensland.
Almost one quarter of weapons offences across the state were committed by young people aged 10-18 years. Given the disparity between this figure (~24%) and the proportion of offences occurring in schools (~2%) the data suggest that most weapons offences committed by young people do not occur at schools.

Overall, therefore, it appears that there are a relatively large number of ‘offences against the person’ occurring in schools but – fortunately - relatively few of these offences involve weapons. On the other hand, a relatively large proportion of weapons offences are committed by children and young people across the state, but the majority of these offences did not occur at schools.

Unreported offences
It is well known that official/administrative data underestimates the extent of criminal activity in the community. We therefore reviewed an extensive range of research findings in an effort to determine the extent of violence occurring within schools assessed through more direct surveys of youth and the extent to which children and young people carry and use weapons.

Violence
The available research suggests that while Australia may experience less fatal school violence than other countries, the frequency of violence in Australian schools is at similar levels to that within some American schools, with some research suggesting Australian schools may even experience slightly more school violence than American schools (e.g. Akiba, LeTendre, Baker & Goesling, 2002). Furthermore, while school violence within American schools is decreasing, the single research finding exploring Australian school violence over time suggests that school violence, at least within Queensland schools, may be increasing. On the other hand, there is some evidence, according to police data, that ‘offences against the person’ occurring in schools may be decreasing.

Although there is only a small amount of research examining school violence in Queensland, it suggests that physical violence at school is something many Queensland students are involved in. For example, in one study we examined approximately 10 per cent of males reported threatening or forcing someone to give them things, and approximately 25 per cent of male students reported participating in group fights. While female violence is substantially lower than male violence, it is concerning to note that research looking at grade 9 students in Brisbane over time suggests that female violence may be increasing. In 2006, for example, 10 per cent of female Brisbane students reported deliberately hurting or beating up someone, and 24 per cent of female students reported participating in a group fight.

Weapons
The research suggests that the majority of youths who carry weapons do not do so at school and this is reflected in the police administrative data reported above. Nonetheless, while the exact number of students reporting weapon carrying at school varies between studies, a concerningly high number of students report having carried a weapon to school at least once (i.e. ‘ever’). Furthermore, for many of these students weapon carrying is not an isolated occurrence. For example, Hemphill’s (2007) study of Victorian students in Australia reported that 18-22 per cent of male and 3-5 per cent of female students claimed to have carried a weapon to school. Approximately equal proportions of the students who reported weapon carrying at school stated they had carried a weapon 1-2 times and 3 or more times. The evidence therefore suggests that weapon carrying at school is not a rare
event. Importantly, however, the prevalence of weapon use is substantially lower than weapon carrying and this distinction needs to be made.

Research suggests that - as with physical violence - males are more likely to report using a weapon than females, and that the frequency of weapon use decreases as students’ age. Some Australian research suggests that weapon use in Australian schools may be increasing. However, given the small number of schools included in these studies, the findings should be viewed with caution.

**What causes violence and weapon use in schools?**

The risk factors for physical and weapon based violence are similar and a range of individual and school level factors have consistently been shown to predict both.

Individual factors such as being male, having learning difficulties at school, being involved with drugs, having family problems, poor impulse control, feeling rejected at school or student values such as a belief in the value of obtaining social status through control, seem to be important. The school environment also appears to be influential; having unclear and inconsistent rules regarding violence, lower levels of school attachment and involvement and poor relationships with teachers have all been shown to enhance the risk of violence within schools.

The research also indicates that some students engage in physical violence, or bring a weapon to school, in response to previous violent encounters at school. The severity of a student’s violent response also seems to be in accordance with the seriousness of the experience(s) the student is responding to. For example, students seem more likely to carry a weapon to school when they have been threatened with a weapon, or miss a large number of school days due to fear, than when they report being in a fist fight. Additionally, some authors suggest that the likelihood of students responding to violence with violence is influenced by their belief in their school’s ability to ensure their safety; some students may resort to violence as a self-protection measure when they do not feel their school is able to protect them.

While risk factors have been shown to increase the risk for violence, the research literature suggests that protective factors may also help protect students from engaging in school violence, even in the presence of other risk factors. For example, some research has shown that protective factors such as having a good teacher relationship, school attachment, having a belief in moral order, or emotional control, helps minimise the influence of risk factors. While very little research exists on the protective factors for weapon based violence at school, given the similarities between the weapon-based and physical school violence risk factors, it seems possible that protective factors are important for weapon based violence as well. Furthermore, given the substantially lower rate of youth violence at school compared to outside of school, it appears schools themselves may be a protective factor. A good understanding of these protective factors is vital for developing interventions aimed at reducing school violence.

**Are there any gaps in the current responses to violence and weapons offences in schools in Queensland?**

**Legislative responses**

Our analysis of the national legislative framework suggests that with regards to the provisions that affect schools and children, Queensland appears to be relatively well supported by appropriate
legislation to enforce the regulation of weapons both on school property and by children attending school. Nevertheless there are some aspects of the legislation in other states that may warrant consideration to enhance Queensland’s legislative capacity in this regard. For example:

- **Supplying weapons to children:** Legislation in NSW, Victoria, WA, SA and the ACT specifically states that it is an offence to supply/sell or provide weapons to a child. In Queensland the Weapons Act only states that it is an offence to unlawfully supply another with a weapon (s 50 B(1)); it makes no specific mention of children nor does it create an offence for supplying weapons to children. Subsequently there are no consequences for specifically supplying a child with a weapon (NSW and Victoria both provide penalties for this offence). Given the relatively high prevalence of access to weapons by children in Queensland, along with the relatively high proportion of weapons offences committed by young people in Queensland demonstrated earlier, this may be an area for consideration by the government.

- **Right to acquire information:** NSW is the only state to provide an obligation for stipulated agencies to provide information to a school for the purpose of assessing whether the enrolment of a particular student would constitute a risk to the wellbeing or safety of any student or staff member. Queensland provides a right for enrolment to be refused on the basis of a risk to safety and wellbeing, but no such right to acquire information.

- **Parental responsibility for children’s offences:** NSW is the only state to provide parental responsibility for weapons offences committed by children. This is a contentious issue and it is our understanding that no parents have yet been charged with this offence to date. Without any evidence as to the efficacy or effectiveness of this offence so far, it is not possible to offer any further insights into this provision. It is worth noting, however, that parents in Queensland may be incriminated in respect of offences committed by their children under Section 7 of the Queensland Criminal Code, which makes it an offence for a person to enable or aid another person to commit an offence, or to counsel or procure another person to commit an offence, and that this may provide adequate coverage for this issue.

- **Search and seizure by school staff:** Not all states provide legislative powers for search and seizure by school staff (police generally retain that capacity). Of those that do Victoria’s provisions, contained in a recent proposed amendment, are by far the most comprehensive, followed by WA. As is the case in most states, police officers in Queensland have these powers under Parts 1 and 2 of the Police Powers and Responsibilities Act 2000, are trained in how to conduct such procedures and have oversight mechanisms that ensure appropriate compliance and/or provide robust complaints mechanisms. In Queensland there are also confiscation powers for school staff under Part 2, Division 2 of the Education (General Provisions) Regulation 2006. However, the issue of search and seizure is a contentious one, especially for schools. It also seems logical that if school staff are to have such powers, reasonable training and compliance support measures must be considered. The safety of school staff in conducting these activities (as well as the safety of children involved) must be a primary consideration. The police are trained to protect themselves and the public, teachers are not.
Police responses
Our analysis of the Queensland Weapons Act offence data indicate that many children who commit offences are appropriately subjected to the *Youth Justice Act 1992* provisions which require police to consider taking alternative action to arresting the perpetrator. These include taking no action, administering a caution or referring the offender to a conference. The police data indicates that the majority of adults committing weapons offences are either given a Notice to Appear (63.3% of all adult offenders) or arrested (34.9% of all adult offenders). Juveniles, on the other hand, are most likely to be cautioned (48%) or given a Notice to Appear (29.1%). Only 16 per cent of juveniles committing weapons offences were arrested; the Youth Justice provisions thus seem to be being applied appropriately.

Policy responses
As with the legislative responses, our analysis of the national school policy responses to weapons use by children in schools indicated that Queensland is relatively well supported by its policies. Nevertheless, some of the other states provide examples of best practice that may warrant inclusion in Queensland. For example:

- **Specific policies or statements regarding weapons in schools:** Although all schools in Queensland are required to develop *Responsible Behaviour Plans for Students* (RBPS), and the policy provides comprehensive advice and templates on how to do so, the policy does not require a clear statement about weapons in schools. Nor does it require a clear statement about the consequences of bringing or using weapons into schools. Some of the other states do, and we believe that these policies would be worth replicating in Queensland. Responsible Behaviour Plans do empower schools to prohibit or ban certain items and outline the consequences for failing to comply with these, but it is unclear as to how consistently, or even whether these restrictions are used by schools across the state.

Examples of explicit policies re the use of weapons in schools interstate include:

- the *Northern Territory Code of Behaviour* which states that the possession or use of weapons in schools will not be tolerated and will likely lead to police involvement and suspension
- in Western Australian the school policy reflects the Education Regulations that require incidents involving weapons to be dealt with as a serious breach of discipline and for students should be suspended immediately
- in NSW the *Suspension and Expulsion Procedures* state that any student who possesses a prohibited weapon, firearm or knife is to be suspended immediately.

Given the prevalence of weapon carriage and use by children and young people, clarifying current school policies to ensure they include references to carrying and using weapons would be an important initiative.

- **Data collection, monitoring and evaluation:** A detailed examination of incidents of weapon carrying and use at schools in Queensland ultimately requires access to official administrative data that uncovers the prevalence of such events, the related circumstances involved (e.g. the type of weapon used, any injuries, etc) and the actions taken in response to the incident. Unfortunately such information was not available to inform this research and it appears that
such information is not routinely collected. Thus Queensland would seem to be poorly placed to assess and monitor its progress regarding offences committed within schools, including weapon related offences, as well as the consistency of the responses made to them.

Unlike some states (e.g. Victoria, Tasmania, WA and SA), Queensland also does not appear to have any policies that require systematic data collection and/or the monitoring or evaluation of its prevention and behavioural intervention activities. Although we are aware that the Department does undertake some surveys within schools, a policy that identifies and emphasises the importance of implementing, monitoring and evaluating evidence based interventions to address violence, including weapon based violence, would be beneficial.

Examples of relevant policies are provided in:

- **Tasmania’s School Wide Positive Behaviour Support Policy** that requires all student behaviour interventions to be evaluated. It also includes a school wide evaluation tool and an effective behaviour support self assessment survey tool.
- **Victoria’s Engagement Policy Guidelines** require the systematic collection and analysis of data to ensure behavioural interventions are evidence based.

- **Responding to and reporting critical incidents**: All states had some reporting and/or response policies but the depth of these policies varies. Queensland provides specific procedure for harm caused by another student which requires the use of ‘strategies’, the notification of parents and the management of student behaviour. These strategies are not specified but it is provided that schools should have de-escalation and response procedures in place. There is no specific procedure dedicated to responding to the possession of a weapon or firearm. It is provided however, that where harm constitutes a serious criminal offence a specific form is to be used, and in cases of emergency the police must be contacted immediately and the form used as a follow up. Although Queensland’s Responsible Behaviour Plans for Students requires incident reports, debriefing reports and health and safety incident records for all emergency or critical incidents as well as notification processes and record of contact with all parents of students involved in critical incidents involving severe problem behaviours, this information does not appear to be readily available for providing baseline and trend information regarding incidents of weapon use at schools, or for informing future policy and legislative development in this area.

**Prevention activities**

In addressing school violence, interventions generally aim to (a) prevent the occurrence of violence and the carriage of weapons in the first place and (b) respond effectively and efficiently to weapons based violence when it occurs. In so doing, two broad outcomes are sought: safe school communities and behavioural change in individuals who perpetrate violence or pose a threat to the school community.

Our review of the research literature has clearly identified which prevention and intervention activities work and which ones don’t; these are documented in the body of this report. However, this doesn’t mean that it is simple to either prevent or ameliorate violence and weapon use in schools. Rather, a comprehensive response is required and we identified the need for both multiple strategies and targeted and needs based interventions for individual schools to address the problem.
We suggest that the public health framework for prevention may be an appropriate umbrella for addressing school based violence and weapon use. The value of this framework is its capacity to incorporate multiple approaches (e.g. organisational and environmental) as well as targeting the basic and specific needs of schools and individuals. Pleasingly, we note that Queensland, as well as most other states, already couch their various policies and actions to address violence in schools in these terms. The framework provides for universal prevention activities for all students/schools (primary prevention) which essentially immunise the students so that conflict does not escalate into violence, as well as tailored interventions for individuals, groups or schools who are deemed to be at high risk of violence (secondary prevention) and targeted interventions for individuals, groups or schools that have experienced relevant events (tertiary prevention). Taken together, these practices move from proactive to reactive along a continuum.

It is important to note, however, that it is difficult to disentangle the research which focuses purely on the use of weapons in schools from that which focuses on its forerunner, violence and aggression in schools. Indeed to do so, may be counterproductive. Consequently many of the interventions we reviewed and describe in this report address aggression and violence; few have targeted the use and carriage of weapons alone.

We provide a comprehensive review of a wide range of activities in the body of this report. The summary provided by the (US) Consortium to prevent school violence (2008) is worth noting here. The Consortium identifies the effective factors for managing school violence as follows:

- Universal and targeted school violence prevention programs, when well implemented.
- Early intervention programs that ameliorate emerging problems in the academic and social-emotional-behavioural domains which help to reduce future problem behaviours.
- School-wide behavioural expectations taught with multiple methods and reinforced consistently over time; these help more students embrace pro-academic and pro-social behaviours.
- Cognitive-behavioural interventions for anger/aggression to reduce aggressive behaviours.
- Structured team-based threat assessment to can help schools respond thoughtfully to potential threats.
- Embedded opportunities to practice newly learned behaviours (e.g. anger management) in the daily context of life at school to help students internalize these desired behaviours, displacing negative behaviours.

The Consortium also lists factors which are ineffective in managing school violence. Some of these are as follows:

- Profiling approaches to identify potentially dangerous students don’t work and hurt innocent students.
- Zero tolerance policies do very little to prevent or reduce school violence.\(^6\)
- Physical security measures such as metal detectors as a stand-alone approach do not reduce overall levels of violence and disruption at schools.

\(^6\) We acknowledge the importance of the need for clear messages regarding students not bringing weapons to schools. In that sense, zero tolerance messages can be desirable. At issue is the need to recognise that zero tolerance punishment responses can be counter productive to long term opportunities for preventing youth violence, weapon carrying and use.
• Repeated suspension of students with behaviour problems does little to change anti-social behaviours and often accelerates a negative cycle of school failure and delinquency.
• Primarily punitive disciplinary approaches that neither teach nor reinforce appropriate behaviour are not very effective at changing student behaviour.

The Consortium also provides the following cautions with regards to school violence:

• Avoid simplistic analysis and reactive responses to troubling situations that require a more thoughtful approach; avoid the temptation to take extreme measures to promote appearances of control.
• Avoid excessively homogeneous grouping of students with antisocial behaviours in small intervention groups, which may result in a mutual reinforcement and escalation of antisocial attitudes and behaviours.
• Avoid over reliance on exclusionary (e.g. suspension) and punitive measures, which tend to be relatively quick and easy to implement, compared to the much more challenging task of teaching and reinforcing pro-social behaviours.

Our review of the research evidence endorses these findings. Overwhelmingly the evidence is that safe schools tend to integrate values such as respect into their school mission and align their school practices with these values (Gladden, 2002). The belief that teaching nonviolent behaviour is the responsibility of all school staff also helps reduce violence by increasing staff members’ commitment to model pro-social behaviour, increasing the ability of staff to intervene effectively, and heightening adults’ ownership of public spaces. Rather than a product-based concept of school safety (such as metal detectors, surveillance cameras, and guards), a safe school emphasises positive school climate and student and staff support systems (Bucher & Manning 2005).

Our analysis of the police data provided to us for this report provided several other insights into the occurrence of ‘offences against the person’ in Queensland schools which may be worth acting upon (please see Chapter 4).

As expected, our analysis revealed that the majority of weapons offences occurring in primary and secondary schools occur Monday to Friday.7 However, the time of day at which the offences occur is the most informative. Several things stand out:

• not surprisingly, most offences occur within the regular spread of school hours
• in primary schools, the peak hour for offences is 8 am (i.e. before school)
• in secondary schools, the peak hour for offences is 1 pm (i.e. lunch time).

Gladden (2002) claims that the presence of an adult who knows students is viewed as one of the most effective ways to prevent violence (Astor et al., 1999; Noguera, 1995; Thorton et al., 2000). Astor et al. (1999) also cautions that improving connections and respect among teachers and students in classrooms may not improve school safety if these relationships remain isolated in classrooms and fail to extend to the public spaces where most school violence occurs. A

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7 These data were only available for all offences against the person; we were unable to conduct these analyses on offences involving weapons only.
commitment by adults to supervise students throughout the school as well as in their own classroom is required.

When combined with the research evidence presented above, these results suggest that greater supervision of public spaces within schools during the students’ free or transitory time by teachers who have created strong and positive relationships with students in the classrooms would be likely to reduce some of these conflicts. Enlisting the assistance of trained bystanders (students, other staff) may also assist in changing school cultures toward more violence resistance.

Overwhelmingly, the data also indicate that weapon carriage and use by young people is more problematic in the community than it is in schools. There would, therefore, seem to be a need to address the broader community context for weapons carriage and use by young people.

**Recommendations**

Our recommendations are informed by (a) what we have learned about the prevalence, nature and causes of weapon based violence in schools in Queensland; (b) the demonstrated effectiveness of various strategies that have been used to deal with weapon based violence in schools nationally and internationally; and (c) the gaps we have identified in Queensland laws and school policies that frame the current response to weapons in schools.

**Recommendation 1**

To obtain high quality and accurate information about weapons and weapon related incidents and young peoples’ experience of violence, weapons and victimisation in order to inform effective policies and practice, the Queensland Government support the development of a regular community based household survey of youth to explore attitudes and experiences related to violence, victimisation and weapon related experiences in schools and the community.

**Recommendation 2**

To obtain high quality and accurate information about weapons and weapon related incidents to inform effective policies and practice, the Queensland Government work with schooling sectors to identify ways to monitor existing data collection processes and options for improving information about weapon related incidents at Queensland schools.

**Recommendation 3**

That the three schooling sectors encourage all Queensland schools to:

- use evidence based violence prevention and bystander intervention programs and strategies which foster positive school cultures to make them more resilient to violence
- implement and evaluate violence prevention programs including a series of bystander intervention program pilots.

**Recommendation 4**

That the Queensland Government investigates amending Queensland legislation to:
• create an obligation similar to Part 5A of the *Education Act 1900 (NSW)*, which enables schools to obtain information from specified agencies about a young person that has engaged in violent behaviour, for the purpose of assessing whether the enrolment of the young person would constitute a risk to the wellbeing or safety of any student or staff member or to develop and maintain strategies to minimise risk
• bring Queensland into line with other Australian jurisdictions and make it clear that it is an offence to unlawfully supply weapons, including knives, to a child.

Recommendation 5

That all Queensland schools:

• incorporate specific statements about using and carrying weapons in schools, including the consequences for doing so, into all relevant policies and procedures
• develop and implement effective communication strategies to ensure that all students, parents and staff members are aware that carrying and using weapons in schools are inappropriate and potentially unlawful and that there are consequences for doing so.

Recommendation 6

That the Queensland Youth Violence Taskforce examines the efficacy and effectiveness of community based prevention and intervention efforts for reducing the carriage and use of weapons by young people in the community and develop recommendations for addressing this problem.
Chapter 1: Background

Introduction
School violence is a major concern of parents, students, educators, political leaders and others in the community (Mayer & Leone, 1999). Whilst violence across the community, in its many forms and dimensions generates community concern, the issue of school violence in Queensland has generated intense public disquiet for various reasons including the number of incidents that have had severe consequences. The nature of school violence varies across dimensions but an important recent concern is the issue of weapons in schools.

Issues surrounding weapons in schools are generally under-researched in the Australian context. The few studies undertaken to examine delinquency and violence in schools have not specifically examined the use of weapons in any detail. Thus, there is a clear need to understand to a greater extent the nature and extent of weapons in school contexts, the institutional and social context as well as causal processes by which violence and weapon carrying occurs, the available evidence concerning effective policies, programs and practices in place to address this issue, as well as current policy and legislation gaps within Queensland.

Terms of reference
This report has been developed in response to a request from the Minister for Education and Industrial Relations, Cameron Dick MP, to advise him on the following matters:

- The nature, causes and responses to weapon based violence in schools in Australia and internationally
- Evidence based strategies that have been most effective in dealing with this issue nationally and internationally
- A review of laws or policy responses to weapons in schools in other jurisdictions
- The gaps in Queensland laws or policies framing the response to weapons in schools.

Our approach
What is understood about weapon use in schools suggests that such behaviour occurs within a wider institutional, environmental and situational context. Thus, we examined the extant literature on school violence as well as weapons in schools. Understanding why young people bring weapons to school and why they choose to use them is complex.

This report examines past research and relevant policies and legislation that are aimed at reducing school violence, weapon carrying and use, as well as addressing such incidents when they occur. While it is assumed that sadly, violence will occur in school contexts, and that weapons may be brought to school and even in some cases they will be used, it is paramount that responses to these problems are aimed at reducing them and their consequences, rather than exasperating or magnifying them.

Our methodological approach relied upon a detailed examination of the extant literature regarding the nature and extent of school violence, weapon carrying and use, as well as a detailed examination of the research literature regarding effective preventative approaches. We also conducted a legislative and policy scan regarding the existing responses to weapons in schools. In addition, we
examined relevant police administrative data regarding weapons offences and offences against persons in schools and self report survey data from school aged youth. Whilst this issue is under-researched, the research team endeavoured to integrate the available information to inform the way forward for preventing weapons in schools in Queensland.

Our recommendations are aimed at reducing violence and weapons carriage and use in schools, as well as their consequences, rather than exasperating or magnifying the problems in the future.

**This report**
Chapters 2, 3, 4 and 5 of this report set out the evidence so far regarding:

- the nature and extent of school violence  
  o we present research evidence regarding the risk and protective factors for school violence and the most recent and valid prevalence estimates for overseas, Australia and Queensland  
- the nature and extent of weapons in schools  
  o we present research evidence regarding the risk and protective factors for weapons in schools and the most recent and valid prevalence estimates for overseas, Australia and Queensland  
- the nature and effectiveness of the responses to violence and the use of weapons in schools  
- the current legislative, policy and educational responses to the use of weapons in schools

Chapter 6 provides a discussion of our findings and presents our recommendations to address weapon based violence in schools in Queensland.

Table 1 (listed on the following page) provides an overview of the key issues arising in our research. Information displayed in the table puts into context the antecedents to violence and weapon use/carriage, the prevalence and the impacts of both, and identifies the multiple opportunities for intervention. We refer to each of these issues in greater detail within the report.
Table 1: Overview of the causes, prevalence & impact of violent crime & weapon use in Queensland schools & potential intervention opportunities

<table>
<thead>
<tr>
<th>Time</th>
<th>Causes (see Chapters 2-4)</th>
<th>Actions by perpetrator (see Chapters 2-4)</th>
<th>Legal responsibility (see Chapters 2-4)</th>
<th>Impact on victim</th>
<th>Impact on perpetrator (see Chapters 3-4)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Environmental: society, school climate</td>
<td>Warning signs</td>
<td>Offence against the person</td>
<td>Serious</td>
<td>Serious</td>
</tr>
<tr>
<td></td>
<td>Family</td>
<td>Aggression, violence</td>
<td>Prevalence of violence:</td>
<td>• Fear</td>
<td>• Educational</td>
</tr>
<tr>
<td></td>
<td>Individual</td>
<td></td>
<td>• Self report ~10-25% of students</td>
<td>• Physical</td>
<td>• Youth justice options (diversion)</td>
</tr>
<tr>
<td></td>
<td>Previous confrontations, bullying etc</td>
<td></td>
<td>• Police data: ~735 offences per year in Qld primary &amp; secondary schools</td>
<td>• Psychological</td>
<td>• Police record</td>
</tr>
<tr>
<td></td>
<td>As above</td>
<td>Weapon carrying</td>
<td>No offence if not detected</td>
<td>None</td>
<td>Serious if detected</td>
</tr>
<tr>
<td></td>
<td>Delinquency, anti-social behaviours</td>
<td>Weapons carrying</td>
<td>Weapons act offence if detected</td>
<td></td>
<td>• Educational</td>
</tr>
<tr>
<td></td>
<td>Prior victimisation</td>
<td>Prevalence of weapons carrying (self report):</td>
<td></td>
<td>• Police record</td>
<td>• Youth justice options (diversion)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• ~9-13% males</td>
<td>• Possible prison</td>
<td>• Police record</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• ~0-4% females</td>
<td>• Possible enhanced life of crime</td>
<td>• Possible enhanced life of crime</td>
</tr>
<tr>
<td></td>
<td>As above</td>
<td>Weapon carrying</td>
<td>Use of any weapon (opportunistic e.g. rock or defined e.g. firearm/knife)</td>
<td>Very serious</td>
<td>Very serious</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Offence against the person</td>
<td>• Fear</td>
<td>• Educational</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Prevalence (police data):</td>
<td>• Physical</td>
<td>• Youth justice options (diversion)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• ~80 offences per year in schools (10% of offences against the person)</td>
<td>• Psychological</td>
<td>• Police record</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Weapons act offences</td>
<td>• Educational</td>
<td>• Possible prison</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Prevalence (police data):</td>
<td>• Death</td>
<td>• Possible enhanced life of crime</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Majority (~75%) of W. Act offences committed by children/youth occur outside school</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Time</td>
<td>Causes (see Chapters 2-4)</td>
<td>Actions by perpetrator (see Chapters 2-4)</td>
<td>Actions by perpetrator (see Chapters 2-4)</td>
<td>Legal responsibility (see Chapters 2-4)</td>
<td>Impact on victim</td>
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</tbody>
</table>

### Potential intervention and prevention opportunities

<table>
<thead>
<tr>
<th>Primary</th>
<th>Secondary</th>
<th>Tertiary</th>
<th>Tertiary</th>
<th>Tertiary</th>
<th>Tertiary</th>
<th>Tertiary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Positive school culture</td>
<td>Involvement of bystanders/peers</td>
<td>Public space supervision</td>
<td>Crisis response</td>
<td>Medical</td>
<td>Educational</td>
<td>Disciplinary</td>
</tr>
<tr>
<td>Universal training in conflict resolution etc.</td>
<td>Public space supervision</td>
<td>Disciplinary measures</td>
<td>Bystander/peer response</td>
<td>Educational</td>
<td>Police</td>
<td>Legal</td>
</tr>
<tr>
<td>Clear, fair, effective rules</td>
<td>Legislation &amp; policies</td>
<td>Targeted anger management etc.</td>
<td>Disciplinary measures</td>
<td>Police</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relevant legislation</td>
<td>Involvement of law enforcement e.g. search &amp; seizure</td>
<td>Bystander involvement</td>
<td>Targeted individual/family interventions (e.g. anger management)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication about expectations etc</td>
<td>Public space supervision</td>
<td>Legislation/policies</td>
<td>Legislation/policies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public space supervision</td>
<td>Law enforcement</td>
<td></td>
<td>Police</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
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</tbody>
</table>
Chapter 2: The nature and extent of violence in schools

Introduction
Violence in schools is a concern both within Australia (Grunseit, Weatherburn, & Donnelly, 2005; House of Representatives Standing Committee on Employment, 1994; House of Representatives Standing Committee on Family & Youth, 2010) and overseas (Akiba, LeTendre, Baker & Goesling, 2002). It also has significant social costs: numerous studies have reported both short- and long-term emotional, behavioural and psychological problems from student-on-student victimisation such as depression, reduced perception of self-worth, poorer school outcomes, chronic absenteeism, suicide, psychological adjustment (Farrell et al, 2006; Juvonen, Nishina, & Graham, 2000; Whitted & Dupper, 2005). Moreover, in addition to immediate victimisation risks to themselves, school violence affects teachers’ ability to perform their duties and facilitate effective learning environments for their students.

The bulk of the research evidence available for this review focused primarily on school violence. Far less research has examined weapons in schools. Nevertheless, the links between school violence and weapon use warrant its inclusion in this report as it informs our understanding of, and contributes to, our recommendations for preventing and responding to weapon based violence.

In this chapter we therefore present an overview of the most recent research evidence regarding the risk and protective factors for violence in schools as well as estimates of the prevalence of violence in schools overseas, in Australia and in Queensland. The next chapter (3) examines weapons in schools.

This chapter also summarises the key issues arising from the research and alerts the reader to the implications for prevention and intervention arising from the available evidence. The latter is discussed in greater detail in Chapters 4 (prevention activities) and 5 (legislative and policies responses).

Predictors (risk and protective factors) of violence in schools
Comprehensive research has identified an array of potential causes or predictors (risk factors) of school violence and non violence (protective factors). Protective factors are frequently the converse of risk factors; for example, if low socio demographic factors predict violence, high socio-demographic factors may help to protect individuals from perpetrating violence.

Some researchers have focussed on one or two of these factors, others have comprehensively analysed the inter-relationships between multiple factors. There are likely to be a range of independent and inter-dependent influences on violence and attempts to isolate them completely may be inappropriate.

This chapter explores the relative impacts of a range of societal, individual and school factors on the occurrence of school violence. We do the same for our review of the available evidence regarding weapons in the next chapter.
**Societal factors**

According to Gladden (2002), school violence often emerges from deeper problems in society such as high levels of poverty among children, high levels of domestic violence, the prevalence of firearms and high rates of imprisonment and recidivism (Casella, 2001; Lawrence, 1998; Spina, 2000; Wilson, 1996). Indeed, according to some researchers the level of violence in communities surrounding schools strongly predicts school safety (Gottfredson, 2001; National Education Association, 1996; Sebring, Bryk, Roderick & Camburn, 1996).

However, it is important to recognise that ‘most young people exposed to multiple risks will not become violent’ (Office of the Surgeon General, 2001, p. 77). For example, although a relationship between child abuse and violent behaviour exists (Office of the Surgeon General, 2001) less than 20 per cent of youth who are abused or neglected display delinquent behaviour (Lawrence, 1998).

A large nationally representative study of 10,400 grade 7-11 students from 162 schools in Israel examined numerous community, family and school contributors to several types of student reported violence at both a within- and between-school level (Khoury-Kassabri, Benbenishty, Astor, & Zeira, 2004). The researchers found that although community crime rates were not associated with the level of student victimisation, schools in low-SES areas or schools with a large proportion of low-SES students, showed higher levels of reported serious physical violence (Khoury-Kassabri et al, 2004).

The authors also found that schools with higher proportions of boys were consistently more violent and that younger students and students in junior school were exposed to more violence than older students and students in high schools. The authors also reported that while there was no relationship between school size and violence, students in larger/overcrowded classrooms reported higher levels of victimisation.

**Individual factors**

The American Psychological Society at [http://www.apa.org/helpcenter/warning-signs.aspx](http://www.apa.org/helpcenter/warning-signs.aspx) advises that the following individual factors are warning signs for potential violence:

- loss of temper on a daily basis
- frequent physical fighting
- significant vandalism or property damage
- serious/increase in use of drugs or alcohol
- increase in risk-taking behaviour
- detailed plans to commit acts of violence
- announcing threats or plans for hurting others
- enjoying hurting animals
- carrying a weapon
- a history of violent or aggressive behaviour
- gang membership or strong desire to be in a gang
- access to or fascination with weapons, especially guns
- threatening others regularly

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8 Three types of reported violence were examined: serious physical violence, such as being cut with a knife; threats of violence, such as being verbally threatened; and moderate violence, which asked students to indicate if they had been punched or kicked.
• trouble controlling feelings like anger
• withdrawal from friends and usual activities
• feeling rejected or alone
• having been a victim of bullying
• poor school performance
• history of discipline problems or frequent run-ins with authority
• feeling constantly disrespected
• failing to acknowledge the feelings or rights of others.

The APA also identifies the following individual factors that contribute to violent behaviour:

• peer pressure
• the need for attention or respect
• feelings of low self-worth
• early childhood abuse or neglect
• witnessing violence at home, in the community or in the media
• easy access to weapons

and identifies the following individual-related reasons for violent offences:

• Expression. Some people use violence to release feelings of anger or frustration. They think there are no answers to their problems and turn to violence to express their out of control emotions.
• Manipulation. Violence is used as a way to control others or get something they want.
• Retaliation. Violence is used to retaliate against those who have hurt them or someone they care about.
• Violence is a learned behaviour. Like all learned behaviours, it can be changed. This isn’t easy, though. Since there is no single cause of violence, there is no one simple solution. The best you can do is learn to recognise the warning signs of violence and to get help when you see them in your friends or yourself.

Impulsivity and anti-social behaviours
Some studies had identified the risk factors that potentially lead to the expression of the individual characteristics identified by the APA. For example, Grunseit, et al (2008) surveyed 2,216 grade 8 and 9 Australian school students from 60 schools throughout NSW. The authors categorised school violence predictors as individual (e.g. demographic, parenting style and personal characteristics), school, climate or school-level characteristics (such as knowledge and perceptions of school rules and classroom culture, size of school, how experienced teachers were and ethnic profile) and explored how they predicted the frequency with which students reported physically attacking another student on school grounds in the past 12 months. Overall, individual-level characteristics such as being male, being impulsive or having family or learning difficulties were found to consistently predict school violence.

The link between impulsivity and delinquency is supported by a study of Queensland adolescents. Carol and colleagues (2006) explored the differences in impulsivity between 86 offenders from Brisbane Youth Detention Centre and 43 non-offender Brisbane school students. Participants were
matched on a range of demographic variables. As might be expected, offenders were significantly more likely to engage in a range of delinquent behaviours such as property and violent offences, physical aggression and drug use. Importantly however, offenders were also found to be significantly more impulsive than non-offenders. Carol et al (2006) suggest that it may be impulsivity that places students at risk of engaging in antisocial behaviours such as violence. However, as the sample sizes used in this study were small, these findings should be interpreted cautiously as it is not clear how well they generalise to the greater student population.

Hemphill, Toumbourou, Herrenkohl, McMorris and Catalano (2006) sought to understand, when controlling for established risk and protective factors, how school suspensions and arrests affected future antisocial behaviour such as violence and crime. Hemphill et al. (2006) sampled two demographically similar groups including: 2,885 students from Washington State, United States and 2,884 students from Victoria, Australia, from randomly sampled private and public school classes from grades 5, 7 and 9. Their study reports on two data points collected one year apart (2002 and 2003). The authors ran a multivariate logistic-regression model to explore how a range of risk and protective factors predicted antisocial behaviour measured one year later. They categorised the risk factors as individual, family, peer, school, community or societal. The outcome variable, antisocial behaviour, was measured via a composite score created by aggregating participants’ answers when asked how often in the past year they had: attacked someone with an aim to seriously hurt them, stole or attempted to steal a car or motorbike, carried a gun to school, threatened someone with a weapon, sold drugs, been drunk or high at school or beat someone so badly they required medical attention.

The authors found that the important risk factors for antisocial behaviour at one-year follow-up were students who at first assessment had antisocial behaviour, favourable attitudes towards drugs, association with antisocial peers, low school grades, perceived that drugs were available in their community, or were suspended from school (Hemphill et al, 2006). The greatest risk factors were found to be students with antisocial behaviour at first assessment (at 3.6 times greater risk for antisocial behaviour at follow-up) and students with antisocial peers at first assessment (at 1.8 times greater risk for antisocial behaviour at follow-up).

Conversely, the important protective factors for antisocial behaviour at one-year follow-up were found to be students’ who at first assessment were female, believed in moral order, had higher levels of emotional control and attachment to mother (Hemphill et al, 2006). The greatest protective factors were found to be students with higher levels of emotional control at first assessment and students with secure attachments to their mother; both had 1.4 times lower the risk, for anti-social behaviour at follow-up.

Knafo, Daniel and Khoury-Kassabri (2008) also explored whether student values can serve as protective factors. They surveyed 907 grade 10-12 students from 33 Israeli schools. Participants were asked if they had engaged in violent behaviour against another student in the past 12 months, and about how much they valued a range of guiding life principles. These values were hypothesized to be related to student violence and included universalism, power, conformity and security. Power for example referred to a belief that social status is important and can be gained through control and dominance. Universalism reflects a belief in the importance of understanding, appreciation, tolerance and protection for people and nature. While conformity and security were not related to
school violence, power values were found to be positively related, and universalism negatively related, to school violence. What was particularly interesting was that effects were larger in schools in which violence was more common.

The correlates of school violence have also been examined in Taiwanese students. Chen and Astor (2011) surveyed 3,122 grade 4-6 Taiwanese elementary school students from 22 schools. Specifically, they tested Benbenisy and Astor’s (2005) model of school violence that suggests that while a student’s personal and family characteristics predict school violence, this relationship is mediated by school characteristics. Violence was measured as the number of acts of physical violence, vandalism or verbal violence/threat/harassment within the last year. As predicted they found that a student’s negative personal traits, parental monitoring and violence exposure significantly predicted violent acts both towards another student and towards a teacher in the past year. Furthermore, these relationships were mediated by a student’s low school engagement, risky peers or poor student-teacher relationships. That is, the presence of school level risks increased the degree to which the family and personal level risks resulted in student violence. All these relationships were evident for both males and females.

Previous confrontation, victimisation experiences and fear of violence

Most violence in schools develops over a long period as a reaction to other events and an attempt to right old wrongs, make a statement, or promote a point of view (Bucher & Manning 2005). Gladden (2002) reported that the teachers and students he interviewed during his research generally agreed that most physical confrontations were the result of previous verbal exchanges or harassments. For many students, being disrespected was considered the crucial ingredient that led to serious violence, including weapon violence in schools. Gladden thus concludes that to deal with weapon violence or fights without dealing with issues of respect sets the stage for, at best, a quick fix with a short life span (Casella, 2001).

A number of studies have examined the role of students’ fear of school violence. Akiba et al (2010), for example, studied a representative sample of 2,787 15-year-olds in 111 United States schools. They found that poor academic achievers had greater fear then higher academic achievers, and students whose parents had lower levels of parental education also had greater fear. At the school-level they examined between-school variation and found that higher levels of classroom disorder, and lower levels of student-teacher bonding and perceived teacher support, were also positively related with students fear.

Predictors of victimisation

An alternative approach to determining the predictors of violence in schools is to focus on the victims, not just the offenders. In America, Wynne and Joo (2011) examined the predictors of victimisation at school among 5,592 12-18 year-olds who had attended school at some point within the preceding 6-months. They examined predictors for criminal victimisation (property or violent), and aggressive noncriminal victimisation such as fighting or hate-related verbal abuse. Eight per cent of students reported having been criminally victimised. In multivariate models including both school and individual predictors, the significant predictors of criminal victimisation included: being younger, having higher academic achievement, experiencing outside school victimisation, often feeling rejected at school, engaging in avoidant behaviour, lower family household income, gangs in school, and student’s perception of drug availability at school. Very similar variables also predicted student’s
noncriminal victimisation: in a multivariate model using the same predictors as for criminal victimisation, all the variables that predicted criminal victimisation at school also predicted noncriminal victimisation with the additional factors of being male, being black, and being in a school where rules were strictly enforced demonstrating significance. These variables significantly predicted 20.1 per cent of student’s noncriminal victimisation at school.

**School factors**

A number of school based factors have been identified in the research discussed above. We explore them further here as a growing body of research indicates that the school context can influence or modify the occurrence and severity of school violence.

For example, in addition to their findings reported above, Grunseit, et al (2008) found in their Australian study that school climate characteristics emerged as an important group of variables related to students’ self-reports of attacking other students. For example, of the 21 school-level characteristics originally included in the model, only boys schools, smaller schools, schools with more than 25 per cent of teachers with less than five years’ experience, schools with no peer mediation system and students with a high proportion of poor reading or language ability were significant in the bi-variate models. The only school-level variable that remained significant after accounting for individual-level and school-climate variance was teacher experience.

Khoury-Kassabri et al. (2004) also found that a good school climate was negatively related to victimisation and that school policies with clear and consistent rules, positive student-teacher relationships and student participation in decision making, were all linked to lower levels of school violence. The authors suggest that this finding provides strong support for the argument that a positive school climate gives rise to less school violence (Khoury-Kassabri et al, 2004).

Also in Israel, another study used a nationally representative sample of 10,254 grades 7-11 students from 164 schools to examine the association between student participation and teacher support, and student victimisation (Marachi & Benbenishty, 2007). The findings reveal that across all models greater levels of teacher support was associated with lower levels of student victimisation (Marachi & Benbenishty, 2007). This influence was found to be stronger for certain environments, for example teacher support was found to be even more influential for schools structured around more hierarchical/patriarchal models then those structured around more western models. Nonetheless, across all levels, greater teacher support of students was consistently associated with lower levels of perceived student victimisation.

The association between teacher support and student victimisation suggests that increasing teacher-support may be an effective strategy for reducing student violence. However, association does not establish causality. Furthermore, this relationship may be affected by other relationships not included within the model. For example, it may be that student victimisation also affects levels of teacher support. It seems plausible that it may be more difficult for teachers to provide support in schools that experience higher levels of victimisation, or that this relationship is moderated by other influences.
The prevalence of violence in schools

Information about the extent of school violence can be measured by surveys or interviews. Alternatively, administrative or official data (e.g. from schools and educational authorities, police and health agencies) is employed to record incidents of school violence.

Survey and official data each have positive and negative attributes, although both can be used for different reasons and often complement each other. A major benefit of self report surveys are that they allow a more accurate reflection of the true prevalence of criminal activity through the inclusion of incidents that are not reported to the police. Statistics about crime and delinquency gathered by police authorities on the other hand, while presenting largely reliable trends over time consistently underestimate the true extent of crime as they only measure offences that come to the attention (via reporting or discovery) of the police and other authorities.

International estimates

Research

Research has revealed that the prevalence of school violence is disturbingly high in some parts of the world (Astor, Benbenishty, Vinokur & Zeira, 2006; DuRant, Kahn, Beckford & Woods, 1997; Eaton et al, 2008; Grunseit, Weatherburn & Donnelly, 2008; Hemphill et al, 2007; Kuntsche & Klingemann, 2004; White & Mason, 2006; Wynne & Joo, 2011; Zeira & Benbenishty, 2003). Akiba and colleagues (2002) compared levels of school violence across 37 different countries. They found that, on average, 27.8 per cent of students reported being a victim of violence within the past month. Levels of victimisation within the last month ranged from just over 5 per cent of students from Denmark to approximately 75 per cent of students from Hungary.

The Youth Risk Behaviour Surveillance (YRBS) System (Eaton et al, 2008) monitors various categories of health-risk behaviours in American youth and young adults. The latest report, which was based on a representative sample of 14,103 students in grades 9-12 from 39 states and over 157 schools, revealed that in the previous 12 months 35 per cent of students had been in a physical fight on school property one or more times, although the overall incidence of being in a fight was higher among male students (44.4%) than female students (26.5%). Nationwide, 4.2 per cent of students had been injured in a physical fight to the extent that they required treatment from a doctor or nurse. These findings are consistent with a recent survey of American students whereby 19 per cent reported being fearful at school due to a fear of fights or being a victim of crime (Bachman, Randolph & Brown, 2011).

It is hardly surprising then that many students are acutely aware of school violence. Zeira & Benbenishty (2003) surveyed a representative sample of 15,916 Israeli school students in grades 4-8. Defining violence as behaviour that results in physical harm, psychological harm or property damage, they found that nearly one third of elementary and middle school students, and nearly one quarter of secondary students, reported that violence in their school was a big or very big problem.

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9 The authors defined violence as “any physical or psychological assault, or threat of assault, by students, on other students or teachers in the school, which are perceived as violent by the victims”.
Australian estimates

Research

Studies of school violence in Australia are relatively scarce. Definitional consistency over what constitutes school violence is also a challenge as each Australian study of self-reported episodes of physical school violence has defined violence differently. In so doing, the definition of violence will clearly influence the prevalence estimates.

In the large international study discussed above, Akiba and colleagues (2002) found that more than 30 per cent of Australian students reported being the victim of school violence within the last month, just above the international estimate of 28.8 across 37 countries. In another study of 2,616 grade 8 and 9 students from New South Wales which asked students if they had physically attacked a student at school or on the way to or from school within the previous 12 months (Grunseit et al, 2008), over half of the male students (55.5%) and nearly one third (31.1%) of female students reported attacking another student in the past year.

More refined definitions have been used in other studies. For example, Hemphill et al. (2007) surveyed a representative sample of 2,884 grade 5, 7 and 9 students in Victoria and asked whether, within the last 12 months, they had attacked someone with the idea of seriously hurting them, or beaten someone to the extent they probably required medical attention from a doctor or nurse. For the grade 5 students, 16 per cent of males and 4 per cent of females reporting attacking someone, and 7 per cent of males and 2 per cent of females reported beating someone. For the grade 7 and 9 students, 9 per cent of male students and 3 per cent of female students reported attacking someone, and 7 per cent of male students and 1 per cent of female students reported beating someone.

Using yet another definition, White and Mason (2006) surveyed 743 grade 10 to 12 students from seven schools in the Perth metropolitan area and one country school. Instead of defining violence as physically attacking another student, they asked students if they had participated in a fight in the previous 12 months. The results revealed that approximately one quarter of students had done so within the preceding 12 months. They also reported that of those who had been involved in a fight, 56 per cent had fought with one person and 44 per cent had fought with multiple people.

Official/ administrative data

NSW Police Force data

Using data from the NSW Police Force’s administrative database, Trimboli (2010) analysed all reported criminal incidents recorded between 2005 to 2009 that involved school aged children (ages 12-17). Trimboli’s results showed that in 2009 only 12.1 per cent of assaults on school-aged victims occurred on school premises. Of those assaults, in approximately two thirds of cases the offender was male. Given that students spend approximately 8 hours of each week day at school, she suggested that schools are, therefore, relatively safe environments. Additionally, Trimboli found that, although there was no significant change in the frequency of assaults at primary schools and that there has been no change in the severity of assaults overall over time (see Table 2.1 below), violent incidents in secondary schools had increased significantly by an annual percentage increase of 7.53 per cent. Trimboli (2010) cautions, however, that it is not possible to interpret this as a clear sign of escalating school violence as since 2003 there has been a number of policy, procedural and
organisational changes in NSW. For example, from 2005 it became mandatory for NSW school principles to report all incidents involving violence to the School Safety and Response Hotline. Thus, while the increase may reflect a concerning escalation in levels of violence across NSW secondary schools, it is also possible that systemic changes have affected the number and the type of assaults being reported to police.

Table 2.1: Trend in type of assault for assault incidents on school premises during school hours involving school-aged children, NSW, 2005-2009

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Common assault (^a)</td>
<td>524</td>
<td>78.0</td>
<td>575</td>
<td>79.0</td>
<td>592</td>
<td>77.4</td>
<td>571</td>
<td>75.3</td>
<td>614</td>
<td>75.8</td>
</tr>
<tr>
<td>Actual Bodily harm (^b)</td>
<td>141</td>
<td>21.0</td>
<td>141</td>
<td>19.4</td>
<td>161</td>
<td>21.0</td>
<td>174</td>
<td>23.0</td>
<td>183</td>
<td>22.6</td>
</tr>
<tr>
<td>Grievous bodily harm, including</td>
<td>7</td>
<td>1.0</td>
<td>12</td>
<td>1.6</td>
<td>12</td>
<td>1.6</td>
<td>13</td>
<td>1.7</td>
<td>13</td>
<td>1.6</td>
</tr>
<tr>
<td>malicious wounding (^b)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>672</td>
<td>100.0</td>
<td>728</td>
<td>100.0</td>
<td>765</td>
<td>100.0</td>
<td>765</td>
<td>100.0</td>
<td>810</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Note. Reprinted from Trimboli, 2010. Copyright 2010, Department of Justice and Attorney General NSW.

\(^a\) this is a less serious type of assault
\(^b\) these are more serious types of assault

Injury surveillance data

The Australian Institute of Health and Welfare (AIHW) collates national hospital injury data from its National Hospital Morbidity and Mortality databases (AIHW, 2008). The AIHW summarise the most recent findings (2005/06) as follows:

- Since 1996-97 the assault hospitalisation rate for young males has been around four times that of young females (325 compared with 80 per 100,000 young males and females respectively). The disparity in rates between males and females increases with age, from three times among 12-14 year olds to around four times for 15-17 and 18-24 year olds.
- Assault hospitalisation rates increase with age for males and females. For young males the rate increases rapidly in 2005/06 from 56 per 100,000 among 12-14 year olds to 247 per 100,000 among 15-17 year olds and 477 among 18-24 year olds. Rates also increase with age for females but remain much lower than males at each age, with corresponding rates of 21, 67 and 111 respectively.
- Assault by bodily force (i.e. unarmed brawl or fight) accounted for almost two-thirds of assault hospitalisations among young people (4,858 hospitalisations) in 2005-06.\(^{10}\)
- In 2005 there were 27 deaths of young people aged 12-24 due to assault – a rate of 0.7 per 100,000 young people. This represents 2 per cent of all deaths of young people for the year.
- Among males aged 0-14 years, 31.3 per cent of assaults (n=85) occurred at school; for males aged 15-24 years, only 2.4 per cent of assaults of occurred at school (n=54). Among females aged 10-14 years, only 8.3 per cent of assaults occurred at school (n=10); for females aged 15-24 years only 1.2 per cent (n=7) occurred at school.

\(^{10}\) Assaults with weapons are discussed in the next chapter.
Queensland estimates

Research
Two relevant research studies have been conducted in Queensland and both were funded by the Australian Research Council. These are the Sibling Study, led by Professor John Western (and colleagues) of the University of Queensland and the Police and Young Person Study, led by Professor Western, Dr. Christine Bond, and Professor Paul Mazerolle in partnership with the Queensland Crime and Misconduct Commission.

The Sibling Study was a self-report study designed to compare the trajectories of serious offenders and non-offenders. The study examined four cohorts comprising individuals categorised as at school, vulnerable, offenders or Indigenous. As the vulnerable, offender and Indigenous cohort are not directly relevant to violence in schools, for the purposes of this report we only report the school cohort that included 664 students in grades 8-12 from 16 state high schools in South East Queensland.

Students completed a 65 page self-report questionnaire addressing a wide range of potential influences on crime, such as demographic factors and individual or neighbourhood characteristics. Of particular interest, in 1995 students were asked a series of questions regarding their deviant behaviour within the preceding 12 months. Table 2.2 presents the results of three questions relating to violence, and the percentage of males and females who reported engaging in those behaviours. These behaviours did not necessarily occur at school.

While more males reported participation in violent acts than females, the level of female participation in violence was also noticeably high. The gender ratios observed across the three areas ranged from 1.5:1 to 3:1.

Given the different wording, it is difficult to compare these findings directly to Grunseit et al’s (2008) or Hemphill et al.’s (2007) findings as all three studies measure violence differently. Nonetheless, a clear picture emerges of a significant proportion of Australian students engaging in physically violent behaviour.

Table 2.2: Percentage of grades 8-12 south-east Queensland students reporting participation in violent activities in 1995

<table>
<thead>
<tr>
<th>In the past 12 months, have you...</th>
<th>1995* Male (n = 324)</th>
<th>1995* Female (n = 341)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Threatened someone or forced someone to give you things?</td>
<td>10.5</td>
<td>6.2</td>
</tr>
<tr>
<td>Deliberately hurt or beaten up somebody?</td>
<td>21.2</td>
<td>7.3</td>
</tr>
<tr>
<td>Taken part in a fight between two or more groups?</td>
<td>24.0</td>
<td>15.5</td>
</tr>
</tbody>
</table>

*Sibling Study data

In 2006, the Policing Young People study sought to understand the nature and dimensions of police-youth interactions. A self-report survey was administered to 540 grade 9 students from five schools in the Brisbane area. Students were asked the same questions regarding their deviant behaviour within the preceding 3 months that students in the Sibling Study were asked regarding their deviant behaviour in the preceding 12 months. As the same questions were used, this provides a unique
opportunity to compare changes in the prevalence of Queensland student’s self-reported violence over a 10-year period. Table 2.3 presents this comparison.

Table 2.3: 1995 and 2006 prevalence data for grade 9 Queensland students reporting participation in violent activities

<table>
<thead>
<tr>
<th>Have you...</th>
<th>1995$^a$</th>
<th></th>
<th>2006$^b$</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male (n = 86)</td>
<td>Female (n = 59)</td>
<td>Male (n = 265)</td>
<td>Female (n = 273)</td>
</tr>
<tr>
<td>Threatened someone or forced</td>
<td>10.5</td>
<td>1.7</td>
<td>12.5</td>
<td>5.5</td>
</tr>
<tr>
<td>someone to give you things?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deliberately hurt or beaten up</td>
<td>24.4</td>
<td>3.4</td>
<td>20.4</td>
<td>9.9</td>
</tr>
<tr>
<td>somebody?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taken part in a fight between</td>
<td>26.7</td>
<td>11.9</td>
<td>25.7</td>
<td>23.8</td>
</tr>
<tr>
<td>two or more groups?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

$^a$Sibling Study; Students reported on behaviour within preceding 12 months.

$^b$Policing Young People Study; Students reported on behaviour within preceding 3 months.

Most notable from the comparison between the Sibling Study and the Policing Young People data is the clear increase in female student violence over time. Even though students in the Policing Young People study are reporting on behaviour during only one quarter the time span of the Sibling Study, twice the proportion of females reported participating in group fights, and over three times the proportion reported threatening someone or hurting/beating someone. These findings, which have not been published previously, corroborate recent concerns and statistics about increasing violence among female youth in Queensland (McHugh & Mazerolle, 2011). However, caution should be used in interpreting these results as only a small numbers of schools were involved in this study.

Official/administrative data

Queensland Police Service data

The QPS provided us with relevant data for all offences against the person occurring in an educational institution in Queensland in the financial years 2005/06-2010/11. Offences against the person include homicide, assault, sexual offences, robbery, and other offences (kidnapping, extortion, and stalking, other life endangering acts). These data include offences with and without a weapon.

Educational institutions were defined by the QPS to include the following categories: education, historical school, library, primary school, secondary school and university/TAFE. However, the QPS advised that with the introduction of QPRIME$^{11}$ in June 2007 the scene location keyword was disaggregated from 'School'$^{12}$ to 'Primary school', 'Secondary school' and 'University/TAFE'. To ensure some clarity regarding primary and secondary schools, therefore, the majority of data provided in this report focuses primarily on the offences occurring between 2007/08-2010/11.

Number of offences

A total of 4,735 offences against the person were reported at an educational institution in Queensland in the last 4 (financial) years. On average this means that 1183.75 offences against the

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$^{11}$Introduced in 2007, Queensland Police Records and Information Management Exchange (QPRIME) is a data integration and management system that provides police with a greater capacity to detect, prevent and solve crime in Queensland.

$^{12}$We assume this to mean the term ‘historical school’ in the data tables provided. This category does not appear in any of the tables we provide as we excluded all offences reported before 2007/8.
person per annum\(^{13}\) occurred in an educational institution in Queensland between 2007/08 and 2010/11.\(^{14}\) The data suggest there is no evidence, based on police data that offences against the person in educational institutions are increasing in Queensland.

Table 2.4: Number of offences against the person occurring in an educational institution in Queensland 2007/08-2010/11 (all categories)

<table>
<thead>
<tr>
<th>Location</th>
<th>Number of offences against the person occurring in an educational institution 2007/06-2010/11 (not individual offenders or offence occasions)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>With weapon</td>
<td>Without weapon</td>
</tr>
<tr>
<td>Education</td>
<td>159</td>
<td>1494</td>
</tr>
<tr>
<td>Library</td>
<td>4</td>
<td>54</td>
</tr>
<tr>
<td>Primary school</td>
<td>127</td>
<td>917</td>
</tr>
<tr>
<td>Secondary school</td>
<td>189</td>
<td>1702</td>
</tr>
<tr>
<td>University/TAFE</td>
<td>9</td>
<td>65</td>
</tr>
<tr>
<td>Column total</td>
<td>488 (10.3%)</td>
<td>4232 (89.4%)</td>
</tr>
</tbody>
</table>

Offences at primary and secondary schools (2007/8-2010/11)

Between 2007/08 and 2010/11, 22.09 per cent (n=1,046) of all offences against the person occurring at an educational institution occurred in a primary school and 39.97 per cent (n=1,893) occurred in a secondary school; i.e. 62.07 per cent (n=2,939) of all offences against the person occurring at an educational institution occurred at a primary or secondary school. We are unsure what the category ‘education’ includes and have therefore excluded it from these figures.\(^{15}\)

Offenders: all offences against the person in educational institutions, 2007/8-2010/11

The QPS advises that:

- the data provided about offenders do not represent a unique offender count; a person charged with multiple offences will be counted multiple times in any demographic breakdown
- a person aged less than 10 years of age is considered too young to be criminally responsible; thus, a person aged less than 10 years cannot be an offender and as such, all such persons are excluded from all offender counts.

With these caveats in mind, a total of 2,776 offenders\(^{16}\) were responsible for all offences against persons in all educational institutions between 2007/8 and 2010/11. The majority of offenders were males (70.8%), and their ages ranged between 10 and 94 years. We were unable to analyse these data for weapons offences only.

Offenders: offences against the person in primary and secondary schools, 2007/8-2010/11

The majority of offenders committing offences in primary schools were males (76.9%) and their ages ranged from 10 – 77 years. The majority, however, were aged 10-14 with 12 years being the modal,

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\(^{14}\) The equivalent figures for 2005/06-2010/11 showed that a total of 6994 offences against the person were committed in an educational institution, and 11.3 per cent of these involved weapons.

\(^{15}\) We have been informed that the data in this category have been misclassified; the QPS is now examining QPRIME to overcome this problem.

\(^{16}\) The actual number of individual offenders will be fewer than this number.
or most frequent age of the offenders (n=85). We were unable to analyse these data for weapons offences only (see Figure 2.1).

**Figure 2.1: Number of offenders at primary schools by age and gender (2007/08-2010/11)**

The majority of offenders committing offences in secondary schools were males (66.4%) and their ages ranged from 10 - 76 years. The majority of these were aged 13-17 years with 14 years being the modal, or most frequent age of the offenders (n=346)(See Figure 2.2). We were unable to analyse these data for weapons offences only.
Figure 2.3 Number of offenders at secondary schools by age and gender (2007/08-2010/11)

Table 2.5: The proportion of adult and juvenile offenders, all offences against the person occurring in primary and secondary schools, 2007/08-2010/11

<table>
<thead>
<tr>
<th></th>
<th>Juvenile (10-16 years)</th>
<th>Adult (17+ years)**</th>
<th>All offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary schools</td>
<td>269 (63.9%)</td>
<td>152 (36.1%)</td>
<td>421 (100%)</td>
</tr>
<tr>
<td>Secondary schools</td>
<td>1075 (85.1%)</td>
<td>188 (14.9%)</td>
<td>1263 (100%)</td>
</tr>
</tbody>
</table>

** The category ‘adult’ will include both students and non-students aged 17 years and older; the data do not indicate whether the offenders are students or not.

Summary
This chapter reviewed the current literature about the predictors (risk and protective factors) and prevalence of violence in schools overseas, within Australia and in Queensland. A summary of the chapter’s findings is presented below, with particular emphasis on Australia and Queensland.

Student violence has been highlighted as a worldwide issue of concern. It has been linked to numerous negative short- and long-term outcomes for students such as poor psychological adjustment, absenteeism, poorer learning outcomes, and tragically, even death.
Overall, however, schools are relatively safe environments with youth violence at school only contributing to a small proportion of youth violence overall. NSW police data, for example, shows that only 12 per cent of violent offences involving school-aged children occurred on school grounds. Despite this, concerning levels of violence are present in many schools around the world.

Risk and protective factors
Although it can be difficult to understand the exact mechanisms that lead to violent school behaviour by students, it is clear that some factors increase the risk that students will engage in these behaviours; others protect students from doing so. Further, it appears that the more risk factors for violence a student has, the more likely they will be involved in school violence.

Individual factors such as being male, having learning difficulties at school, being involved with drugs, having family problems, poor impulse control, feeling rejected at school or student values such as a belief in the value of obtaining social status through control seem to be important for both violence and weapons in schools. The school environment also appears to be influential; factors such as having unclear and inconsistent rules regarding violence, lower levels of school attachment and involvement and poor relationships with teachers predict school violence and weapons.

School violence can also be a response to prior experiences of violence at school. Further, the possibility of a student reacting to a violent experience with violence, the severity of their response, and even the chances of them being in a violent encounter to begin with, may be related to their risk factors. For example, students seem more likely to carry a weapon to school when they have been threatened with a weapon, or miss a large number of school days due to fear, than when they report being in a fist fight. Additionally, some authors suggest that the likelihood of students responding to violence with violence is influenced by their belief in their schools ability to ensure their safety. Some students may resort to violence as a self-protection measure when they do not feel their school is able to protect them.

While risk factors have been shown to increase the risk for violence, protective factors may also help protect students from engaging in school violence, even in the presence of other risk factors. Some research has shown that protective school and individual factors such as having a good teacher relationship, school attachment, having a belief in moral order, or emotional control, help minimise the influence of risk factors.

Furthermore, given the substantially lower youth violence at school when compared to outside of school, it appears schools themselves may serve as a protective factor. A good understanding of protective factors may prove vital in the development of interventions aimed towards helping address school violence.

Prevalence
In Australia, the majority of physical altercations between students on school grounds are between male students aged 13 and 15, do not involve a weapon, and result in no, or only minor injuries. Examination of NSW police records suggests there has not been any significant increase in the severity of youth assault over time. There may have been increases in the frequency of physical assault at school by secondary school students over time, but systemic changes in the way violence is reported by schools means that the evidence supporting this is unclear.
Although there is only a small amount of relevant Queensland research examining school violence, the evidence suggests that many students may be involved in physical violence at school. For example, in one study approximately 10 per cent of males reported threatening or forcing someone to give them things, and approximately 25 per cent of male students reported participating in group fights. While female violence is substantially lower than male violence, some research examining grade 9 students in Brisbane over time suggests that female violence may be increasing.

**Conclusions**

Understanding school violence -- how large the problem is, whether it is increasing, or changing, and the various correlates or risk factors involved --- is fundamentally important for informing preventative initiatives. Current data systems reveal some conflicting messages regarding the extent of this issue in Queensland. For example, official police data, whilst representing more conservative estimates of violent crime, suggest there is no evidence that offences against the person in educational institutions are increasing in Queensland.

The picture from survey data, drawn from self report studies of students, is less consistent however; some studies suggest that aspects of school violence are increasing in Queensland, although the lack of recent and consistent studies of a large pool of schools illuminates the need for further work on this issue. Studies also show that while Australia may experience less fatal school violence than other countries, the frequency of violence in Australian schools is at similar levels to that within American schools.
Chapter 3: The nature and extent of weapons in schools

Introduction
This chapter focuses on the research evidence about weapons in schools. There are notable gaps in this literature. For example, most research focuses on weapon carrying and the predictors of weapon carrying at school. While weapon carrying, albeit dangerous, is not inherently a violent act, it is a necessary prerequisite for use, but there is little research about the actual use of weapons in schools.

Additionally, most research fails to distinguish between weapon types. Some studies distinguish between guns and knives but few go further. This information is important as students may have different reasons for bringing different weapon types to school and different weapon types present different levels of risk, thus failure to record weapon type may result in a failure to accurately reflect risk.17

With these limitations in mind, this chapter presents an overview of the most recent research evidence regarding the risk and protective factors for weapons in schools as well as the prevalence of weapons in schools. It also summarises the key issues arising from the research and alerts the reader to the implications for prevention and intervention arising from the available evidence. The latter is discussed in greater detail in Chapters 4 (prevention activities) and 5 (legislative and policy responses).

Predictors (risk and protective factors) of weapons in schools
Whilst weapon carrying and weapon use in schools is generally under-researched, a number of correlates have emerged in the literature. Many of these reflect the factors described previously with regards to violence in schools. They are described below.

Individual factors

Anti social behaviours
In the main, the general delinquency literature does not view weapon carrying and weapon use as distinct behaviours, but rather examines them as part of an overall offender profile or disposition (Astor et al, 2004). For example, Hemphill (2006) included weapon carrying with other behaviours such as drug selling as a measure of student anti-social behaviour and White and Mason (2006) distinguished young people who were members of gangs in Perth, Australia, from those who were not on the basis of dimensions such as: the students experiences of school, the locations they frequented, weapon use/carrying and patterns of drug use.

As with general violence, one explanation for weapon carrying at school is that it is part of overall delinquent behaviour (Astor et al., 2004) and several studies have found strong support for this view (Lowry, Powell, Kann, Collins & Kolbe, 1998; Roe & Ashe, 2008; Youth Justice Board, 2009). Weapon carriers have been shown to be involved in a broad range of antisocial behaviours and weapon

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17 For example, the British Youth Survey (Youth Justice Board, 2009) found that not only were there regional differences in general levels of weapon carrying in the UK, specific types of weapon carrying also differed. Incidences of penknife carrying were highest in the South West and Wales, whereas BB gun carrying was highest in North East, South East and South West. It is important to understand this information when developing intervention strategies.
carrying has been shown to be related to negative social environments where negative social groups normalise, desensitise and indoctrinate weapon use (Astor et al, 2004).

Anderson et al (2010), for example, found that students who reported committing a criminal offence within the preceding 12 months were significantly more likely to carry a weapon than those who had not (52% compared to 24%). They also reported that student weapon carriers were more likely to report being part of a group where criminal behavior was seen as acceptable (53% of students versus 24% of students who were not in a group that viewed crime as acceptable).

Furlong and Morrison (2000) examined the issue differently. Instead of examining weapon carrying as part of a broad range of behaviours and experiences, they examined how identified risky behaviours and experiences predicted weapon carrying. Specifically, they examined how frequently students reported being involved in a range of aggressive and related risk behaviours at school, and explored how these factors predicted self-reported weapon carrying at school. The authors used the Youth Risk Behaviour Surveillance Survey (YRBS) to examine 40,435 grade 9-12 American students’ self-reports on nine aggression and risk behaviour questions, including their involvement with drugs or violence at school and how many times they had been either threatened with a weapon or did not attend school due to fear.

The findings revealed that students who reported carrying weapons in the preceding month appeared to be more likely to carry them multiple times. Moreover, as seen in Table 3.1 the more risk factors reported by the weapon carriers the more frequent the reported weapon carrying. That is the more students were exposed to negative experiences, the higher the chance of them carrying a weapon to school. Third, the data also suggest that weapon carrying is not a rare event.

Table 3.1: School violence risk factor index standard score range by frequency of self-reported weapon carrying on school property

<table>
<thead>
<tr>
<th>Number of School Risk Factors</th>
<th>Frequency (Days) in Month Carried Weapon (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>None</td>
</tr>
<tr>
<td>0</td>
<td>16,339</td>
</tr>
<tr>
<td>1</td>
<td>11,959</td>
</tr>
<tr>
<td>2</td>
<td>6,189</td>
</tr>
<tr>
<td>3</td>
<td>3,137</td>
</tr>
<tr>
<td>4</td>
<td>1,517</td>
</tr>
<tr>
<td>5</td>
<td>669</td>
</tr>
<tr>
<td>6</td>
<td>324</td>
</tr>
<tr>
<td>7-9</td>
<td>244</td>
</tr>
<tr>
<td>N</td>
<td>40,378</td>
</tr>
<tr>
<td>% of all students</td>
<td>90.7</td>
</tr>
</tbody>
</table>


\( \chi^2(18) = 5,051.13. \) \( *p = .000001. \) Pearson \( r = .34. \)

Fear and victimisation

Some research suggests that some students who carry weapons may not fit within the delinquent category but carry weapons for other reasons, such as fear (Astor, et al, 2004). Such students may be concerned for their safety, or have been previously threatened with a weapon and believe they need protection. In support of this hypothesis, research shows that when students are actually asked why they bring weapons to school, a commonly reported reason is because they are afraid (Furlong &
Morrison, 2000; Wilcox et al, 2006). For example, in the UK Youth Survey Anderson et al (2010) found that after carrying weapons for hobbies, activities or sports (30% of weapon carriers), the second most reported reason for weapon carrying was for self-protection (24% of weapon carriers). Students were substantially less likely to carry weapons for other reasons. The fear hypothesis suggests that student weapon carrying is a situational reaction to a real or perceived threat at school.

Closely aligned with fear is victimisation. Several studies have demonstrated that students who carry weapons do so because they have previously been victimised. DuRant (1997), for example, reported that, in addition to other variables such as frequency of school fighting and drug involvement, being threatened or injured with a weapon at school significantly predicted weapon carrying. Further, both the number of days a student did not attend school due to feeling unsafe, and the number of times threatened, increased the odds they would carry a weapon to school (DuRant et al, 1997).

In a separate study DuRant (1999) examined the predictors of gun and non-gun weapon carrying independently and found that being threatened with a weapon predicted non-gun carrying but not gun carrying. Students in Durant et al.’s (1999) study did not report what weapon they were threatened with but given that non-gun carrying is substantially more prevalent then gun carrying, it is likely that students had been threatened more frequently with non-gun weapons.

The relationship between victimisation and weapon carrying is perhaps most clearly demonstrated in a study of Israeli students. Astor et al. (2004) asked students a range of questions regarding their victimisation, and for each specific form of violent act compared the probability a student would bring a weapon to the probability a student would not. As seen in Table 3.2, students who were victims of violent acts were clearly more likely to carry weapons to school. Furthermore, it appeared that in general the more serious the victimisation, the higher the probability the victim would carry a weapon.

<table>
<thead>
<tr>
<th>Student Victimisation</th>
<th>Probability of bringing a gun to school</th>
<th>Probability of bringing a knife to school</th>
</tr>
</thead>
<tbody>
<tr>
<td>A student threatened you with a gun and you saw the gun</td>
<td>1.7% (Victimised 30.1%)</td>
<td>4.8% (Victimised 30.6%)</td>
</tr>
<tr>
<td>You saw a student in school with a gun</td>
<td>1.5% (Victimised 28.5%)</td>
<td>4.4% (Victimised 34.2%)</td>
</tr>
<tr>
<td>A student seized and shoved you on purpose</td>
<td>1.6% (Victimised 20.8%)</td>
<td>4.3% (Victimised 29.3%)</td>
</tr>
<tr>
<td>A student cut you with a knife or a sharp instrument on purpose</td>
<td>1.6% (Victimised 20.8%)</td>
<td>4.3% (Victimised 29.3%)</td>
</tr>
<tr>
<td>A student gave you a serious beating</td>
<td>1.7% (Victimised 16.0%)</td>
<td>4.3% (Victimised 23.8%)</td>
</tr>
<tr>
<td>A student threatened you with a knife, and you saw the knife</td>
<td>1.8% (Victimised 15.5%)</td>
<td>4.5% (Victimised 23.2%)</td>
</tr>
</tbody>
</table>

18 Other reasons included: 14% in case I needed it for hobbies etc, 10% in case I got in a fight, 7% work related reasons, 6% vandalism, 5% to scare others, 4% my friends carry one, 3% to injure someone, 7% don't know, 4% don't want to answer, 18% not stated.
<table>
<thead>
<tr>
<th>Student Victimisation</th>
<th>Probability of bringing a gun to school</th>
<th>Probability of bringing a knife to school</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Not Victimised %</td>
<td>Victimised %</td>
</tr>
<tr>
<td>You were blackmailed under threats by another student</td>
<td>1.7</td>
<td>15.4</td>
</tr>
<tr>
<td>Gang members at school threatened, harassed, and pressured you</td>
<td>1.6</td>
<td>14.6</td>
</tr>
<tr>
<td>You were involved in a fight, got hurt, and required medical attention</td>
<td>1.7</td>
<td>12.3</td>
</tr>
<tr>
<td>Students threatened you on your way to or from school</td>
<td>1.6</td>
<td>10.6</td>
</tr>
<tr>
<td>Another student took your things away from you by force</td>
<td>1.7</td>
<td>8.1</td>
</tr>
<tr>
<td>A group of student boycotted you—did not want to play/talk with you</td>
<td>1.9</td>
<td>7.8</td>
</tr>
<tr>
<td>A student used a rock or another instrument in order to hurt you</td>
<td>1.4</td>
<td>7.3</td>
</tr>
<tr>
<td>You were involved in a fist fight</td>
<td>1.5</td>
<td>5.9</td>
</tr>
<tr>
<td>A student tried to intimidate you by the way he was looking at you</td>
<td>1.8</td>
<td>5.7</td>
</tr>
<tr>
<td>You were kicked or punched by a student that wanted to hurt you</td>
<td>2.0</td>
<td>4.2</td>
</tr>
<tr>
<td>A student threatened to harm or hit you</td>
<td>2.0</td>
<td>4.2</td>
</tr>
<tr>
<td>You saw a student in school with a knife (or an “exacto knife”)</td>
<td>1.4</td>
<td>4.0</td>
</tr>
<tr>
<td>A student mocked, insulted, or humiliated you</td>
<td>2.7</td>
<td>2.7</td>
</tr>
<tr>
<td>A student cursed you</td>
<td>3.0</td>
<td>2.6</td>
</tr>
</tbody>
</table>


While some studies show that student fear appears to facilitate weapon carrying, a number of other studies have failed to establish a clear link between fear and student weapon carrying. The implications are significant because if experiencing fear gives rise to students carrying weapons to school, policies and programs that address fear can also have the spin off benefits of reducing the occurrence of weapons being brought to school. To better examine this relationship, research by Rountree (2000) included a range of socio-demographic, fear, criminal-lifestyle, weapon socialisation and attachment variables in a multivariate model predicting student weapon carrying in Kentucky schools. The fear variables included were: being threatened at school, having property stolen at school and being afraid at school. Independent models were estimated for each county level: urban, western and eastern. Across the three models, the only relationship that was significantly predictive of weapon carrying was being threatened at school in Kentucky in an eastern-county (Rountree, 2000).

Watkins (2008) also examined fear related predictors of student weapon carrying. In a nationally representative sample of U.S. students Watkins (2008) included school, community and individual predictors of weapon carrying. He reported that after accounting for variance contributed by other
variables in the model school, fear was not significantly predictive of student weapon carrying. Interestingly however, student weapon victimisation at school was predictive of carrying (Watkins, 2008).

Additionally, Wilcox, May and Roberts (2006) argue that as most research examining the relationship between fear and weapon carrying is cross sectional research, it is very difficult to disentangle the temporal order between potential causal influences. While it is possible that students carry weapons because they are afraid, it is also possible that students are afraid because they carry weapons (Wilcox et al, 2006). For example, research into school metal detectors has shown that independent of school violence, metal detectors increase school fear (Gastic, 2011). The act of weapon carrying may influence students’ cognitive perception of fear heightening their feelings of danger.

In summary, the available evidence suggests that the precise relationship between fear and weapon carrying among students is unclear. Understanding the reasons why students carry weapons at school is important however, as such knowledge may be beneficial in developing interventions aimed at creating safer schools via reductions in school weapon carrying. Clearly, however, given the discrepancy between reported weapon carrying and weapon use, only a small proportion of students who carry weapons use them violently.

**Non violent reasons for carrying weapons**

It is likely that a proportion of students who report carrying weapons at school do so for innocuous reasons. In the Youth Justice Board’s study (2009) of UK children the most common reason given for carrying a knife was for sports or similar activities (32%). Similarly, the most common reason given for carrying a gun was for hobbies, sports and other activities (39%). It is possible that a proportion of students, especially those carrying less dangerous weapons such as pen knives, do not do so for violent reasons or status, but do so for other reasons such as these. There are no current studies exploring weapon carrying at school that examine nonviolent reasons for weapon carrying.

**The prevalence of weapons in schools**

Students can be victimised by weapons at school in different ways; they can see a weapon, they can be threatened with a weapon, or they can be injured with a weapon (Astor, Benbenishty, Meyer & Rosmond, 2004). Eades, Grimshaw, Silvestri and Solomon (2007) note that according to the British Crime Survey just under half of violent crimes do not result in any injury to the victim and only 12 per cent require medical attention. Similarly, the majority of knife offences involve threats rather than physical violence (Eades et al., 2007) with the same pattern likely existing for firearms and other weapons. Even though these incidents are less serious than those that result in serious physical harm, they can still result in significant distress to the victim (Astor et al, 2004).

**International estimates**

**Research**

**Prevalence**

Information from the National Centre for Education Statistics (2007) indicates that in the USA, 19 per cent of students in grades 9–12 in 2005 reported that they had carried a weapon anywhere, and 6
per cent reported they had carried a weapon on school property during the previous 30 days. Males were more than two times more likely than females to carry a weapon—either anywhere or on school property—in all survey years. In 2005, for example, 10 per cent of males carried a weapon on school property, compared to 3 per cent of females, and 30 per cent of males carried a weapon anywhere, compared to 7 per cent of females.

Similarly, Kodjo, Auinger and Ryan (2003) surveyed 12,105 students in grade 7-12 from 80 schools throughout the United States, and found that 9.3 per cent reported having carried a weapon in school (77% were male). Rountree (2000) and Watkins (2008) also asked large samples of grade 6-12 and 7-12 American school students respectively, if they had carried a weapon at school at least once in the past 30 days. Watkins (2008) reported 6 per cent of students confirmed weapon carrying whilst Rountree (2000) reported 4-5 per cent. In a separate study Wilcox and Clayton (2001) found 4 per cent of Kentucky students to have carried a weapon to school in the last 30 days. A further 42 per cent reported that a friend of theirs had carried a weapon to school in past 12 months.

Although the majority of school weapon-carrying studies have focused on the U.S., research from other countries suggests that weapon carrying may be universal. In a survey of 15 year old Swedish school students, for example, 18 per cent of boys and 5 per cent of girls reported having carried a weapon to school (Kuntsche & Klingemann, 2004). In a study of 10,400 Israeli Jewish and Arab students in grades 7-11, 2.7 per cent reported carrying a gun to school in the last month and 5.7 per cent reported carrying a knife (Khoury-Kassabri, Astor & Benbenishty, 2007). Overall, it is fairly clear and very concerning that the available evidence reveals that weapon carrying among young people at school is not a rare event.

**Weapon type**

In one of the few studies that distinguish between weapon types, a 2008 study of 4,750 UK students aged 11-16 years showed students a list of weapons such as penknives and BB guns and asked them to report if they had carried any within the preceding year (Youth Justice Board, 2009). Fifty-three per cent of students reported having carried a knife or gun within that time. The two most commonly reported weapons carried were penknives (17%) and BB guns (21%). As with physical violence, males (45%) were more likely to carry a knife or gun than females (16%). This study was not specific to school weapon carrying, and it is possible that the types of weapons carried at school are different, however they provide an important baseline for understanding the types of implements students are carrying.

Another UK study found that 23 per cent of a 2009 sample of 4,885 school students aged 11-16 years reported carrying a knife in the last year and 21 per cent reported carrying a gun (Anderson, Worsley, Nunney, Maybanks & Dawes, 2010). Table 3.3 displays the types of knives and guns carried by students in the 2005, 2008 and 2009 samples. It is important to note that, although any weapon carrying is a cause for concern, the more serious weapons such as flick knives and real.loaded firearms were only carried by a small proportion of the students.

---

19 Between 1993 and 2003, the percentage of students carrying a weapon at school in the past 30 days declined from 12 per cent to 6 per cent (Furlong, Felix, Sharkey & Larson, 2005).
Table 3.3: Percentage of young people in schools reporting weapon carrying within preceding year, by weapon type

<table>
<thead>
<tr>
<th>Have you carried one of the following around with you in the last year?</th>
<th>2005 (n = 5463)</th>
<th>2008 (n = 4,750)</th>
<th>2009 (n = 4,885)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carried a knife or gun</td>
<td>N/A</td>
<td>31</td>
<td>30</td>
</tr>
<tr>
<td>Not carried a knife or gun</td>
<td>N/A</td>
<td>47</td>
<td>50</td>
</tr>
<tr>
<td>Carried a knife</td>
<td>N/A</td>
<td>24</td>
<td>23</td>
</tr>
<tr>
<td>Carried a gun</td>
<td>N/A</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>Penknife</td>
<td>24</td>
<td>17</td>
<td>15</td>
</tr>
<tr>
<td>BB gun</td>
<td>21</td>
<td>15</td>
<td>14</td>
</tr>
<tr>
<td>Flick knife</td>
<td>8</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>Air gun</td>
<td>6</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Other type of knife</td>
<td>N/A</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Other type of gun</td>
<td>N/A</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Kitchen knife</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Replica pistol/firearm</td>
<td>3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Real/loaded pistol/firearm</td>
<td>2</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Don’t know</td>
<td>3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>None of the above</td>
<td>51</td>
<td>47</td>
<td>50</td>
</tr>
<tr>
<td>Not stated</td>
<td>9</td>
<td>21</td>
<td>18</td>
</tr>
</tbody>
</table>


In America, DuRant, Krowchuk, Kreiter, Sinal and Woods (1999) asked North Carolina students in grades 6-8 if they had ever carried either a gun at school, or another weapon such as a knife or club. They reported that 5 per cent of males and 0.8 per cent of females reported having carried a gun to school, and 20.2 per cent of males and 7.7 per cent of females reported having carried a weapon other than a gun to school. DuRant et al. (1999) also noted a weak association between gun carrying and other weapon gun carrying with only 14.2 per cent of students who carried other weapons also reporting carrying a gun. It is not clear, however, if this is due to a categorical difference in gun and non-gun weapon carriers, or a reflection on the limited availability of firearms.

Frequency of weapon carrying
While weapon carrying at school is cause for concern, there is a clear difference between a student who has carried a weapon to school once, and a student who carries a weapon to school frequently. To investigate frequency some authors have asked students to report how often they carry weapons at school.

Wilcox, May and Roberts (2006), for example, asked some students from Kentucky to rate from 1 (never) to 5 (always) how often they had carried a gun or non-gun (other weapon) to school within the past year. Students were asked these questions once in grade 7, and then a year later in grade 8. In grade 7 the average frequency of gun carrying was 1.04, and the average mean for a non-gun weapon carrying was 1.08. In grade 8, the average frequency of gun carrying was 1.04, and the average mean for non-gun carrying was 1.10. While it is difficult to interpret exactly what these figures mean in terms of the proportion of days students carry weapons, Wilcox et al.’s (2006) findings suggest that both the frequency for the majority of students’ gun and non-gun weapon carrying is very low, and that non-gun carrying is more frequent then gun carrying.

A clearer picture of weapon carrying frequency has been shown by studies that ask students to report how many days in the past 30 they have carried a weapon to school. The Youth Risk
Behaviour Surveillance Survey (YRBS) is a nationally representative survey in America that inquires about young peoples' health and risk-related behaviours (Furlong, Bates & Smith, 2001). Furlong, et al (2001) report that from 40,435 students detailing how many days within the past 30 they carried a weapon at school, 9.3 per cent reported carrying a weapon to school in the preceding month. Furthermore, 7.1 per cent reported carrying a weapon for two or more days and 4.4 per cent reported carrying a weapon 6 or more days. They also found that students who carried weapons to school 6 or more times were 2.7 times more likely to be male.

Similarly concerning levels of weapon carrying were found by DuRant, Kahn, Beckford and Woods (1997). DuRant et al. (1997) surveyed 3,054 grade 9-12 students from 45 schools in Boston and reported that of the 15 per cent of male and 5 per cent of female students who reported carrying a weapon to school in the prior 30 days, almost half had done so for 6 or more days.

Australian estimates

Research
One of the few studies that examined Australian student weapon carrying is Hemphill et al.’s (2007) research which compared students from Victoria, Australia, and Washington State, USA. They asked students from grades 5-9 to report how many times they had ever carried a weapon. Of the Australian grade 5 males, 11 per cent reported carrying a weapon 1 to 2 times, and 11 per cent reported greater than 3 times. Of the Australian grade 5 females, 1 per cent reported carrying a weapon 1 to 2 times and 2 per cent reported greater than 3 times. Of the Australian males from grades 7-9, 8 per cent reported carrying 1 to 2 times and 10 per cent reported carrying greater than 3 times. Finally, of the Australian grade 7-9 females, 3 per cent reported carrying 1 to 2 times and 2 per cent reported carrying more than 3 times.

Although Hemphill et al. (2007) asked students about gun carrying, no other specific information was provided to participants about what constituted a weapon. These figures may therefore include a large range of objects (e.g. sticks, knives, glass bottles). This also makes it impossible to determine the relative proportion of different weapon types being carried. A high proportion of knives for example, would have very different implications to a high proportion of elastic bands. Furthermore it is possible that weapon carrying characteristics differ across age groups.

Ever used or been injured by a weapon
Only a small proportion of students who carry weapons actually use them but few studies actually measure the frequency with which students actually use a weapon to threaten or injure someone. Some studies ask students if they have been the victim of a threat or injury with a weapon, and use responses to those questions in their data modelling, but do not report how frequently students report weapon victimisation (e.g. DuRant et al, 1997; DuRant et al, 1999; Furlong et al, 2001).

However, as part of a larger ongoing study in Israel, Astor, et al. (2004) examined school weapon victimisation in detail. The study included a nationally representative sample of 10,400 Israel students in grades 7-11 and asked students a series of questions relating to weapon-related behaviours. The reported incidence of weapon carrying was on the lower spectrum compared with some of the US studies. In total, 9.1 per cent of males and 2.3 per cent of females reported carrying guns and 4.1 per cent of males and 1.3 per cent of females reported carrying guns.
As might be expected, frequencies of reported weapon victimisation decreased in accordance with seriousness (Astor et al., 2004). For example 10.3 per cent of males and 2.5 per cent of females reported being threatened with a knife, and 5.6 per cent of males and 1.3 per cent of females reported being threatened with a gun. Regarding injuries, 30.3 per cent of males and 12.6 per cent of females reported being injured with a rock, chair or other object, and 9.4 per cent of males and 1.9 per cent of females report being hurt by a knife or sharp object.

Both the Youth Survey (Anderson et al., 2010) and the Offending, Crime, and Justice Survey (OCJS; Roe & Ashe, 2008) asked students if they had ever used weapons in a crime and found weapon use to be a relatively rare event. The Youth Survey reported that 3 per cent of students reported using a weapon against another person and 3 per cent reported threatening another person with a weapon. They did not ask students about weapon type. The OCJS surveyed 5,353 UK youths and reported that of the 4 per cent of young people who reported carrying a knife, only 4 per cent of those reported using it to threaten someone and only one per cent reported using it to injure someone. These figures are not restricted to school weapon use, which is likely to be less. They also do not include a measure of frequency, or the number of people the respondent threatened with a weapon. Nonetheless these figures suggest that only a very small proportion of students who carry weapons use them to threaten or injure someone.

**Official /administrative data**

**Police data**

The Australian Bureau of Statistics (ABS) at [http://www.abs.gov.au](http://www.abs.gov.au) provides information about the use of weapons in the commission of offences Australia wide and state by state. The most recent data for 2010 indicate that, Australia wide, a weapon was used against the victim in 71 per cent (140) of attempted murders, 67 per cent (154) of murders and 39 cent (5,648) of robberies. The ABS identifies knives as the most common weapon used against victims and that the proportion of offences that involved the use of a knife were as follows: murder (33%), attempted murder (28%), and robbery (18%).

However, an examination of NSW police data regarding assaults occurring in schools by Trimboli (2010) found that the majority of assaults were classified as common assault and did not involve a weapon (see Table 3.4). Trimboli’s analysis also revealed that incidents of assault increased for both offenders and victims from age 12, peaked at 14 and decreased each year thereafter.

**Table 3.4: Trend in type of weapon used in assault incidents on school premises during school hours involving school-aged children, NSW, 2005-2009**

<table>
<thead>
<tr>
<th>Year of incident</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
</tr>
<tr>
<td>No weapon/fists, feet, body</td>
<td>608</td>
<td>90.5</td>
<td>664</td>
<td>91.2</td>
<td>707</td>
</tr>
<tr>
<td>Knife, sword, scissors, screwdriver</td>
<td>44</td>
<td>6.5</td>
<td>43</td>
<td>5.9</td>
<td>35</td>
</tr>
<tr>
<td>Other weapon a</td>
<td>20</td>
<td>3.0</td>
<td>21</td>
<td>2.9</td>
<td>23</td>
</tr>
<tr>
<td>Total</td>
<td>672</td>
<td>100.0</td>
<td>728</td>
<td>100.0</td>
<td>765</td>
</tr>
</tbody>
</table>

Notes
other weapon = blow gun, firearm/weapon not further seen or described, other firearms, brick, rock, stone, missile, club, iron bar, pipe, glass, bottle, cord, diabetic test needle, other prohibited weapon and multiple weapons.

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**Injury surveillance data**

The assault figures published by the Australian Institute of Health and Welfare (AIHW) discussed in the previous chapter also included information about the use of weapons. The AIHW stated that assault by bodily force (i.e. unarmed brawl or fight) accounted for almost two-thirds of assault hospitalisations among young people (4,858 hospitalisations) in 2005-06 but that assault with a sharp object, such as a knife and assault by blunt object – accounted for 12 and 11 per cent of assault hospitalisations respectively.

**Queensland estimates**

**Research**

As with the international literature, while some authors have explored weapon carrying in Australian schools, very few authors have examined weapon use. As part of the exploration of Queensland student deviant behaviours however, both the **Sibling Study** and **Policing Young people study** asked students if they had used anything as a weapon in a fight within the preceding period (12 months for Sibling Study; 3 months for PYP study). While this does not examine weapon use in schools specifically, and it is likely that school weapon use is substantially lower than overall weapon use, it is nonetheless useful in establishing the frequency of weapon use by Brisbane school students.

As seen in Table 3.5, results from the Sibling Study showed very different patterns of weapon use between male and female students. Consistent with previous findings, a higher percentage of male students reported weapon use than females. Interestingly, the pattern of weapon use across grades was quite different for each gender. With the exception of a slight increase for grade 12, as school grade increased male reported weapon use decreased. Although female weapon use was quite low for all grades, females showed a trend towards increasing weapon use as grades increased.

**Table 3.5: Percentage of grades 8-12 South East Queensland students reporting weapon use in 1995**

<table>
<thead>
<tr>
<th>Gender</th>
<th>School Grade (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Female (n = 341)</td>
<td>1.3</td>
</tr>
<tr>
<td>Male (n = 325)</td>
<td>11.6</td>
</tr>
</tbody>
</table>

*Figures reported using Sibling Study data*

The results shown in Table 3.6 compare the rates of grade 9 Brisbane student weapon use found in the Sibling Study with those of the Policing young people study. Increases in weapon use between 1996 and 2006 for both genders suggest that student weapon use may be increasing. As noted previously, however, the results should be considered cautiously as the numbers of schools involved in the studies were low.
Table 3.6: Reported weapon use by grade 9 South East Queensland students, 1995 and 2006

<table>
<thead>
<tr>
<th></th>
<th>1995(^a)</th>
<th>2006(^b)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male (n = 86)</td>
<td>Female (n = 59)</td>
</tr>
<tr>
<td>Percent of students that reported using anything as a weapon in a fight</td>
<td>9.3%</td>
<td>0%</td>
</tr>
</tbody>
</table>

\(^a\) Sibling Study; Students reported on behaviour within preceding 12 months.
\(^b\) Policing Young People Study; Students reported on behaviour within preceding 3 months.

Administrative/official data

Queensland Police Service data

As with school violence discussed in the previous chapter, this chapter presents our analyses of the QPS data relating to the weapons used for all offences against the person occurring in Queensland educational institutions between the financial years 2005/06 and 2010/11. As noted previously, police data will underestimate the true prevalence of weapon use as not all school weapon incidents are reported to, or acted upon, by\(^{20}\) police.

Prevalence of weapon use for offences 'against the persons' at educational institutions in Queensland

Table 3.7 and Figure 3.1 present the proportions of all offences against the person occurring at educational institutions between 2005/6 and 2010/11 that involved a weapon. Between 2005/06-2010/11, on average, only 11.5 per cent (n=806) of all offences against the person occurring at educational institutions in Queensland involved the use of a weapon. During the last four years (2007/08-2010/11), the proportion was only 10.3 per cent (n=488), on average.

The most recent data for 2010/11 suggest this proportion to be only 8.5 per cent of all offences. We have not tested the changes over time for statistical significance. However, there appears to have been an increase in the overall number of offences between 2007/08 and 2009/10, but this declined again in 2010/11. The changes in the proportions of offences using weapons occurs in both directions (i.e. there are increases and decreases over time). In general, this information supports the view that there is no consistent upward trend in weapon offences related to offences against the person at educational institutions in Queensland.

Table 3.7: Use of weapons for offences against the person in educational institutions over time

<table>
<thead>
<tr>
<th>Year</th>
<th>All offences</th>
<th>No weapons</th>
<th>Weapons</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/06</td>
<td>1097</td>
<td>951</td>
<td>146 (13.3%)</td>
</tr>
<tr>
<td>2006/07</td>
<td>1162</td>
<td>1005</td>
<td>157 (13.5%)</td>
</tr>
<tr>
<td>2007/08</td>
<td>1132</td>
<td>1014</td>
<td>118 (10.4%)</td>
</tr>
<tr>
<td>2008/09</td>
<td>1223</td>
<td>1090</td>
<td>133 (10.9%)</td>
</tr>
<tr>
<td>2009/10</td>
<td>1285</td>
<td>1126</td>
<td>159 (12.4%)</td>
</tr>
<tr>
<td>2010/11</td>
<td>1095</td>
<td>1002</td>
<td>93 (8.5%)</td>
</tr>
</tbody>
</table>

\(^{20}\) Youth Justice Acts within Australia encourage police to take alternate actions such as cautioning or conferencing with youths who offend. This issue is discussed in more detail in Chapter 5.
Of the 2,939 offences against the person occurring in either a primary or secondary school between 2007/08-2010/11, 17.1 per cent (n=503) of all offences involved a weapon. The types of weapons used included chemical sprays, clubs, explosives, firearms, glass, knives, rocks, syringes, tools and other types of weapons (not specified). See Table 3.8.

Table 3.8: Number of all weapon offences against the person occurring at an educational institution 2007/08-2010/11 by location of offence and type of weapon used

<table>
<thead>
<tr>
<th>Educational institution</th>
<th>Chemical spray</th>
<th>Club</th>
<th>Explosive</th>
<th>Firearm</th>
<th>Glass</th>
<th>Knife</th>
<th>Not Stated</th>
<th>Other weapon</th>
<th>Rock</th>
<th>Syringes</th>
<th>Tool</th>
<th>U/k</th>
<th>Row total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>3</td>
<td>6</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>73</td>
<td>8</td>
<td>6</td>
<td>10</td>
<td>170</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>64</td>
<td>7</td>
<td>11</td>
<td>13</td>
<td>9</td>
<td>2</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td>10</td>
<td>3</td>
<td>1</td>
<td>37</td>
<td>61</td>
<td>11</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>129</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td>6</td>
<td>13</td>
<td>3</td>
<td>2</td>
<td>64</td>
<td>78</td>
<td>13</td>
<td>1</td>
<td>9</td>
<td>2</td>
<td>191</td>
<td></td>
<td></td>
</tr>
<tr>
<td>University/TAFE</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>13</td>
<td>1</td>
<td>9</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Column total</td>
<td>9</td>
<td>31</td>
<td>6</td>
<td>8</td>
<td>720</td>
<td>173</td>
<td>32</td>
<td>3</td>
<td>18</td>
<td>14</td>
<td>503</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Offences against the person that did not involve a weapon have been excluded from this table

Types of weapons used in primary and secondary schools in Queensland

For the next stage of the analysis – and for the purposes of this report - we reduced the database to only offences occurring at primary and secondary schools. The majority of weapons (43.4% or n=139 offences) used in primary and secondary schools for offences against the person, 2007/08-2010/11, were classified as ‘other weapon’\(^{21}\) and almost one third - 31.5% (n=101) - were knives. Rocks (7.5%),

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\(^{21}\)Other Weapon is any other instrument or substance other than a firearm capable of inflicting damage, injury or death, including but not limited to acid, blow gun or torch, blunt instrument, bow and arrow, cross bow,
clubs (7.2%), tools (3.7%), chemical sprays (1.9%), firearms, explosives, glass and syringes (all 0.9%) were also used and for some offences information about the type of weapon was not available (1.2%).

Most types of weapons were used in the offences that occurred in primary and secondary schools (although no explosives were used in primary schools and no firearms were used in secondary schools). It is important to note, however, that a weapon is defined as the most serious weapon used. For example, if a firearm and knife was used in an armed robbery, the firearm would be recorded as the most serious weapon used (i.e. the actual number and type of weapons used will be an underestimate).

Table 3.9: Types of weapons used in all offences against the person occurring in primary and secondary schools 2007/08-2010/11

<table>
<thead>
<tr>
<th></th>
<th>Chemical spray</th>
<th>Club</th>
<th>Explosive</th>
<th>Firearm</th>
<th>Glass</th>
<th>Knife</th>
<th>Not Stated</th>
<th>Other weapon</th>
<th>Rock</th>
<th>Syringe</th>
<th>Tool</th>
<th>U/k</th>
<th>Row total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary school</td>
<td>0</td>
<td>10</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>37</td>
<td>0</td>
<td>61</td>
<td>11</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>129</td>
</tr>
<tr>
<td>Secondary school</td>
<td>6</td>
<td>13</td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>64</td>
<td>0</td>
<td>78</td>
<td>13</td>
<td>1</td>
<td>9</td>
<td>2</td>
<td>191</td>
</tr>
<tr>
<td>Column total</td>
<td>6</td>
<td>23</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>101</td>
<td>0</td>
<td>139</td>
<td>24</td>
<td>3</td>
<td>11</td>
<td>4</td>
<td>320</td>
</tr>
</tbody>
</table>

Summary

Risk and protective factors

As with general violence, weapon carriers have been shown to be primarily male and a large proportion have been shown to be involved in a broad range of antisocial, delinquent or criminal behaviours. Weapon carrying has also been shown to be related to a range of negative social environments (Astor et al, 2004).

However, other reasons for weapon carrying have also been identified including prior victimisation, prior threats of violence or threats by weapons, self-protection and fear (Furlong & Morrison, 2000; Wilcox et al, 2006). High proportions of weapon carrying students also do so for non-violent reasons such as hobbies and sports.

While very little research exists on the protective factors for weapon based violence at school, given the similarities between the weapon-based and school violence risk factors, the protective factors for weapon based violence will be similar to those we identified for violence in the previous chapter.

Prevalence

Research on Australian school students suggests many students carry weapons. However, in our search of the literature we were not able to locate any research addressing weapon carrying prevalence within Australian School grounds. There was also very little research on the prevalence of weapon threats and weapons use within Australian schools. This means it is also unclear what sorts of weapons students are carrying to school. For example, in White and Mason’s (2006) survey of Perth students, 15 per cent of students who reported using a weapon in a fight reported using a gun. However, as their research did not restrict violence to a school environment, it is unclear what proportion of these students carried a weapon to school, used a weapon at school, and for the
proportion of students who did use a weapon, whether the weapon was a knife, a gun or some other object. It is also unclear what, if any, demographic or regional differences exist and as this information is not being collected there is no clear understanding of how the levels of weapon carrying or weapon use are changing over time.

Nevertheless, we do know that weapon use is substantially lower than weapon carrying and that, as with violence, males are more likely to report using a weapon than females, and that the frequency of weapon use decreases as students’ progress in school.

The research also suggests that the majority of youths who carry weapons do not do so at school. Nonetheless, while the exact number of student reporting weapon carrying at school varies between studies, a high number of students report having ever carried a weapon to school. Furthermore, for many of these students weapon carrying is not an isolated occurrence. For example, Hemphill’s (2007) study of Victorian students in Australia reported that 18-22 per cent of male and 3-5 per cent of female students claimed to have carried a weapon to school. Approximately equal proportions of students reporting carrying weapons at school stated they had carried a weapon 1-2 times and 3 or more times. Although most literature does not distinguish between the types of weapons students are carrying at school, the evidence suggests that weapon carrying at school is not a rare event.

The research also suggests that the frequency of different types of violent episodes are roughly correlated with the severity of the violence. For example, physical altercations are more frequent than knife threats, which are substantially more frequent than being shot at with a firearm. Interestingly, research also suggests that there is only a weak association between gun carrying and other weapon carrying.

Some Australian research suggests that weapon use in Australian schools may be increasing. However, given the small number of schools included in these studies, this finding may not be representative.

Conclusions
This lack of basic Australian school violence prevalence information has important implications for our understanding of how school violence occurs. It appears that weapon carrying may be more than an obscure or rare occurrence within Australian schools. However, only a small percentage of students who carry a weapon at school actually use them, thankfully. Very little is known about the path through which Australian students go from carrying a weapon at school to using a weapon at school. Understanding both pathways—why students carry weapons to school and why they use them—is fundamental for targeting prevention initiatives.
Chapter 4: Preventing and managing violence and weapons in schools

Introduction

The previous two chapters provided some insight into the prevalence and causes of school violence and the use and carriage of weapons in schools. We now examine the extensive range of responses that have been implemented to address weapon based violence in schools to identify ‘what works and what doesn’t.’

A range of independent and interdependent approaches to weapons based violence in schools have been implemented, including individual, organisational, environmental, policy and legislative approaches. This chapter focuses on the research evidence regarding the effectiveness of the individual, organisational and environmental approaches.

In addressing school violence, interventions generally aim to (a) prevent the occurrence of violence and the carriage of weapons in the first place and (b) respond effectively and efficiently to weapons based violence when it occurs. In so doing, two broad outcomes are sought: safe school communities and behavioural change in individuals who perpetrate violence or pose a threat to the school community.

The research evidence presented in the previous chapters demonstrated the importance of the interaction between the individual perpetrator of violent events and their environment. The latter includes society in general, the family and the school environment. This finding creates a dilemma for policy makers, especially those focussed on the school environment with limited capacity or funding to address societal and family influences. However, within schools, educational policy can intervene for addressing individual, organisational and environmental interventions issues and the research evidence strongly endorses the complementary use of both.

Environmental and organisational approaches can include the establishment, communication and enforcement of organisational arrangements such as school rules, guidelines, policies and procedures, restructuring classes and schedules to prevent problem behaviour, architectural features such as gates and physical security measures such as metal detectors, security guards, locked doors, and surveillance cameras.

Individual-focussed strategies can include disciplinary measures for inappropriate behaviour and educational approaches such as anger management, conflict resolution, team problem-solving, social skills training and academic tutoring.

The evidence suggests that restricting the response to only one of these groups is unlikely to have the desired effects; indeed, doing so may be severely detrimental to the outcomes desired. Focussing only on the welfare of the perpetrators by promoting compassion and rehabilitation, for example, may put the community at greater risk, while interventions that focus only on the welfare of the community, by implementing social controls through limit setting, or severe punishments may put individuals and their peers at greater risk (Morrison, 2003). Importantly, neither approach, on their own, will lead to the desired outcomes.
A public health framework for the prevention of violence has been used in a range of settings, including violence in schools. The value of this framework is its capacity to incorporate multiple approaches (e.g. organisational and environmental) as well as targeting the basic and specific needs of schools and individuals.

A public health framework provides for universal prevention activities for all students/schools (primary prevention), as well as tailored interventions for individuals, groups or schools who are deemed to be at high risk of violence (secondary prevention) and targeted interventions for individuals, groups or schools that have experienced relevant events (tertiary prevention). Taken together, these practices move from proactive to reactive along a continuum.

Figure 4.1 below illustrates this approach. This chapter examines the effectiveness of international interventions in the light of this framework. Our analysis of relevant Australian legislation and school policies in the next chapter also illustrates that most Australian states, including Queensland, have embraced this approach.

It is important to note that it is difficult to disentangle the research which focuses purely on the use of weapons in schools, and that which focuses on its forerunner, violence and aggression in schools. Indeed to do so, may be counterproductive. Consequently many of the interventions described in this chapter address aggression and violence; only a small proportion actually address weapon use.

The success of any intervention is, of course, dependent on the manner in which it is implemented and supported. Therefore we also review relevant implementation issues later in this chapter.

Figure 4.1: A public health approach to the prevention of school violence (OESB Centre on Positive Behavioural Interventions and Supports, undated)
Prevention approaches

Individual-centred approaches

Anger management

Primary prevention
Chronically high levels of anger and hostility constitute risk factors for health, interpersonal difficulties and violent and aggressive behaviour. Indeed, the Consortium to Prevent School Violence (2008) identifies frequent and intense anger as one of the key predictors of violence at school (see also the APA’s warning signs listed in Chapter 2 of this report). Dwyer and Osher (2000) also conclude that an effective school-wide prevention plan consisting of coordinated anger-management and conflict-resolution training may prevent as much as 80 per cent of problematic student behaviour.

The most effective school based anger-management interventions employ cognitive-behavioural techniques such as anger regulation and control, problem solving to learn alternatives to aggression as an expression of anger, and cognitive restructuring to change maladaptive thought processes. Effective school wide programs also focus on preventing anger-related problems by creating a climate of nurturance and respect and allowing students the opportunity to process angry feelings and learn alternative strategies for anger expression. Anger management skills are taught in the context of everyday classroom experiences.

Secondary and tertiary prevention
Some students will exhibit chronic anger and disciplinary problems that require intensive interventions (Gladden, 2002). However, anger management training appears most useful in reducing incidents of spontaneous or “reactive” aggression rather than more deliberate, intentional or “proactive” acts of aggression. Therefore a “one size fits all” approach is not recommended; rather, effective anger management programs target specific anger-related problems such as chronically high levels of angry feelings, hostile attitudes toward others, and the tendency to express anger in destructive and/or hurtful ways.

Also, even though both males and females experience anger to the same extent, females tend to express anger in less direct ways, e.g. interpersonal or relational aggression, and this is of direct relevance to any kind of anger management intervention. Given the indirect nature of their anger expression, females are less likely to be referred for anger management programs in school. Rather, most anger management interventions in school settings target males and secondary level students. There is therefore a clear need for developing appropriate strategies for females and younger students.

Promising approaches
With regards to anger management training, the Consortium to Prevent School Violence (2008) recommends:

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22 This issue is discussed later in this chapter.
• Using cognitive-behavioural techniques that include problem solving and impulse control training since these have the most empirical support for effective anger management with children and youth.
• Recognising that accurate assessment data are needed to match anger management skills training with the specific needs of students referred for such programs.
• Being aware that anger management training at school should be delivered early in the developmental trajectory and should be tailored to the needs of a diverse population of students.
• Recognising the unique needs of female students and students of diverse ethnic and cultural backgrounds when considering anger management interventions at school.
• Providing skill instruction to students on identifying and understanding angry affect, challenging attitudes and beliefs about the intentions of others, and increasing options for resolving interpersonal conflicts in nonviolent ways.
• Providing frequent opportunities for practicing newly acquired anger management skills in the context of the classroom or on the playground. Look for “teachable moments” when young people can learn to recognise anger triggers and assess how their responses increased or decreased the likelihood of future conflict.

Psycho-social and psycho-educational programs

Primary prevention
In this approach training is provided to promote individual behaviour change with respect to cooperative, pro-social and peaceful strategies to resolve conflicts (Greene, 2005; G. D. Gottfredson et al., 2000). Several programs have been found to be effective (Gottfredson, 2001; NRC & IOM, 2001; Thornton, Craft, Dahlberg, Lynch & Baer, 2000; USDHHS, 2001).

The vast majority of these programs are implemented in elementary and middle schools as universal programs targeting the entire student population. The aim is to infuse cooperative/peaceful conflict resolution strategies throughout the entire school curricula using a cognitive-behavioural approach. They are often adjusted to address developmental changes, provide positive feedback, teach interpersonal problem-solving techniques, promote emotional literacy, and use multiple teaching and training methods (Greene 2005; Gottfredson, 2001; Hunter, Elias & Norris, 2001; Thornton et al., 2000).

A comprehensive school-based strategy that includes an integrated array of programs, from universal to indicated, is optimal (Dwyer & Osher, 2000). “Integration” is necessary to ensure that the programs are reciprocally reinforcing and compatible. A patchwork of uncoordinated interventions can cause unintended iatrogenic effects (Domitrovitch & Greenberg, 2000).

Secondary and tertiary prevention
Greene (2005) notes that selected programs (targeted to students who exhibit known risk factors) and indicated programs (targeted to those students who have exhibited aggressive or violent behaviour) are generally more intensive than universal programs and invariably require involvement of the non-school sector (Elliott, Williams & Hamburg, 1998).
**Discipline**

**Primary prevention**
Discipline or safety management activities involve the establishment, communication, and enforcement of school rules and policies; most schools have severe consequences for breaking some of these rules (e.g. Gottfredson and colleagues found in 2004 that nearly all American schools had strict rules about substance abuse and possession of weapons).

It has been shown that school discipline is more effective when students value their participation in school. If a student perceives a punishment as unfair and views her or his school negatively, punishments may fuel feelings of disrespect and increase the likelihood that the student will reject school values (Braithwaite, 1995; Sherman, 1993). Teenagers are especially sensitive to being disrespected and develop notions of fairness in their teenage years (Advancement Project and Civil Rights Project, 2000; Casella, 2001).

**Secondary and tertiary prevention**
In accordance with learning theory, children who are effectively punished for their misconduct should reduce the frequency of their misconduct. However, the research evidence suggests that this is not always the case, especially for disruptive students. Atkins, Osborne, Bennett, Hess and Halperin (2001) found, for example, that behaviour disordered children evidenced considerable variability in their ability to inhibit aggression when given a cue that aggression would be punished. Indeed, according to Atkins, McKay, Frazier and Jakobsons (2002) for students whose rates of disruptive behaviour accelerated across the year, the high use of detentions and suspensions represented an inappropriate and ineffective use of punishment.

These findings are consistent with a wealth of evidence that indicates that a focus on punishment alone will not have any impact on many of the most severe types of offenses or re-educate the highest rate offenders. Indeed deterrence and punishment programs have been found to have a negative effect on delinquency, often increasing rates of delinquency. For schools, this suggests that for many students, an overreliance on detentions or suspensions is unlikely to decrease rates of aggression and disruptive behaviour.

Further, punishment programs are generally ineffective without adequate reward programs. Gottfredson et al (2004) and Gottfredson & Gottfredson (2001), however, found that schools seldom used interventions that reinforced positive behaviours, such as a rewards system.

Rewards for disruptive students could include, for example, displays of cooperation with peers or on-task behaviour during academic activities. However, it should be noted that the development and maintenance of these programs is quite challenging with highly disruptive students (Adelman & Taylor, 1999).

**Promising approaches**
Rather than expanding the use of extreme disciplinary practices, the research evidence suggests that enhanced efforts are needed to support schools’ use of effective disciplinary strategies (Sugai & Horner, 1999). Not all children are the same and tailor made responses are required to ensure the best outcomes.
Peers

Secondary and tertiary prevention

Peer and adult norms that reinforce or passively ignore minor forms of aggressive behaviour sustain bullying or violent behaviour (Greene, 2000). However, the overall results for programs involving peers in the delivery of services for aggressive behaviour are not promising, especially when implemented as stand-alone programs rather than as part of broader attempts to improve disciplinary practices. Neither peer led programs nor peer counselling programs have been shown to reduce aggressive behaviour (Greene 2005; Gottfredson, 2001; NRC & IOM, 2001; Sherman, 1993).

However, live observation studies have found that bystanders are in attendance in over 80 per cent of bullying episodes (Frey et al 2005, Craig Pepler and Atlas 2000) and that they can play an important role - either positive or destructive - by either providing attention or assistance to the aggressor or by undertaking a pro-social role by aiming to defuse potentially violent incidents at school (Kerbs et al 2007; Frey et al 2005, Ma et al 2001).

In a study of 207 students aged 13 and 14 in England and Japan, Kanetsuna and Smith (2002) found that although the majority of students (71%) thought that bystanders should intervene, about 23 per cent thought the students would enjoy watching bullying and 31 per cent said that the students would try not to get involved. The reasons for passive behaviour can include (a) concern about being victimised (b) lack of confidence in the ability to intervene and (c) lack of intervention strategies.

In a qualitative study of students in the US, Kerbs et al (2007) also found that a large proportion of student observers (about 70%) derived fun, enjoyment and excitement from observing bullying and telling their peers about such events. They concluded that such responses enhance the likelihood of such events continuing.

Promising approaches

These results suggest that interventions should not only focus on the perpetrators but also bystanders to change their attitudes to pro-social, not antisocial typologies. Lodge and Frydenberg (2005) recommended teaching young people strategies to use when they witness bullying [to promote] peaceful interventions that effect change at the peer group level. Importantly, not all bystanders have the same attitudes and these need to be considered in any intervention.

Successful programs exist to empower bystanders to confront, interrupt or prevent all forms of violence are especially important (see Mentors in Violence Prevention [MVP], Katz 1993). Bystander programs appear desirable because of their flexibility for preventing all forms of violence. MVP utilises a bystander approach to prevention, which does not view participants as either perpetrators or victims of violence. The program views all participants as empowered bystanders who can confront, interrupt or prevent violence. Some models which adopt a student problem solving approach also show promise (Kenney & Watson, 1998).
Organisational approaches

**Enhancing school climate**

Primary prevention
A school’s climate is a complex matrix of student and adult attitudes, beliefs, and feelings about the school, interpersonal relationships within the school, values and norms, particularly in relation to resolving interpersonal conflict, and codes of behaviour (Greene 2005; Cook, Murphy & Hunt, 2000; Skiba et al. 2004; Booren, Handy & Power, 2011). Many researchers agree that school climate and feelings of school attachment/connectedness are some of the most important variables for understanding school violence (Gottfredson, 2001; Greene, 2005; Karcher, 2004; Skiba et al, 2004; Whitlock, 2006, Shumow & Lomax, 2001; Barrios et al, 2001; McEvoy & Welker, 2000; Sprott, 2004).

The (US) Centre for Effective Collaboration and Practice (2001) describes schools that foster safety and socially appropriate behaviours as having a strong academic focus and supporting students in achieving high standards, fostering positive relationships between school staff and students, and promoting meaningful parental and community involvement. Studies by Welsh and colleagues (2003) suggest that students who are attached to the school are less likely to stray from social norms and more likely to follow school rules. Schools that possess an engaging curriculum and operate with respectful and supportive relationships also tend to be safer (Bryk & Driscoll, 1988; Casella, 2001; Gottfredson, 2001; Learning First Alliance, 2001; Sandler et al, 2000; Sebring et al, 1996; Gladden 2002) and students’ attachment to school has been shown to predict decreased involvement in violence (Gottfredson, 2001; Jenkins, 1995; Resnick et al, 1997, Whitlock, 2006).

Researchers have suggested that when adolescents feel safe and attached to their schools, they are more protected from harmful influences and prepared to make good decisions regarding academic success and personal welfare (Rodney, Johnson & Srivastava, 2005).

School climate can also affect students’ commitment to violence prevention and peace promotion efforts (Greene 2005; Gottfredson, 2001). These schools are also probably better at controlling behaviour informally (Sherman 1993).

On the other hand, a negative school climate with poor communication between administrators and faculty, unclear rules and reward structures, ambiguous consequences for misbehaviours, feelings by students that they are not valued or respected by educators, low expectations for student achievement, little engagement of students in the learning process, low morale of students and educators, and disorderly classroom environments can have an impact on school safety (Bucher & Manning 2005; Hernandez & Seem 2004). Such an environment can lead to conflict among children parents, and school personal and make children’s social and intellectual development difficult (Haynes, 1996).

**Promising approaches**
Some researchers argue that efforts to improve the climate of schools may have a larger impact on school violence than student-focused efforts such as prevention programs (Gottfredson, 2001; Office of the Surgeon General, 2001). Gladden (2002) argues that four elements interact to make schools safe: quality relationships among and between staff and students, a school-wide commitment to teaching respectful and non-violent behaviour, responsiveness to students’ culture and community,
and a strong academic program (also see Oswald, Safran & Johanson, 2005). The establishment of trust between students and adults also maximizes the chances that students will confide in school staff when they are experiencing a school or personal problem, enabling staff members to provide appropriate help. It also optimizes the chances that students will inform adults if they hear about another student’s plan to harm others. This is particularly important in light of the finding that peers are 15 times more likely to be informed in advance of a school attacker’s plans than were adults (Greene 2005; Fein et al, 2002; Barrios et al, 2001; Resnick et al, 1997).

However, Skiba et al (2006) reported that students rated school connection/climate lower than teachers and that sometimes these discrepancies can be greater than 40 per cent. The students also rated dangerous or disruptive behaviour (i.e. fighting, robbery, and theft) as more frequent than did teachers (Skiba et al, 2006). These findings suggest that teachers and students may not perceive school climate and safety issues in the same way, highlighting the need to empirically explore multiple perspectives within schools (Astor et al, 2010).

Communication

Primary prevention

The (US) Centre for Effective Collaboration and Practice (2001) encourages schools to foster open discussion about safety issues because children may have many different perceptions-and misconceptions-about death, violence, and the use of weapons. They advise that schools can reduce the risk of violence by teaching children about the dangers of weapons, as well as appropriate strategies for dealing with feelings, expressing anger in appropriate ways, and resolving conflicts. They recommend that schools should also teach children that they are responsible for their actions and that the choices they make have consequences for which they will be held accountable.

The (US) Centre for Effective Collaboration and Practice (2001) advises that a major source of conflict in many schools is the perceived or real problem of bias and unfair treatment of students because of ethnicity, gender, race, social class, religion, disability, nationality, sexual orientation, physical appearance, or some other factor—both by staff and by peers. Students who have been treated unfairly may become scapegoats and/or targets of violence. In some cases, victims may react in aggressive ways. Effective schools communicate to students and the greater community that all children are valued and respected.

It is also important to create ways for students to share their concerns. It has been found that peers are often the most likely group to know in advance about potential school violence. Schools must create ways for students to safely report troubling behaviours that may lead to dangerous situations. And students who report potential school violence must be protected. It is important for schools to support and foster positive relationships between students and adults so students will feel safe providing information about a potentially dangerous situation.

It is very important that children feel safe when expressing their needs, fears and anxieties to school staff. When they do not have access to caring adults, feelings of isolation, rejection, and disappointment are more likely to occur, increasing the probability of acting-out behaviours.

Schools must also openly and objectively examine circumstances that are potentially dangerous for students and staff and situations where members of the school community feel threatened or
intimidated. Safe schools continually assess progress by identifying problems and collecting information regarding progress toward solutions. Moreover, effective schools share this information with students, families, and the community at large.

Secondary and tertiary prevention
The Centre for Effective Collaboration and Practice (2001) acknowledges that prevention approaches have proven effective in enabling school communities to decrease the frequency and intensity of behaviour problems. However, they note that prevention programs alone cannot eliminate the problems of all students. Some 5 to 10 per cent of students will need more intensive interventions to decrease their high-risk behaviours, although the percentage can vary among schools and communities. The Centre advises schools to encourage staff, families and students to raise concerns about observed warning signs and to have in place a process for getting help to troubled children once they are identified. If this is done, there is likely to be reduced disruption, bullying, fighting and other forms of aggression. This is where secondary prevention techniques can be used. First of all it is important to identify the early warning signs for violence.

Promising approaches
Given the importance of secondary prevention activities, the American Psychological Society advises observers of warning signs to:

- Above all, be safe. Don’t spend time alone with people who show warning signs. If possible without putting yourself in danger, remove the person from the situation that’s setting them off.
- Tell someone you trust and respect about your concerns and ask for help. This could be a family member, guidance counsellor, teacher, school psychologist, coach, clergy, school resource officer or friend.
- If you are worried about being a victim of violence, get someone in authority to protect you. Do not resort to violence or use a weapon to protect yourself.
- The key to really preventing violent behaviour is asking an experienced professional for help.

School rules
Primary prevention
Discipline policies and rules are the most commonly adopted strategies that schools use to prevent violence. The characteristics of effective school rules and policies include graduated sanctions that are commensurate with the seriousness of the infraction, rules that are clearly understood and perceived as fair, consistent application of rules and sanctions, the administration of positive sanctions for desirable behaviour, avoidance of excessive reliance on suspensions and expulsions, and the inclusion of rules prohibiting bullying and harassment (Greene 2005; Barrios et al., 2001; Gottfredson, 2001; Gottfredson et al. 2000; Greene, 2003; Laub & Lauritsen, 1998; NRC & IOM, 2001; Sprague et al., 2001).

Quasi-experimental research has confirmed that improving the consistency of discipline policies spurs reductions in school violence and disorder (Gottfredson, 2001; Mayer & Leone, 1999). When students believe that the school rules are “strictly enforced” in their schools, they are also less likely to be fearful while at school.
However, care needs to be taken regarding the risk of taking discipline too far. Research indicates that as schools become more militarised they become less safe, in large part because the critical relationships between teacher and student may be damaged in favour of tough-sounding, impersonal, and uniform procedures (Ayers, Ayers & Dohrn, 2001).

**Zero tolerance punishment policies**

In 1994 the U.S. Congress passed the *Gun-Free Schools Act* to deal with the problem of weapons in schools. States would lose Federal funds unless they did not guarantee an automatic one-year expulsion for any student who was in possession of a firearm at school. By 1998, 91 per cent of school principals in the United States reported that their schools automatically or usually (after a hearing) expelled or suspended students for possession of a gun, drugs, alcohol, or a knife (Gottfredson & Gottfredson, 2001).

The legislation formalised and embedded within school discipline plans two concepts - zero tolerance and mandatory sentencing. Zero tolerance policies are hypothesised to make schools safer by changing students’ behaviour through punishment, excluding students exhibiting violent behaviour from school and deterring future violence by making “examples” of misbehaving students. Although welcomed at first as a solution to crime and anti-social behaviour, some years on, opinion is divided on the merits of zero tolerance policies.

Gladden (2002) has conducted extensive work in school discipline and found that behaviour and problems worsen when the solutions or consequences are based on formulas rather than circumstances, motivations and needs: he claims that zero tolerance punishments do not address why students are misbehaving, and thus chronic individual and school problems may go unaddressed.

There is also concern about how zero tolerance is being applied, its fairness and its effectiveness in reducing violence and crime in schools (Skiba & Peterson, 1999). Of particular concern is the lack of flexibility in the policy and restraints placed on school officials in using their judgment and commonsense in distinguishing serious from minor and trivial offences.

It is important to clarify the need to distinguish between schools that send clear messages and set clear rules regarding not bringing weapons to schools (among other issues). We acknowledge the importance of recognizing the role for school rule clarity and certainty. Unfortunately, the term zero tolerance is emotive and often integrated with harsh penalties in response to student misbehaviour (including in relation to weapon carrying to school). In short, zero tolerance punishment responses can be counter-productive to long term opportunities for preventing youth violence, weapon carrying and use however, setting clear rules regarding student behavioural expectations are clearly important and appropriate.

**Promising approaches**

With regards to zero tolerance policies, the Consortium to prevent school violence (2008) recommends:

- Avoid incorporating harsh automatic consequences that do not consider mitigating circumstances into school codes of conduct for specific violations, or remove these restrictions if already in place.
• Employ a wide variety of disciplinary consequences in student codes of conduct and indicate that the use of these should be tailored to the specific circumstances of the student and the violation.
• Specify graduated categories of inappropriate or undesirable behaviours, and align them with categories of consequences - this is a more desirable than specifying punishments for each behaviour.
• Minimise the use of exclusionary disciplinary punishments.
• Include an amnesty clause where non-violent students who inadvertently bring banned objects to school or find them can give them to a school official without fear of punishment.

**Environmental approaches**

**Supervising public spaces**

**Primary and secondary prevention**

According to Gladden (2002) violent incidents tend to cluster in public spaces such as hallways, lunchrooms and bathrooms (Astor et al, 1999; Kenney & Watson, 1996; National Institute of Education, 1978; Sebring et al. 1996). A national study of five American mid-western high schools revealed that approximately 60 per cent of serious violent incidents occurred between lessons or at lunchtime, even though students spent less than 10 per cent of their day in these situations. Conversely, classrooms were havens from serious violence, and the presence of an adult greatly reduced the chance of violence (Astor et al, 1999; National Institute of Education, 1978).

Researchers have identified overcrowding and weak ownership of public spaces as important issues (Astor et al, 1999; Devine, 1996). Crowded public spaces in schools are vulnerable to violence because they are hard to supervise and decrease the chance students or adults will intervene. Crowded environments have also been found to produce emotional strain and diminish people’s feeling of control. This in turn can reduce people’s tolerance for frustration (Darley & Gilbert, 1985) and make conflicts more likely.

People’s tendency to intervene in a dispute is also inversely related to the number of bystanders witnessing the event. In crowded situations people are less likely to recognise an emergency situation and take responsibility for intervening (Latane & Darley, 1970).

Gladden (2002) claimed that the presence of an adult who knows students is viewed as one of the most effective ways to prevent violence (Astor et al, 1999; Noguera, 1995; Thorton et al, 2000). Astor et al (1999) also cautioned that improving connections and respect among teachers and students in classrooms may not improve school safety if these relationships remain isolated in classrooms and fail to extend to the public spaces where most school violence occurs. A commitment by adults to supervise students throughout the school as well as in their own classroom is required.

However, a major challenge for establishing a stronger sense of ownership in public spaces will be overcoming fear. Incidents of violence in public spaces evoke fear that erodes teachers’ willingness to intervene or monitor public spaces (Astor et al, 1999; Gottfredson et al, 2000). Astor et al (1999) found that high school teachers often felt isolated when they intervened in fights because they felt
the choice to intervene was an individual one and believed that the administration provided weak support.

Gladden (2002) concludes that exceptional teachers do intervene in fights, but school safety should not require teachers to act exceptionally. Teachers alone cannot be expected to simply take ownership of public spaces - clear policies and administrative support are needed.

We analysed QPS data which documented the time and day of the week that offences against the persons were reported in Queensland primary and secondary schools. The results provide some insights for potential intervention.

As expected, the majority of weapons offences occurring in primary and secondary schools occurred Monday to Friday (see Figure 4.2). The types of offences committed are illustrated by the day of the week in Figure 4.3.

**Figure 4.2: Number of weapon offences in primary and secondary schools by the day of the week (2008/08-2010/11)**

![Bar chart showing the number of weapon offences in primary and secondary schools by day of the week.](chart.png)
The time of day at which the offences against persons occur are most informative. Not surprisingly the police data indicate that the majority of offences occur just before school and during lunch time, although offences are scattered throughout the school day and out of hours. Figures 4.4 and 4.5 illustrate the total number of offences occurring in primary and secondary schools (2007/8-2010/11) by time of day. Several things stand out:

- not surprisingly, most offences occur within the regular spread of school hours
- in primary schools, the peak hour for offences is 8 am (i.e. before school)
- in secondary schools, the peak hour for offences is 1 pm (i.e. lunch time).
Figure 4.5: Total number of offences in secondary schools (2007/08-2010/11) by the hour of day they occurred (24 hour clock)

Promising approaches
The results presented above suggest that greater supervision of public spaces within schools during the students’ free or transitory time by teachers who have created strong and positive relationships with students in the classrooms would be likely to reduce some of these conflicts. Enlisting the assistance of trained bystanders (students, other staff), as discussed above may also assist.

Police in schools
Primary prevention
For many years police officers have attended schools to speak to students about a range of issues such as road safety, personal safety, drug education, crime prevention and crime detection (Sutton, 2001). The involvement of police in schools has been formalised in memorandums of understanding and through the establishment of comprehensive programs (e.g. Queensland’s School-Based Policing Program and Victoria’s Police/Schools Involvement Program; Sutton, 2001). These programs have a specific focus which includes the reduction of juvenile crime in society, the development of a better relationship between police and youth in the community, and an awareness and appreciation of the values, responsibilities and obligations of citizens in our society. By and large these activities are well received by schools and broader community.

The QPS and Education Department websites describe the role of police in Queensland schools. The ‘adopt a cop’ program is primarily a voluntary process whereby officers contribute to a particular primary school on a voluntary basis.\(^{23}\) The ‘school based policing program’ which involves full time participation in secondary schools as follows:

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\(^{23}\) The Adopt-a-Cop Program was implemented in 1985 to assist in establishing rapport between the Queensland Police Service and students in primary schools and other educational institutions. The Adopt-a-Cop Program provides two areas for police involvement in the community: as an Adopt-a-Cop, where the officer may undertake an induction ceremony and agrees to assist students at a nominated primary school; or as a Police School Liaison Officer, where the officer does not need to undergo an induction ceremony. Officers may undertake to liaise with any nominated educational institution, other than a primary school.
**School Based Policing Program**

The School Based Policing Program is a joint initiative between the QPS and Education Queensland. The main role of the program is to establish positive relationships between police and the secondary school community to contribute to a safe and supportive learning environment.

School-based police officers support students at risk of offending while encouraging school communities to adopt approaches that aid in crime prevention and proactive policing.

The School Based Policing Program helps high schools and the community by:
- addressing identified needs within the school community
- helping teachers develop and present curriculum material to meet police and school community needs
- undertaking initial response and investigation of offences within the perimeters of the school.

**Role**

A school-based police officer is responsible for:
- delivering lectures and providing information on law, police duties and other related topics which support the school curriculum
- the initial investigation and recording of all offences reported to the officer within the school cluster
- providing advice, where appropriate, to members of the school community with regard to traffic matters, property and personal safety
- establishing and maintaining open communications with relevant youth welfare agencies
- providing referral to other agencies where appropriate.

A school-based police officer has an office within the high school, and is contactable through the Administration Office during school hours. School-based officers' duties are supported by negotiation and monitored by a local consultative team, comprised of the principal/s, the officer and the officer’s police supervisor.

A list of Queensland schools that currently have school based officers appears in Appendix 1. See also [http://education.qld.gov.au/studentservices/protection/community/police.html](http://education.qld.gov.au/studentservices/protection/community/police.html)

Similar strategies have been implemented in England and Scotland where police officers and other community based presenters inform school youth about the dangers and penalties of illegal knife carrying. However evaluations of these programs suggest that who delivers the program is important. Eades et al (2007) found that community and educational organisations that include former knife carriers, victims of knife offences and experienced youth workers have an important role to play, especially as one of the factors associated with a heightened risk of serious offending and frequent offending for both 10 to 15 and 16 to 25 year olds is ‘do not trust local police’. The researchers concluded that police officer lead programs may not, therefore, be effective.

**Secondary and tertiary prevention**

The placement of police in schools is but one element of a larger shift toward more formal treatment of student discipline. Legal reforms have mandated that certain offences such as drug and weapon possession be referred to the police when they occur on school property (Na & Gottfredson 2011). Other reforms have broadened the conditions under which student searches are conducted.
Proponents believe that police in schools contribute to school safety not only through their surveillance and enforcement functions, but also because they create bonds of trust with students who are then more likely to report potential crimes to them. They might also contribute to improved relations between youth and police. Of course, the presence of police in schools also provides readily available first responders in the case of real emergencies, and they help school administrators determine if certain behaviours constitute law violations (Na & Gottfredson 2011).

A very recent study by Na and Gottfredson (2011) examined the influence of school based police officers on crime rates within US schools using a nationally representative sample of 470 school principals responding to the US School Survey on Crime Safety. Contrary to the government’s expectations, Na et al (2011) discovered that as schools increase their use of police they record more crimes involving weapons and drugs as well as rates of reported non-serious violent crimes. The researchers concluded that:

The possibility that placement of police in schools increases referrals to law enforcement for crimes of a less serious nature and increases recording of weapon and drug offences requires more research to be carried out to assess more carefully the school climate and school safety outcomes related to this popular and costly practice’ (p. 1).

Na and Gottfredson (2011) claimed that one of the most troubling consequences of police in schools is that they can shape school discipline climate in ways that could potentially harm students. They quote the findings of a qualitative analysis of SRO effectiveness (Kupchik, 2010) which suggested that increased use of police officers facilitates the formal processing of minor offences and harsh responses to minor disciplinary situations (i.e. police officers are likely to resort to legal definitions and formal processing, especially when they have an obligation to take legal action). Thus minor behavioural problems are redefined as criminal problems and discipline responsibilities tend to shift away from teachers to the police.

NSW has implemented an alternative approach by creating the School Safety and Response unit. Based on a Memorandum of Understanding between NSW Police Service and the Department of Education and Training, School Response Officers, who are experienced police and teachers staff, provide a hotline service 24 hours a day, seven days a week, to give advice and support to schools on violent incidents, weapons, illegal drugs or major criminal activity of an urgent nature. The unit also:

- provides support and advice for principals where a member of staff receives a threat, is intimidated or harassed
- collates data from schools and NSW Police on incidents involving violence, illegal drugs, weapons or other major criminal activities
- analyses data to identify trends and patterns of criminal activity and develops effective strategies to increase the safety of school students, staff and the school community
- supports Police Local Area Commands and principals through regular formal and informal meetings to foster close working relationships

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24 The researchers tested and compensated for the fact that schools with police officers were more likely to have higher crime rates in the first place.
• conducts incident management training for school executive.


However, we were unable to identify any evaluation of the system to determine its usefulness or effectiveness.

**Security systems**

**Primary prevention**

Bachman, Randolph and Brown (2011) report that schools across America have implemented a wide range of policies and technical innovations to improve their security systems. These include surveillance cameras and metal detectors, increased lighting, closed campus’s school wings, electronic-card-entry devices, security guards or police officers, locked doors, dress codes and locker searches (Dwyer & Osher, 2000; Gottfredson et al, 2000; Small et al, 2001). Indeed, one survey of school administrators found that 94 per cent of schools had reviewed or updated their security preparedness in the past year and 37 per cent planned to install at least one new type of security equipment in the following year (Agron & Anderson, 2000). The U.S. Department of Education and the Bureau of Justice Statistics (National Centre for Education Statistics & the Bureau of Justice Statistics, 2009) also report that the percentage of schools using security measures has increased steadily since 1999.

Although the efficacy of these measures in reducing disorder and victimisation, along with the unintended consequences of such measures including increases in anxiety and fear, remain largely unknown (Bachman, Randolph & Brown, 2011), some contend that intrusive security measures may actually “cause more harm by creating a social climate that interferes with the educational process” (Beger, 2003, p. 338).

Indeed, advanced modelling of student/teacher survey data by Booren, Handy and Power (2011) found that when students reported feeling safe they did not rate Control and Surveillance strategies (e.g. metal detectors and video surveillance) as important. Similar research has suggested that students often report feeling less safe at school due to the use of “hardware” strategies (Mayer & Leone, 1999). These studies suggest that the benefits of using Control and Surveillance safety strategies are unclear and not always supported by evidence. Indeed, in contrast to the promising fear-reducing effects of environment-focused school crime prevention in the form of communal school organisation, there is little evidence that access control, target hardening and formal surveillance practices utilised by schools are nearly as effective at managing fear of crime (Tillyer, Fisher & Wilcox, 2010).

Using the School Crime Supplement of the National Crime Victimisation Survey, Bachman et al (2011) undertook a study of the perceptions of fear at school and the effects of school security measures, including metal detectors, security guards, locked doors and surveillance cameras. After controlling for the effects of previous victimisations, security measures and other contextual and demographic variables, there were no differences in levels of fear across gender and race groups. However, certain predictors of fear differentially affected White and African American students. Previous victimisation experiences, including bullying, and the presence of metal detectors increased levels of fear for all groups. Security guards in schools increased levels of fear for White students but
not for African American students. African American students attending school in suburban and rural areas were more fearful compared to their central city counterparts, whereas White students were more fearful if they attended school in urban areas.

Schreck and Miller (2003) also examined the relationship between fear and school security measures including the presence of metal detectors, security guards, locked doors, visitor sign-in, locker checks, restroom limits and adult supervision of hallways. Many of their findings are consistent with earlier studies conducted by Alvarez and Bachman (1997). As well as prior victimisation experiences, students bringing weapons to school and the presence of gangs at school also increased the likelihood of students worrying about multiple types of victimisation. The more troubling findings of Schreck and Miller (2003) related to the positive relationship between virtually all of the security measures and student worries about victimisation. Schools with locked doors, restroom limits, metal detectors and adult supervision in the hallway each increased at least one form of worry in student perceptions. These relationships held even after controlling for previous victimisations, the other contextual factors of the school and student demographic characteristics.

Consistent with Schreck and Miller (2003), Bachman’s et al’s findings indicate that the effect of school security measures generally serves to increase levels of fear both at school and while commuting to and from school. The presence of guards and metal detectors both significantly increased overall perceptions of fear, even after controlling for other important variables such as previous victimisations. In addition, having a “locked door” also significantly increased African American students’ fear while commuting to and from school. As locked doors may prevent students from seeking safety inside the school building either before or after school, this findings makes intuitive sense. The rationale for the relationship between fear and the other surveillance mechanisms is not so intuitive. However, like the presence of gangs and other disorder within schools, security cameras and guards may also be translated in the minds of students as indicative of “incivilities” (LaGrange et al, 1992) or “cues to danger” (Warr, 1990) that require interventions.

Indeed, Lewis (2003) contends that we are in an era of school militarisation and student criminalisation that is reducing civil liberties and creating the culture of a police state in schools. If the goal were to promote a caring school climate, security measures that convey and promote an atmosphere of suspicion would be low on the list of preferred strategies (Greene 2005). Indeed, recent recommendations concerning school safety from the USDE, the U.S. Secret Service, and the Centers for Disease Control do not recommend security devices but instead emphasise the promotion of trusting interpersonal relationships and a culture of safety (Greene, 2005, Barrios et al, 2001; Fein et al, 2002).

Key issues arising from the research

Weapons research
Our review of the evidence with regards to interventions to address weapons based violence has demonstrated that few have targeted the use and carriage of weapons alone. Most address violence and aggression. Intuitively this approach makes sense. An holistic approach to the prevention of weapons based violence in schools is also endorsed by the evidence available to date. Hence our emphasis on the need for appropriate primary, secondary and tertiary interventions and programs.
Two other issues of direct relevance arise: the need for an holistic/multi-faceted approach to the problem, as well as tailored interventions that address the individual needs of each school. Astor, Benbenishty and Meyer (2004) maintain that the most successful programs to prevent school violence are those that involve all stakeholders and are tailored to fit the specific needs of individual schools. Each issue is discussed below.

**The importance of multi-faceted approaches**

Most effective prevention programs address multiple factors. The research brief for the Scottish Parliament report on Knife Crime identifies that the government has initiated a number of strategies to reduce knife crime including educational programs for offenders and a focus on enforcement. As we have found, however, the Scottish government’s research also revealed that such strategies alone are not sufficient and that multi-agencies and multiple strategies need to be involved to address the underlying reasons for the carrying and use of weapons in general.

To address this issue, in addition to a number of legal provisions to deal with offences that involve knives or weapons (in particular, prohibiting the sale of knives to people under 16 and the carrying of weapons/knives in public places, including schools and prisons), the Scottish government initiated a multi-faceted community wide campaign called ‘Count Me In’. This program is a joint initiative between the UK Department of Schools, Children and Families (DCSF), Families United (parents who have lost their children to knife crime) and the Home Office. It includes a guide which aims to increase young people’s understanding of knives and support schools with ways to communicate this sensitive issue to their pupils. The guide includes guidance for running school assemblies and lessons on anti-knife crime. It also includes an extensive list of resources from online games, videos, statistics and facts, detailed lesson guides, posters and real life stories to help engage pupils (UK Department for Education 2010). A resource pack is available on the web at [https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00327-2010](https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00327-2010)

**The importance of tailoring programs to individual needs**

Astor et al (2004) claim that the promising results of anti-bullying programs in Europe and Australia to date are due to the implementation of interventions or components of program that have been tailored to each school site thus enabling the adaptation of programs or general principles to the unique demographic, philosophical and organisational needs of each school. Astor et al argue that this also involves (a) grassroots participation in the efforts to "fit" a program to a school (b) empowering the students and teachers in the school to deal with the problem, (c) democratically choosing a good school safety program, and (d) demonstrating a proactive vision surrounding the violence problem.

Astor et al (2004) also argue that an important element of any successful school safety program is the use of data in an ongoing and interactive manner. The continuous and ongoing analysis and interpretation of data is an essential part of the intervention process. Data are used to create awareness, mobilise different school constituents, assess the extent of the problem, plan and implement interventions and conduct evaluations. Information is provided on a continuous basis to different groups in each step of the intervention process. The process allows each school to identify its specific needs, limitations, strengths and resources so choices can be made regarding which specific interventions and components to implement. Moreover, the process of building and implementing school safety programs is continuous and cyclical, always changing to respond to new...
circumstances and emerging needs. Thus, the evaluation of the program progress after implementation becomes a reassessment of the situation, leading to a new cycle of awareness building, planning, modification of programs, and evaluation of their success.

A systematic approach
In the first instance each school needs to apply a systematic approach to:

- conducting a needs assessment regarding current status and future goals
- validating and prioritising problems and translating them into objective and measurable goals that can be accomplished through specific, testable, actions
- identifying the evidence based programs and procedures that address the needs of students at all levels of exposure to school violence
- implementing the interventions ensuring staff and student interest in and motivation for the program
- evaluating the effectiveness of the prevention strategies.

Depending on the results of the needs assessment, various strategies can be implemented to address the primary, secondary and tertiary level prevention strategies.

What works and what doesn’t?
The (US) Consortium to prevent school violence (2008) lists the following factors as effective in managing school violence:

- Universal and targeted school violence prevention programs, when well implemented (see above).
- Early intervention programs that ameliorate emerging problems in the academic and social-emotional-behavioural domains which help to reduce future problem behaviours.
- School-wide behavioural expectations taught with multiple methods and reinforced consistently over time; these help more students embrace pro-academic and pro-social behaviours.
- Programs identified in the CSPV Blueprints Program,\(^{25}\) such as The Incredible Years and Multi-systemic Therapy, as well as other programs such as Steps to Respect and Second Step reduce problem behaviours.
- Cognitive-behavioural interventions for anger/aggression to reduce aggressive behaviours.
- Structured team-based threat assessment to can help schools respond thoughtfully to potential threats.
- Embedded opportunities to practice newly learned behaviours (e.g., anger management) in the daily context of life at school help students internalize these desired behaviours, displacing negative behaviours.

\(^{25}\) Colorado Centre for the Study and Prevention of Violence at http://www.colorado.edu/cspv/blueprints/model/overview.html
The Consortium to prevent school violence (2008) also lists the following factors as ineffective in managing school violence:

- Profiling approaches to identify potentially dangerous students don’t work and hurt innocent students.
- Zero tolerance policies do very little to prevent or reduce school violence.\(^{26}\)
- Physical security measures such as metal detectors as a stand-alone approach do not reduce overall levels of violence and disruption at schools, though weapon-carrying may be reduced.
- Repeated suspension of students with behaviour problems does little to change anti-social behaviours and often accelerates a negative cycle of school failure and delinquency.
- Primarily punitive disciplinary approaches that neither teach nor reinforce appropriate behaviour are not very effective at changing student behaviour.

Based on this evidence, the Consortium makes the following specific recommendations to address school violence:

- Create a school violence prevention leadership team at school that includes an administrator, parent, clinical member (school psychologist or social worker, if available), several teachers, paraprofessional, front office staff member, law enforcement/security personnel, and support services staff member (e.g., cafeteria/bus driver).
- Develop a comprehensive, multi-faceted program that addresses the following areas:
  - general safety and security procedures and threat assessment
  - comprehensive needs assessment (including academic support needs for at-risk students)
  - crisis management
  - collection and analyses of data from multiple sources, such as the use of school climate surveys and office referrals
  - school-wide behavioural expectations taught with multiple methods and reinforced consistently as part of a school-wide behavioural management system with structured proactive approaches
  - familiarising staff with what students are taught so adults know when to use teachable moments to prompt and help students use newly learned behaviours in everyday situations at school

\(^{26}\)We acknowledge the importance of the need for clear messages regarding students not bringing weapons to schools. In that sense, zero tolerance messages can be desirable. At issue is the need to recognise that zero tolerance punishment responses can be counter productive to long term opportunities for preventing youth violence, weapon carrying and use.
• development of social, emotional, and behavioural competencies among all children
• specific additional social-emotional-behavioural support services for students at higher risk
• user-friendly and efficient channels of communication with students and families to address specific indicators of potentially problematic and/or dangerous emerging situations
• promoting student attachment and bonding with the school entity where marginalised students are supported through new and innovative initiatives to help them successfully engage in academic and/or social relationships in school
• partnerships with allied service agencies to address needs of students with multi-agency involvement in a coordinated manner
• ongoing school staff training with at least 80 per cent staff buy-in to the school’s prevention program
• periodic leadership and school-wide meetings to review data and modify programming as needed.

The Consortium (2008) also provides the following cautions with regards to school violence:

• Avoid simplistic analysis and reactive responses to troubling situations that require a more thoughtful approach; avoid the temptation to take extreme measures to promote appearances of control.

• Avoid excessively homogeneous grouping of students with antisocial behaviours in small intervention groups, which may result in a mutual reinforcement and escalation of antisocial attitudes and behaviours.

• Avoid over reliance on exclusionary (e.g., suspension) and punitive measures, which tend to be relatively quick and easy to implement, compared to the much more challenging task of teaching and reinforcing pro-social behaviours.

The Centre for effective collaboration and practice (2001) also provides an evidence based guide for developing and monitoring safe schools (see Early warning, timely response: a guide to safe schools at http://cecp.air.org/guide/files/executivesummary.asp). The guide’s recommendations accord with the public health approach by providing practical advice for primary, secondary and tertiary prevention activities.

Fearfulness
Another important issue arising from the research is fearfulness among school children, especially as feeling safe at school has been linked to important outcomes for adolescents, such as engagement and academic success (Ripski & Gregory, 2009). We touched on this issue in Chapters 2. Fear of being a victim and prior victimisation has also been identified as a risk factor for carrying weapons in schools.
The findings of the IES National Centre for Education Statistics, Indicators of School Crime and Safety Survey (2007) indicate that:

- In 2005, approximately 6 per cent of students ages 12–18 reported that they were afraid of attack or harm at school, and 5 per cent reported that they were afraid of attack or harm away from school. However, the percentage of students who reported that they were afraid of being attacked at school (including on the way to and from school) decreased from 12 to 6 per cent between 1995 and 2005.

- In 2005, 6 per cent of students ages 12–18 reported that they had avoided a school activity or one or more places in school in the previous 6 months because of fear of attack or harm: 2 per cent of students avoided a school activity, and 4 per cent avoided one or more places in school. Consistent with most previous years, students in urban areas in 2005 were the most likely to avoid places in school: 6 per cent of urban students reported that they had done so, compared to 4 per cent of suburban and rural students.

Bachman, Randolph and Brown (2011) report that having experienced victimisation and indicators of a subculture of violence at school, which others have conceptualised as incivilities, including gang presence, attacks on teachers, easy alcohol and drug availability and weapons in school, increase levels of fear among students. Alvarez and Bachman (1997) found no differences in fear levels while at school across race, ethnicity, or gender groups; however, younger students and students from low-income families did experience more fear compared to older students and those with higher family incomes.

One of the most sophisticated explorations of fear in an adolescent sample was conducted by Wilcox and her colleagues (2005) who examined both perceptions of risk and perceptions of fear using crime specific questions. Using data collected in Kentucky, they found that the factor related most strongly to perceived fear across crime types (fear of physical attack, fear of theft, and fear of unwelcome sexual remarks) was previous victimisation experiences and students’ assessments of their own risks of victimisation.

Being fearful at school can affect the receptiveness and capacity for student learning. In addition, being fearful has other negative psychological effects such as causing psychological distress, anxiety, and posttraumatic stress disorder (Dao et al, 2006; Springer & Padgett, 2000). Fear also affects other quality-of-life indicators such as students restricting their activities to avoid fearful situations (Bachman, Randolph & Brown, 2011).

In contrast to the promising fear-reducing effects of environment-focused school crime prevention in the form of communal school organization, there is little evidence that access control, target hardening and formal surveillance practices utilised by schools are effective at managing fear of crime (Tillyer, Fisher & Wilcox, 2010).

**Summary**

This chapter has presented an overview of the most recent research evidence about preventing and responding to violence and weapons based violence in schools. Overwhelmingly the evidence is that safe schools tend to integrate values such as respect into their school mission and align their school practices with these values (Gladden, 2002). The belief that teaching nonviolent behaviour is the
responsibility of all school staff also helps reduce violence by increasing staff members’ commitment to model pro-social behaviour, increasing the ability of staff to intervene effectively, and heightening adults’ ownership of public spaces. Rather than a product-based concept of school safety (such as metal detectors, surveillance cameras, and guards), a safe school emphasises positive school climate and student and staff support systems (Bucher & Manning 2005).
Chapter 5: Legislative and policy frameworks for responding to violence and weapons in schools

Introduction
National and international concern about young people and violent crime, particularly violence involving weapons, has led to a range of strategies to address the problem. The previous chapter examined a comprehensive range of individual, educational and environmental responses to school violence and weapons. This chapter focuses on the legislative and school policy responses by:

- describing some of the legislative and policy responses to the use of weapons in other countries
- setting out the key legislative and policy responses to violence and the use of weapons in schools in Australia by state
- presenting recent data about reported weapons offences (police data) by young people in Queensland
- identifying some of the key issues arising from the various school-based policies and legislation within Australia
- discussing some of the gaps which, combined with the research evidence presented in Chapters 2, 3 and 4, form the basis for the recommendations presented in Chapter 6.

International legislative and policy frameworks
Most western countries have developed and adopted legislative and policy responses to weapon use in schools. In 1994, for example, the U.S. Congress passed the Gun-Free Schools Act 1994 which was designed to deal with the problem of weapons in schools. This Act formalised and embedded within school discipline plans two concepts - zero tolerance and mandatory sentencing. Essentially, the Act mandated a one year expulsion for possession of a firearm, referral of a violating student to the criminal justice system, and the ability of the chief administrative officer of each school district to modify these types of expulsions on a case-by-case basis (Skiba, 2000). The implications of this legislation have discussed in the previous chapter.

In New Zealand, the Justice Minister Simon Power recently announced a range of initiatives targeted at the ‘emerging knife crime problem’ (July 2010). The measures included legislation to increase the maximum penalty for unlawful possession of a weapon from two years to three years imprisonment. In addition to the legislation an education program was introduced using Police Education Officers in schools. Also under consideration are guidelines for teachers to search students for weapons.

To address the issue of knife crime in the United Kingdom the government has implemented a range of initiatives (although not all of them were targeted at schools or at young people) which include:

- legislative changes doubling the maximum sentence for carrying a knife in public from two to four years for adults and raising the age at which you can buy a knife from 16 to 18

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27 The number of international policies and legislation reviewed were necessarily limited by the timeframe provided for this review.
28 The time available for this study limited our capacity to examine relevant data of other jurisdictions.
• increasing the use of stop and search powers by police to target people suspected of carrying knives and increased enforcement of the law around the sale of knives to young people
• funding of local partnerships between police and schools, providing funding to community groups and conduct of a prevention program for first time offenders
• conducting a national advertising campaign
• working with retailers on a voluntary agreement with the government encouraging retailers to adopt best practice to reduce underage sales of knives
• enhancing data collection to improve the reporting and recording of crime.

In addition to these initiatives additional power was granted to schools for ‘head teachers and other members of school staff to search, without consent, a pupil whom they reasonably suspect is carrying a knife or other weapon’ (Section 550AA of the Education Act 1996 inserted under Section 45 of the Crime Reduction Act 2006 introduced, from 31 May 2007).

**Australian legislation and school policies**

In this part of the Chapter we provide an overview of the key Australian legislative and policy responses to violence and weapons in schools by state.

**Queensland**

**Legislation**

In Queensland there are general provisions rendering it an offence to possess a weapon unlawfully, for a licensee to possess an unregistered firearm and to unlawfully supply another with a weapon. These provisions are contained within the Weapons Act 1990. Committing an assault occasioning bodily harm while armed and committing a robbery while armed aggravates these offences (these provision are contained within the Queensland Criminal Code).

Section 7 of the Queensland Criminal Code also makes it an offence for a person to enable or aid another person to commit an offence, or to counsel or procure another person to commit an offence.

There are also limited provisions within the Weapons Act 1990 regarding weapons in schools or possession by students; it is an offence, for example, to possess a knife in a public place or school without reasonable excuse (self defence is excluded as reasonable excuse). If a student possessed a weapon at school these provisions would likely apply, though their penalties may be affected by the Youth Justice Act 1992 (see below), which provides police with discretion in how to proceed with a youth offender (police may take no action, administer a caution or refer the offence to a conference, taking into consideration the circumstances of the alleged offence, the child’s criminal history, the harm suffered by anyone else and the interests of the child and the community).

The Weapons Amendment Bill is currently before Queensland Parliament. The preliminary draft legislation was released for further input from the Queensland community between 4 August and 14 September 2010 and more than 2,500 online comments and submissions were received.

committee identified 440 proposals for legislative change to the Act during the initial consultation phase and that these have been reflected in the Weapons Legislation Amendment Bill 2010.

Minister Roberts stated that ‘the purpose of the Stage 1 amendments is to further enhance community safety, streamline some administrative arrangements and send a strong message of deterrence to those in the community who would commit weapons related offences.’ With this aim the Bill doubles the penalties for behavioural offences, such as discharging a weapon in a public place and dangerous conduct with a weapon. The maximum penalty for those offences will increase from 100 penalty units or two years imprisonment to 200 penalty units or four years imprisonment. Necessarily, those offences will be reclassified from simple offences to indictable offences. Additionally, the penalty for possession of a knife in a public place or school increases from 20 units or six months imprisonment to 40 units or one year imprisonment.

The Bill also amends Section 51 of the Weapons Act, possession of a knife in a public place or a school, to clarify that a person may physically possess a knife in a public place for genuine religious purposes. The example used in the Bill is the Sikh religion which requires baptised members to carry a small blunted knife known as a kirpan underneath the person’s clothing. However, this amendment will not extend to the physical possession of a knife in a school. Minister Roberts explains that ‘the safety and welfare of our children is paramount and, therefore, the Bill excludes the possession of any type of knife on school grounds.’

Detailed information about the acts discussed above is provided in Appendix 2 Table 1.

**Number of offences and trends over time**

Queensland Police statistical data indicate that slightly more than 3400 offences under the Weapons Act are reported per annum, or about 76 offences per 100,000 persons (see Table 5.1). Almost two-thirds (63.8%) of the offences (2188/3429 in 2009/10) related to the possession and/or use of weapons/restricted items that are not firearms.

According to the QPS, there has been a decline in weapons offences over time (See Figure 5.1). The number of offences decreased by 1 per cent from 3,455 offences reported in 2008/09 to 3,429 offences reported in 2009/10. The overall decrease is attributable to decreases in three of the five weapons sub-categories; decreases were recorded in Weapons Act Offences – Other (10%), fall in Unlawful Possession Firearm – Other (8%) and Bomb Possession and/or Use offences (5%). The QPS attributes the drop in weapons offences to a drop in armed robberies over time (QPS Statistical Review, 2009-10).
Table 5.1: Reported weapons offences in Queensland, 2008/09 – 2009/10

<table>
<thead>
<tr>
<th>Offence</th>
<th>Number reported</th>
<th>Number reported per 100,000 persons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2008/09</td>
<td>2009/10</td>
</tr>
<tr>
<td>Weapons Act offences</td>
<td>3455</td>
<td>3429</td>
</tr>
<tr>
<td>Unlawful poss’n conc. Firearm</td>
<td>104</td>
<td>124</td>
</tr>
<tr>
<td>Unlawful poss’n firearm – other</td>
<td>508</td>
<td>468</td>
</tr>
<tr>
<td>Bomb poss’n and/or use</td>
<td>44</td>
<td>42</td>
</tr>
<tr>
<td>Poss’n and/or use other weapons/restricted items</td>
<td>2128</td>
<td>2188</td>
</tr>
<tr>
<td>Weapons Act offences - other</td>
<td>671</td>
<td>607</td>
</tr>
</tbody>
</table>


Figure 5.1: Weapons offences in Queensland, July 2000-July 2010

Regional differences
According to the QPS, there were also decreases across regions, with the number of offences across five of the eight police regions recording decreases during the 2009/10 financial year. Far Northern and Metropolitan North Regions recorded the largest decrease of 14 per cent and 17 per cent respectively. However, the number of offences differs considerably between regions, with Far Northern Region recording the highest rate of 124 offences per 100,000 persons in 2009/10, despite the decrease, and Metropolitan North Region recording the lowest rate of 53 offences per 100,000 persons.
Offenders

There were 3107 weapons act offences reported in Queensland in 2009-10. Approximately 90 per cent of those offences were committed by males; and males aged 15-19 years were collectively responsible for the largest number of offences, n= 634 (see Table 5.2 below).  

Children aged between 10 and 16 were responsible for 427 weapons act offences in 2009-10; 13.7 per cent of all offences across all ages. Including youth aged 17 years in these figures increases the number of weapons act offences to 591 (or 18.9% of all weapons offences) and rises to 742 offences (23.8%) if 18 year olds are included – almost one-quarter of all weapons offences reported by the QPS for the year.

These data indicate the propensity for children and youth to access and use weapons. Undoubtedly there are potential and inherent risks associated with such actions.

Table 5.2: Number and percentage of Weapons Act offences committed in Queensland in 2009-10 by the age of the offender

<table>
<thead>
<tr>
<th>Age (years)</th>
<th>Number of offences committed by males</th>
<th>% of all offences committed by males by age</th>
<th>Number of offences committed by females</th>
<th>% of all offences committed by females by age</th>
<th>% of all offences committed by all offenders by age</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-14</td>
<td>149</td>
<td>5.3</td>
<td>19</td>
<td>6.4</td>
<td>5.4</td>
</tr>
<tr>
<td>15</td>
<td>90</td>
<td>3.2</td>
<td>19</td>
<td>6.4</td>
<td>3.5</td>
</tr>
<tr>
<td>16</td>
<td>140</td>
<td>4.9</td>
<td>10</td>
<td>3.4</td>
<td>4.8</td>
</tr>
<tr>
<td>17</td>
<td>151</td>
<td>5.4</td>
<td>13</td>
<td>4.3</td>
<td>5.2</td>
</tr>
<tr>
<td>18</td>
<td>140</td>
<td>5.0</td>
<td>11</td>
<td>3.7</td>
<td>4.9</td>
</tr>
<tr>
<td>19</td>
<td>113</td>
<td>4.0</td>
<td>9</td>
<td>3.0</td>
<td>3.9</td>
</tr>
<tr>
<td>20-24</td>
<td>430</td>
<td>15.3</td>
<td>58</td>
<td>19.5</td>
<td>15.7</td>
</tr>
<tr>
<td>25-29</td>
<td>387</td>
<td>13.8</td>
<td>47</td>
<td>15.8</td>
<td>13.9</td>
</tr>
<tr>
<td>30-39</td>
<td>584</td>
<td>20.8</td>
<td>56</td>
<td>18.9</td>
<td>20.6</td>
</tr>
<tr>
<td>40-49</td>
<td>370</td>
<td>13.2</td>
<td>40</td>
<td>13.5</td>
<td>13.2</td>
</tr>
<tr>
<td>50-59</td>
<td>165</td>
<td>5.8</td>
<td>12</td>
<td>4.0</td>
<td>5.7</td>
</tr>
<tr>
<td>60+</td>
<td>91</td>
<td>3.2</td>
<td>3</td>
<td>1.0</td>
<td>3.1</td>
</tr>
<tr>
<td>Total</td>
<td>2810</td>
<td>99.9</td>
<td>297</td>
<td>99.9</td>
<td>99.9</td>
</tr>
</tbody>
</table>


Note: percentages have been rounded and will not necessarily add up to 100%.

29 It is important to note the restrictions placed on offender statistics by the QPS (Explanatory notes, 2010) as follows:

Offender statistics are based on offence counts and do not and cannot refer to individuals. The data refers to the number of offences cleared or solved through an action against an offender. As such, offender data does not equate to a unique offender count, nor does it equate to the number of offences cleared. For example, an offender charged with motor vehicle theft, unlawful entry, assault and other theft would be included four times in any offender breakdown by age and sex. Only persons aged ten years and over are deemed to be offenders. Offenders have not been included if their age and sex is not specified in QPS records. Less than 1% of offenders have been excluded for this reason.

30 Under Queensland law, children under ten years of age are not held criminally responsible, although they may be involved in the commission of an offence. Juvenile offenders are those aged between and including ten and sixteen years. Unlike some other states, a person aged 17 and older is classified as adult in Queensland.
Location of offences
The QPS provides information about the location of weapons act offences.

One of the categories provided is described as ‘educational’, but this category includes Colleges, Daycare centres, Historical Schools, Libraries, Primary Schools, Secondary Schools, Universities and TAFEs. Further, the information provided by category is not subdivided by age; therefore the figures can only provide a broad indicator of the maximum number of possible offences occurring within primary and secondary schools.

Overall, the QPS report that 80 of the 3455\textsuperscript{31} weapons offences reported in 2009-10 occurred within an educational institution. This equates to about 2.32 per cent of all weapons act offences and, given the above limitation, we must assume that not all offences occurred within primary or secondary schools and, certainly, not all offences would have been committed by children or young people.

Given that 13.7 per cent of all weapons offences were committed by children aged 10-16 (see above), rising to 23.8 percent if 17 and 18 year old youth are included in these figures, these data suggest that the majority of offences are not committed within schools.

Actions taken by police
When a child commits an offence in Queensland, the Youth Justice Act 1992 requires a police officer to consider taking alternative action to arresting the perpetrator, including taking no action, administering a caution or referring the offender to a conference.

We examined the QPS weapons offence data. As shown in Figures 5.2 and 5.3 below, the majority of adults committing weapons offences were either given a Notice to Appear (63.3\% of all adult offenders) or arrested (34.9\% of all adult offenders). Juveniles, on the other hand, were most likely to be cautioned (48\%) or given a Notice to Appear (29.1\%). Only 16 per cent of juveniles committing weapons offences were arrested.

\textsuperscript{31} The QPS explain that when there is missing information for a key variable, e.g., gender they exclude all of the data for those offences from the analyses.
Figure 5.2: Weapons Act: number of actions taken against offenders by age (Juvenile vs. Adult), 2009-10

Source: Analysis conducted on data reported in the QPS Statistical Review (2009-10).

Figure 5.3: Weapons Act: number of actions taken against offenders by age (Juvenile vs. Adult), 2009-10

Source: Analysis conducted on data reported in the QPS Statistical Review (2009-10).
The Education (General Provisions) Act 2006 also provides grounds for:

- student suspensions, exclusions and cancellation of enrolment for disobedience, misconduct and other conduct that is prejudicial to the good order and management of the school, and
- directions to leave school grounds and prohibition on entering the premises for wilful disturbance, threats or abuse or the real or potential commitment of offences that may disrupt the good order or management of the institution.

The Act does not specify the use of weapons in either section of the Act and it is unclear which section would apply to a child carrying or using weapons within school grounds. However, it is likely that, depending on the circumstances of an individual case, the carrying or bringing of a knife to school is capable of amounting to misconduct (as the term is ordinarily defined). If a school had a rule specifically prohibiting the carrying of a knife, and the term knife was appropriately defined, then the carrying or bringing of a knife would also potentially amount to disobedience. However, in the absence of a blanket ban on “knives”, there should be a substantial difference in the consequences for a child bringing a small knife to peel an apple, a child bringing a knife or sharpened tool for the purposes of the curriculum and a child bringing a knife for no good explicable reason or for the express reason of harming another or for self defence. Greater clarity regarding this issue is required.

**School policies**
The timeframe for this review limited our review of school policies to the state public education sector only, although a cursory glance at some of the policies available on the Independent and Catholic school websites illustrated some promising material. Unfortunately the latter are many and diverse, however, and most are not publicly available. Without access to all policies and procedures a systematic review could not be undertaken within the timeframe of this review.

Queensland Education department policies are set out in Appendix 2 Table 2. Of note is that the policies do not provide specific consequences for a student who brings a weapon to school – nor do they define what a weapon is - though as per the legislation discussed above, grounds for suspension and exclusion including disobedience, misconduct and conduct prejudicial to the good order of the school and possession of weapons would be likely to fall into these categories.

There are also no specific responses or reporting procedures for the possession of a weapon, though there is a general policy about what to do if a student harms another. There also appear to be no specific strategies for the prevention of weapon use, but Education Queensland does provide a code of school behaviour, setting out standards and responsibilities of all members in the school community and guidelines and a template for a responsible behaviour plan for students, which all schools must complete and review at least every three years. The plan sets out behaviour support, emergency responses to critical incidents, unacceptable behaviours and the relevant consequences.

Principals are also given the power to refer a student’s enrolment to the Chief Executive where they reasonable believe a prospective student will pose a risk to the safety or wellbeing to others. The Chief Executive is given the option to refuse the student’s enrolment if they reasonably believe the student’s enrolment poses an unacceptable risk, not just some difficulty. Only the Director General has the power to exclude prospective students from all state schools.
In November 2010, school Principals were also given the power to exclude students from their schools (this power previously resided with their supervisor); they may also recommend the decision to their supervisor if they believe it is inappropriate for them to make the decision (School disciplinary absences by DET region, reports and statistics – 2006-2010 calendar years at [http://education.qld.gov.au/schools/statistics/docs/sda-region-2006-2010.pdf](http://education.qld.gov.au/schools/statistics/docs/sda-region-2006-2010.pdf)).

Generally, it is Departmental policy that police are to conduct all searches of students and their property if there are concerns about weapons or illegal substances or items, but in extreme circumstances, including where the life or welfare of students is at risk, the Principal may examine a student’s property without their consent. Policy dictates, however, that searching student’s property should be done with the consent of the student or their parent. If there are concerns about weapons (e.g. staff feel it is unsafe) and the student does not consent, the property may be confiscated by the Principal. If any property found is illegal, likely to threaten safety and wellbeing or is reasonably suspected to have been used to commit a crime the principal should hand the property to the police. There are also confiscation powers under Part 2, Division 2 of the Education (General Provisions) Regulation 2006.

**NSW**

**Legislation**

NSW has general legislative provisions in the *Weapons Prohibition Act 1998* that prohibit certain weapons, their possession and use without a permit. It is an offence to possess or use a prohibited or non-prohibited firearm or pistol without authorisation by licence of permit.

The *Summary Offences Act 1988* makes it an offence to sell a knife to a person under the age of 16 and the *Firearms Act 1996* makes it an offence to issue a licence to someone under the age of 18, although children may apply for a minor’s permit. A Minors Permit allows children to possess or use a firearm for the purpose of receiving instruction on the safe use of firearms or for competing in an event approved by the Commissioner. The minor can only use or possess the firearm under the supervision of category A, B or C licence holder, or someone authorised by the Commissioner to supervise minors using firearms.

The *Crimes Act 1900* also makes it an offence to assault, intimidate or threaten a student or staff member while they are on school premises and to possess or use an offensive implement or knife (except for a reasonable purpose) on school grounds or in a public place.

There are no legislative provisions dealing specifically with students’ possessing or using a weapon on school premises, though the above provisions dealing with a ‘person’ using/possessing an offensive implement or knife on school grounds would be likely to apply to students (the NSW Department of Education and Training also provides a procedure for student’s possessing or using a prohibited weapon, firearm or knife – immediate suspension – see below).

The legislative provisions dealing with a person possessing or using a knife or offensive implement on school grounds set out specific maximum penalties. Children in NSW convicted of knife offences can receive a fine of more than $2,000 or jail sentences of up to 25 years if someone is injured with a knife during an assault. However, as is the case in Queensland, the *Young Offenders Act 1997* may provide alternate procedures for dealing with student offenders. While the alternate procedure of
providing a ‘warning’ is not available for violent crimes, ‘cautioning’ and ‘conferencing’ options can be applied after consideration is given to the interests of justice, including the degree of violence of the offence and the harm to the victim.

The Education Act 1900 also provides procedures for assessing whether students will be a risk to the safety and wellbeing of other students or staff before their enrolment through the provision of information by certain agencies pertaining to the assessment of this risk for specific students.

There are also general provisions for parental liability for a child’s crime through direct or material contribution to the crime by wilful default in the Summary Offences Act 1988, including the capacity to be charged for allowing their child to possess or carry a knife at school or in a public place. There is, however, no record of a parent being charged with this offence since its introduction in 1998. The NSW Ombudsman has raised issues about the offence such as the difficulties expected in enforcing the provision, the scope of the term ‘parent’ and interpretation of the term ‘permitted’.

Relevant NSW legislation is set out in Appendix 2 Table 3.

School policies
In NSW a school accident report is required to be completed for any ‘non-minor’ accident on school grounds or during school activities and it is specifically required that any instances of possession or use of prohibited weapons, firearms or knives (without reasonable purpose) be reported immediately to the NSW Police and the School Safety and Response Hotline.

The Department of Education and Training in NSW has also developed fact sheets for parents and students (No Knives at school) that provide information about the relevant legislation and policies regarding the possession of knives at school. These fact sheets reinforce the NSW position that no type of knife is allowed at school including butter knives, fruit knives in lunchboxes or knife tools for craft purposes.

There are no specific policy guidelines that prevent the use or carriage of other types of weapons in schools, however there is a general policy for the prevention of student bullying. This policy provides for the development and review of a school’s anti-bullying plan.

Relevant NSW school policies are set out in Appendix 2 Table 4.

Victoria
Legislation
Victoria has general legislative provisions in the Control of Weapons Act 1990 that render it an offence to possess, carry or use certain weapons and to possess or carry a dangerous article in a public place without a lawful excuse. The Firearms Act 1996 also renders the possession, carrying and use of a range of different types of firearms, registered and unregistered, an offence. This Act also provides that a person over 12 but under 18 may be issued a Junior Licence to carry certain categories of weapons but only for the purpose of receiving instruction in the use of firearms or engaging in sport or target shooting competitions.

There are currently no legislative provisions dealing with weapons possessed or used in schools or by students. However, the Education Training Reform Amendment Act 2011, which has been given royal
assent according to the Victorian Legislation and Parliamentary website but has not yet been incorporated into the current version of the Education and Training Reform Act, addresses school safety. The amendment gives Principals the power to declare items harmful and not to be brought to school, the power to search for harmful items and the power to seize them. Principals have always had the powers to search/confiscate potentially harmful items as provided in the Control of Weapons Act, but the Education Training Reform Amendment Act 2011 will consolidate the powers within Education related legislation.

Relevant Victorian legislation is set out in Appendix 2 Table 5.

School policies
There are no policies that specify how students possessing weapons should be dealt with, though the suspension policy states that immediate suspensions may be implemented where the student’s behaviour puts the health, safety and wellbeing of themselves or another at risk, which incidents involving a weapon would likely meet. The Department of Education and Early Childhood Development provides a policy that states that critical incidents, of which one involving a weapon would likely be, must be reported to emergency services and the Emergency and Security Management Unit.

There is no policy relating to prevention of weapons in schools specifically but there is a policy dealing with the prevention of unacceptable behaviour in general. The Department of Education and Early Childhood Development’s Effective Schools are Engaging Schools policy concerns behaviour and intervention and the Department of Education and Early Childhood Development’s Building Safe and Respectful Schools deals with bullying prevention in general, covering a whole school approach to prevention and responding to bullying.

Respectful Relationships to Education deals with violence prevention but weapons are not specifically covered. This policy deals with the rationale of targeting young people, covers the principles of good practice for successful violence prevention and assesses the programs in existence in Victoria; only three meet most good practice standards.

Relevant Victorian school policies are set out in Appendix 2 Table 6.

Tasmania

Legislation
In Tasmania there are general legislative provisions in the Police Offences Act 1935 rendering it an offence to possess a dangerous article (including a weapon other than a fire arm) in a public place without lawful excuse. The Act grants police officers the powers to search and seize these articles in a public place. There are no specific provisions for schools or students, apart from the definition of a public place including schools.

The Firearms Act 1996 also makes it an offence to possess, use or acquire a firearm without a licence or permit and a person under 18 cannot possess or use a firearm unless holding a Minors Permit. There are different permits for those aged 12-16 and 16-18 years, both provide that the use or possession of a firearm is to be under the supervision of a licence holder or approved person. It is also an offence to sell, acquire, possess or use a firearm that is not registered.
Powers of search and seizure are conferred to police officers.

Relevant Tasmanian legislation is set out in Appendix 2 Table 7.

School policies
There are no specific consequences prescribed for a student possessing a weapon at school; however, the Education Act 1994 and School Discipline Guidelines provide that disciplinary measures such as detention, suspension, exclusion and expulsion can be used for unacceptable behaviour. Unacceptable behaviour includes behaviour detrimental to the safety or welfare of staff or students; this would include possession or use of weapons. Possession of a weapon would likely attract exclusion (recommended where the behaviour possess a risk to safety) or expulsion (which signals that the behaviour cannot be coped with due to long term interference with safety and wellbeing).

The Department of Education also provides an online reporting form for accidents requiring medical attention and dangerous incidents. It provides that if a student, staff member or visitor suffers an injury requiring medical attention beyond first aid or if a dangerous incident occurs, there must be a report to Work Place Standards Tasmania.

There are no policies that specifically address the prevention of weapons in schools but guidelines for preventing problem behaviours are provided. The School Wide Positive Behaviour Support system provides a three phased plan outlining the process and evaluation tools.

Relevant Tasmanian school policies are set out in Appendix 2 Table 8.

South Australia

Legislation
South Australian legislation (the Summary Offences Act 1953) renders it an offence to carry, manufacture, sell, distribute, supply and possess certain weapons or articles.

Under the Criminal Law and Consolidation Act 1935 the use or threatened use of a weapon in an assault, causing harm or not, is an aggravating factor and attracts a higher penalty.

It is also an offence to possess, acquire and supply a firearm without a licence or permit and an offence to possess an unregistered firearm (Firearms Act 1977).

The penalties prescribed by these statutes may be affected by the Youth Offenders Act 1993 which provides police with the power to implement alternate punishments in some instances.

There are currently no specific provisions relating to weapons possessed in schools or by students. The Education Regulations 1977 do not address recourse for student possession of a weapon, but do provide that suspension, exclusion and expulsion are available where the head teacher reasonably believes a student has threatened or perpetrated violence, acted in a manner threatening safety or wellbeing or acted illegally, which possessing or using a weapon would likely satisfy.

However, South Australia is implementing an election commitment to tighten up weapons laws, including those relating to knives. The Summary Offences Amendment Bill presented to the Government in November 2010 included reforms to:
- make it an offence to sell a knife to a minor under the age of 16
- restrict the possession of knives in schools and public places
- make it an offence to have a knife at school, including where it is not actually carried on the person (e.g. in a locker or bag)
- make it an offence to use or carry a knife visibly in a way that causes a person to fear for their safety.

Relevant SA legislation is set out in Appendix 2 Table 9.

**School policies**

South Australia has policies for reporting and responding to weapon use or possession by students. The Department of Education and Child services provides fact sheets concerning assaults and critical incident reporting which provide that if there are incidents where it is suspected that weapons are involved the police must be contacted immediately and the incident reported through the Incident Response Management System. For an urgent matter, the Regional Director and manager of the department’s School Care must be telephoned.

There is also policy that provides that in instances of assault, siege, hostage situations and firearms the incident must be reported and the relevant stakeholders informed.

According to the Department of Education and Child services fact sheets some rights of search and seizure are granted to Principals. However, the overall principle is that police should conduct the searches in situations of serious risk of injury or harm; a Principal may only conduct searches of a student’s property and ask the student to remove their jacket, shoes and to turn out their pockets. It is stipulated that these powers must only be used in extreme circumstances, which include suspicion that the student possess a weapon.

There is no policy dedicated to preventing the possession or use of weapons, although there is policy providing for the establishment and maintenance of a learning community that is safe, inclusive, conducive to learning and free from harassment and bullying. The policy sets out guiding principles and elements and approaches that inform good practice.

Relevant SA school policies are set out in Appendix 2 Table 10.

**Western Australia**

**Legislation**

WA’s *Weapons Act 1999* provides that the possession, use, supply, purchase, sale and manufacture of prohibited and controlled weapons is an offence. It is also an offence to carry an article, though not a prohibited or controlled weapon, with the intention of injuring or disabling someone, or causing a person to fear someone will be injured or disabled. It is also an offence to sell or supply a controlled weapon to a child (less than 18 years of age). The Act confers search powers to members of the police force where there is reasonable suspicion that a person is committing an offence or carrying a weapon relating to an offence.
The only provision relating to possession of a weapon inside a school is a section in the *Criminal Code* relating to possessing a weapon in a public place for entertainment (a public place is defined as including a school).

The *Firearms Act 1973* provides that rendering the sale, delivery, disposing, purchase, coming otherwise into possession and possession of a firearm or ammunition an offence without a licence. A licence or permit for firearms cannot be issued to a person under 18 years.

There are no specific provisions relating to students possessing weapons although the *School Education Act 1999* provides the ability for:

- school Principal’s to suspend students for breaching school discipline or exclude students for threatening the safety of any person on school premises, damaging school property or significantly disrupting the educational instruction of others
- a Principal to prohibit an item on school premises
- a teacher to take property from a student that is likely to disrupt the good order of the school or adversely affect the safety and welfare of students and staff.

Relevant WA legislation is set out in Appendix 2 Table 11.

**School policies**

The Department of Education’s *CEO Instruction: Weapons in Schools* provides that an incident involving a weapon is to be considered a serious breach of school discipline and is to be dealt with by immediate suspension.

There are no specific policies for responding to or reporting incidents concerning weapons; there are, however, general policy guidelines for Emergency and Critical Incident Management which stipulate that a Principal must contact police if necessary, contact parents and guardians, report the incident to their Director of Schools and submit an entry to the online incident notification system.

There are no specific policies regarding the prevention of weapons in schools, but the Department of Education’s *Behaviour Management in Schools* policy deals with preventing breaches of school discipline in general. The policy covers the responsibilities of Principals, mandatory procedures, bullying prevention and how breaches can be managed.

The Department of Education’s *School Security* policy deals with security in general, of relevance being the one on crime prevention which suggests using the environment to prevent crime by making it more likely for offenders to be caught.

Relevant WA school policies are set out in Appendix 2 Table 12.

**Northern Territory**

**Legislation**

The *Weapons Control Act* (in force at 21 September 2011) in the NT has specific provisions rendering the manufacture, sale, purchase, possession and use of prohibited weapons an offence. There are also provisions rendering the use or possession of weapons without lawful excuse an offence (controlled and offensive weapons). It is also an offence for a controlled weapon to be sold to someone under 18 years and for a person under 18 years to possess a controlled weapon. If the
child does so at night in public or on school grounds the penalty is doubled. The legislation also stipulates that carrying or using a controlled weapon without lawful excuse in a school is an offence.

*The Firearms Act* (in force at 21 September 2011) also makes it an offence to possess or use a firearm unless authorised to do so by permit or licence. A person applying for a licence must be 18 years, unless they have applied for a Firearms Club Junior Licence. The Junior Licence provides authorisation to use and possess a firearm under the supervision of a licence holder and for the purpose of receiving instruction on the safe use of firearms at an approved shooting range or competing in approved events.

*The Education Act* (in force at 1 June 2011) enables a Principal to suspend a student if their presence would be harmful to the health of other persons, and the Minister to expel a student if considered necessary in the interests of the other persons attending the school.

Relevant NT legislation is set out in Appendix 2 Table 13.

**School policies**
The Department of Employment, Education and Training (DEET) has a policy that states that the possessions of weapons in schools will not be tolerated and is likely to lead to suspension and police involvement. DEET policy also provides for responding to and reporting critical incidents or emergencies. The policy covers the responsibilities of staff members and guidelines for developing an emergency plan; although weapons on school grounds are not specifically provided for, incidents involving weapons would meet the definition of a critical incident.

The DEET provides no specific policy for the prevention of weapons in schools, but does provide guidelines for wellbeing and behaviour, stipulating that each school must develop a *Wellbeing and Behaviour* policy and a template for doing so.

The DEET also provides a *Safe Schools Code of Behaviour* which sets out the rights and responsibilities of students, parents, staff and the principal and includes specifically that the possession and use of weapons in school is an unacceptable.

Relevant NT school policies are set out in Appendix 2 Table 14.

**The Australian Capital Territory**

**Legislation**
The *Prohibited Weapons Act 1996* in the ACT makes the possession and use of certain weapons an offence.

The *Crimes Act 1990* makes it an offence to possess a knife in a public place or school without a reasonable excuse. Self defence is expressly excluded from providing a reasonable purpose. The Act also makes it an offence to sell a knife to a person under the age of 16 years. There are no specific provisions, legislative or otherwise, for weapons brought into schools by students, though s382 of this act deals with ‘persons’ bringing knives into school grounds and this would likely apply to students.

The *Firearms Act 1996* renders certain firearms prohibited, and the use or possession of both prohibited and non-prohibited firearms, without a licence an offence. It also provides that a child
must not own a firearm, though persons under the age of 18 years are able to apply for a minors firearm licence. Further, it is an offence to possess, acquire or dispose of a prohibited or non-prohibited firearm that is not registered.

The suspension, expulsion and transfer policies of the ACT are based on s36 of the Education Act 2004. The Act doesn’t provide specifically for weapons possessed or used by students at school but it does provide procedures for circumstances where a student is violent or threatens the good order of the school or wellbeing of anyone associated with the school.

Relevant ACT legislation is set out in Appendix 2 Table 15.

**School policies**
There are no specific reporting or response policies or procedures in place for instances of a weapon being possessed or used in schools in the ACT, although the Providing Safe Schools P-12 Policy provides that instances of violence, bullying etc. that pose an immediate threat to the safety of staff or students must be reported immediately by phone.

There are also no policies concerning the prevention of weapons in schools specifically, but policies do exist for preventing bullying, violence and harassment in general; all schools must develop procedures to counter bullying, violence and harassment and there must be procedures for reporting, intervening and help and support following incidents.

Relevant ACT school policies are set out in Appendix 2 Table 16.

**Key issues arising from the review of the relevant Australian legislative and policy frameworks**

Our review of Australian legislative and policy frameworks for combating weapon crime in schools within Australia provides some insights for future directions and these are discussed below.

**Legislative issues**
With regards to the legislative provisions that affect schools and children, Queensland appears to be relatively well supported by appropriate legislation to enforce the regulation of weapons both on school property and by children attending school.

Table 5.3 provides a summary of the child focussed sections of relevant legislation and Queensland appears to have adequate provisions for all, except four areas and some of these are somewhat contentious.

**Supplying weapons to children**
Legislation in NSW, Victoria, WA, SA and the ACT specifically states that it is an offence to supply/sell or provide weapons to a child. In Queensland the Weapons Act only states that it is an offence to unlawfully supply another with a weapon (s 50 B(1)); it makes no specific mention of children nor does it create an offence for supplying weapons to children. Subsequently there are no consequences for specifically supplying a child with a weapon (NSW and Victoria both provide penalties for this offence).
Given the relatively high prevalence of access to weapons by children in Queensland illustrated in Chapter 3 along with the relatively high proportion of weapons offences committed by children and young people in Queensland demonstrated earlier in this chapter, this would seem to be an area that requires strengthening.

**Right to acquire information**

NSW is the only state to provide an obligation for stipulated agencies to provide information to a school for the purpose of assessing whether the enrolment of a particular student would constitute a risk to the wellbeing or safety of any student or staff member. Queensland provides a right for enrolment to be refused on the basis of a risk to safety and wellbeing, but no such right to acquire information. This may be an area for consideration by the government but great care must be exercised in doing so. There is some evidence that juveniles are likely to reoffend (see Lind, 2011) and that it is possible to predict – in broad terms - those who are most likely to re-offend, but it is not possible to predict which particular individuals are likely to re-offend and there is also very strong evidence that educational and employment opportunities can moderate or counter act the likelihood of offending. We have also noted the importance of not ‘profiling’ people in an effort to identify potentially dangerous students.

**Parental responsibility for children’s offences**

NSW is the only state to provide parental responsibility for weapons offences committed by children. There is a general legislative provision that a parent who, by wilful default, has contributed directly or in a material respect to the commission of an offence of which the child has been found guilty, is guilty of an offence.

This is quite a contentious issue and it is our understanding that no parents have yet been charged with this offence to date. Without any evidence as to the efficacy or effectiveness of this offence so far we cannot offer any further insights into this provision. It is worth noting, however, that parents in Queensland may be incriminated in respect of offences committed by their children under Section 7 of the Queensland Criminal Code (which makes it an offence for a person to enable or aid another person to commit an offence, or to counsel or procure another person to commit an offence) and this provision may adequately address this issue.

**Search and seizure by school staff**

Not all states provide legislative powers for search and seizure by school staff (police generally retain that capacity). Of those that do Victoria’s provisions, contained in a recent amendment, are by far the most comprehensive, followed by WA.

The proposed Victorian legislation deals with harmful items. A harmful item will be defined broadly as being likely to be used in a threatening, violent or harmful manner and any item declared by the Principal as not to be brought onto school grounds. The power of such declaration will also be conferred on the Principal by the legislation. A power of search for harmful items is also likely to be given to the Principal, Vice Principal and any authorised teacher. The power extends to searching school premises, premises occupied by students engaged in a teacher supervised student activity, vehicles used for a teacher supervised student activity and any bag or article used for storage by a student and that has been bought onto school premises or used while engaged in teacher supervised student activity. A search must only be undertaken where there is reasonable suspicion that harmful items will be uncovered. In conducting searches, the person may require spaces for storage on
premises to be unlocked, require student to open their bag, turn out their pockets or disclose harmful items.

The Principal, Vice Principal or authorised teacher may also be able to seize items, whether found in the course of a search or not that are on school premises, premises occupied by students engaged in a teacher supervised activity or vehicle used for such an activity or possessed by a student engaged in such an activity.

The Premier of Victoria, John Brumby, also announced in March 2011 that Victoria now had ‘the toughest suite of anti-knife laws anywhere in Australia’; he stated that people could be searched in designated areas and if found carrying a knife they will either go to court or be given an on the spot fine of $1000 (see http://www.youtube.com/watch?v=9Q0XSQwjxg).

WA has legislative provisions that confer a right for a Principal to make orders prohibiting items being brought to school, or placing conditions on their use. Corresponding with this is a right to confiscate items prohibited by such an order or used in a way contrary to an order. The item is to be collected by parents unless handed over to police.

In NSW the NSW Teachers Federation advises teachers that ‘in the event of a teacher becoming aware that a student is carrying ‘a dangerous or illegal’ item, teachers are advised to confiscate the item and report the matter to the police (NSW Teachers Federation, 2011 in Parliament of Victoria, 2011).

In the United Kingdom the Violent Crime Reduction Act 2006 amended the Education Act 1996 and the Further and Higher Education Act 1992 to provide for powers to search students and seize weapons. These powers have been extended to the ‘head teacher’ (Principal) and can be delegated to other staff members. Section 45 of the amending Act allows staff members, with the authority of the head teacher, to search a student and the student’s possessions if there is a reasonable suspicion the student is in possession of a weapon. This power is available whenever the student is under the lawful control of the staff member, including on school excursions or other occasions not on school premises. Nevertheless, some limitations are placed on these powers. For example, a staff member may not require the student to remove any clothing other than outer clothing. The staff member must also be the same sex as the student, and only conduct the search in the presence of another member of staff who is also the same sex as the student. The same limitations apply to searching a student’s possessions. In the event of a staff member finding a weapon or other item that is evidence of an offence, the staff member may seize the item and use reasonable force in exercising that power. The item must then be delivered to a police constable (Parliament of Victoria, 2011).

As discussed at the beginning of this chapter, the New Zealand Justice Minister Simon Power announced a range of initiatives targeting the ‘emerging knife crime problem’ in July 2010. The Parliament of Victoria (2011) notes the following:

A further measure being debated by NZ are guidelines for teachers to search students for weapons. Following the stabbing of a New Zealand mathematics teacher in May 2010, the Secondary Principals’ Association (SPANZ) sought legal advice on search and seizure powers for teachers in schools. The President of SPANZ stated that ‘legal opinion is divided on whether schools have the power of search and if so, under what conditions’. The absence of specific laws, and the conflict with Section 21 of the
Bill of Rights Act 1990 protecting people from unreasonable search and seizure, has created significant uncertainty regarding these powers. The uncertainty in this area of law was noted by the Ministry of Education in the following statement:

In the absence of a Court ruling, schools find themselves in the uncertain position of leaving themselves open to a claim under the New Zealand Bill of Rights Act or for a civil claim of trespass to the person... It is inevitable that at some point, a student will bring an action in the Court, either in trespass or as a breach of the Bill of Rights.

However, the NZ guidelines for ‘Searching students and confiscation’ have been enacted and are available at: [http://www.minedu.govt.nz/Boards/SupportForBoards/GoodPracticeSearchingStudentsAndConfiscation.aspx](http://www.minedu.govt.nz/Boards/SupportForBoards/GoodPracticeSearchingStudentsAndConfiscation.aspx).

In Queensland, as is the case in most states, police officers have search and seizure powers under Parts 1 and 2 of the Police Powers and Responsibilities Act 2000, are trained in how conduct such procedures and have oversight mechanisms that ensure appropriate compliance and/or provide robust complaints mechanisms for alleged misuse. Queensland also provides confiscation powers for school staff under Part 2, Division 2 of the Education (General Provisions) Regulation 2006.

Any amendments to the current legislation in line with the changes implemented interstate or overseas will require considerable research, legal advice and debate. Preliminary feedback by DETA on this issue, for example, indicates a level of concern:

An enhanced search and seizure role for teachers beyond that provided for state school staff in Temporary Removal Policy 039) is much more than a training issue; this is not a role for teachers that we would like to see considered.

On the other hand the CCYPCG supports the inclusion of search and seizure rights by school staff:

In the Commission’s view, teachers must have access to the right to be able to search and seize weapons from students in circumstances when they consider it reasonably necessary to do so in order to protect themselves or other students from immediate harm posed by the student they search.

We were unable to identify any research or evaluation evidence about this issue to assist with this debate. However, it is clearly a highly contentious one. It also seems reasonable that, should school staff have such powers, similar training and compliance measures as those provided for police must be instigated. The safety of school staff in conducting these activities (as well as the safety of children involved) must be a primary consideration; police are trained to protect themselves and the public, teachers are not.

**Policy issues**

Table 5.4 provides a summary of the key relevant school policies by state described earlier.

As with the legislative provisions described above, Queensland appears to be relatively well supported by relevant and appropriate school policies. Nevertheless, there are some indicators for enhancements that may improve the capacity of Queensland schools to better respond to weapons based violence. Some of the other states provide examples of best practice which may warrant further examination for Queensland. Discussion about these issues follows.
Specific policies or statements regarding weapons in schools

Although all state schools in Queensland are required to develop Responsible Behaviour Plans for Students (RBPS), and the policy provides comprehensive advice and templates on how to do so, the policy does not require a clear statement about weapons in schools. Nor does it require a clear statement about the consequences of bringing or using weapons into schools. Some of the other states do (as do some of the non-state schools in Queensland), and these policies may be worth replicating in Queensland state schools (see below). Responsible Behaviour Plans do empower schools to prohibit or ban certain items and outline the consequences for failing to comply with these, but it is unclear as to how consistently, or even whether these restrictions are used by schools across the state.

Examples of explicit policies regarding the use of weapons in schools interstate include:

- the Northern Territory Code of Behaviour which states that the possession or use of weapons in schools will not be tolerated and will likely lead to police involvement and suspension
- in Western Australian the school policy reflects the Education Regulations that require incidents involving weapons to be dealt with as a serious breach of discipline and for students should be suspended immediately
- in NSW the Suspension and Expulsion Procedures state that any student who possesses a prohibited weapon, firearm or knife is to be suspended immediately.

Closer to home, St Margaret’s Anglican school at Ascot, provides a good example of an explicit statement about weapon use (but not carriage) in its School Community Code of Conduct (see http://www.stmargarets.qld.edu.au/site/2_1_43_reports__policies.php). The Code applies to all members of the School Community (comprising the Principal, staff, coaches, employees, students, parents, guardians, step-parents, relatives, friends, supporters, carers and invitees of the School, when in the School environment or when attending any School related function or activity at any other location). It states:

School Community members must not:

- Use any object (whether as a weapon or otherwise) to threaten or intimidate any other person;
- Cause injury to any person by the use of any such object;
- Verbally abuse, threaten or inflict bodily harm on another person by any physical aggression or encourage others to do so; or
- Be in possession of, or under the influence of, or provide others with, alcohol or illegal drugs. The exception is when, in the normal course of events, the School provides hospitality to members or guests of the School Community in keeping with appropriate legal and hospitality regulations.

The Code also clearly identifies the consequences to a member of the School Community for breaching it. The consequences may include one or more of the following:

- The School may ban any member of the School Community from attending any co-curricular activity;
- The School may ban any member of the School Community from being on the School grounds in general;
- The School may direct that any parent may only communicate with members of staff through a nominated School representative;
In the case of extreme or prolonged breach of this Code of Conduct by a parent, the School may terminate the enrolment of the child of that parent; and

The School may take such other steps as it may in its reasonable discretion determine appropriate according to the nature of the breach.

Given the research and administrative data presented earlier in this report about the prevalence of access to, and use of, weapons by children and young people in this state, we would encourage the government to clarify current school policies to ensure that they include specific references to carrying and using weapons, as well as the consequences of doing so.

We acknowledge that Queensland state school RBPSs are intended to be positive and that the aim is to enhance school climate (and the research we have presented in this report strongly endorses such an approach), but it is also important that students and staff have a very clear understanding about bringing weapons in schools and the consequences of doing so.

Data collection, monitoring and evaluation
A detailed examination of weapon carrying and weapon use at schools in Queensland ultimately requires access to accurate official administrative data to monitor the prevalence of such events, the related circumstances involved (e.g. the type of weapon used, any injuries, the age, gender and grade of perpetrators, the existence of prior warnings or other types of offences etc.) and the actions taken in response to incidents. Unfortunately such information was not available to inform this review and it appears that such information is not routinely collected. Thus Queensland would seem to be poorly placed to assess and monitor its progress regarding offences committed within schools, including weapon related offences and the consistency of the responses made to them.

Unlike some states (e.g. Victoria, Tasmania, WA and SA), Queensland also does not appear to have any policies that require systematic data collection and/or the monitoring or evaluation of its prevention and behavioural intervention activities. Although we are aware that the Department does undertake some surveys within schools, a policy that identifies and emphasises the importance of implementing, monitoring and evaluating evidence based interventions to address violence, including weapon based violence, is essential.

Examples of relevant policies are provided in:

- Tasmania’s School Wide Positive Behaviour Support Policy that requires all student behaviour interventions to be evaluated. It also includes a school wide evaluation tool and an effective behaviour support self assessment survey tool.
- Victoria’s Engagement Policy Guidelines require the systematic collection and analysis of data to ensure behavioural interventions are evidence based.

Regular surveys of the attitudes and experiences of young people would also be beneficial to monitor the unreported carriage and use of weapons by young people, both in and outside of schools (and other key issues) to better inform prevention, intervention, policy and legislative change. As noted in Chapter 3 of this report, the research evidence regarding weapon carriage and weapon use in Australia is limited.
Responding to and reporting critical incidents

All states had some reporting and/or response policies but the depth of these policies varies. The ACT, NSW, Victoria and WA have procedures on much the same level – NSW and Victoria go slightly further and provide that where there are instances involving weapons, emergency services must be contacted.

The ACT provides that instances of bullying, harassment and violence that pose an immediate threat to safety are to be reported as critical incidents by telephone immediately and in writing within 24 hours. NSW provides a similar procedure. An accident report is to be prepared for any accident occurring that is not minor and a commonsense approach is to be used in determining what is minor. NSW further provides, however, that any incident involving, firearms, prohibited weapons or knives without reasonable cause are to be immediately reported to the NSW police force and the School Safety and Response Hotline.

Victoria provides a similar procedure. Critical incidents are defined as any event which has the potential to adversely affect anyone in the school community and it is provided that where safety is at risk the incident must be reported to emergency services immediately and then to the Emergency and Security Management Unit. The policy specifically provides that incidents of firearms, weapons or bombs or assaults, threat of assault or offensive behaviour must be reported to the Emergency and Security Management Unit.

WA provides that following a critical incident or emergency, the police must be contacted if necessary, the parents of any student harmed or threatened must be contacted, the incident is to be reported to the Director Schools and the principal or site manager must liaise with their director schools or the Department’s media unit and submit an entry using the online incident notification system as soon as reasonably possible. A critical incident is defined as an incident with a high likelihood of traumatic effects and an emergency is defined as an actual or imminent event that endangers life, property or the environment and requires significant coordinated response.

Tasmanian policy is even less directed at dealing with instances of weapons. The Tasmanian Department of Education requires that where an employee, student or visitor suffers an injury resulting in medical action beyond application of first aid in the workplace and/or a dangerous incident (involving fire, explosion, steam, gas or electricity) occurs as a result of which a person could have been killed or could have suffered serious bodily injury or illness the incident must be reported to Work Place Standards. The policy does not seem to provide that threats or mere possession of weapons as needing reporting.

SA, Queensland and the NT provide more detailed policy – but in different ways. For example, SA provides a more specific procedure, especially in regards to response to critical incidents. SA policy first provides that school personnel should assess whether incidents should be reported to police passed on the definition of an assault under s20 of the Criminal Law Consolidation Act. It is further provided that where there is a reasonable belief a weapon is involved in the incident police are to be contacted immediately, and consequences for the purpose of behaviour management should be applied regardless of police intervention. A critical incident, specifically defined as including instances involving weapons, is to be reported via the Incident Response Management System or if urgent, first reported to the regional director or management of School Care by telephone. Specific
plans of action are also provided for dealing with assaults incidents of siege, hostages or firearms. The plans cover immediate action, follow up and recovery.

Queensland policy is not as in depth as that of SA, but is more detailed than the ACT, NSW, Victorian, WA and Tasmanian policies. Queensland policy provides specific procedures for harm caused by another student which requires the use of ‘strategies’, the notification of parents and the management of student behaviour. These strategies are not specified but it is provided that schools should have de-escalation and response procedures in place. There is no specific procedure dedicated to response to the possession of a weapon or firearm. It is provided however, that where harm constitutes a serious criminal offence a specific form is to be used, and in cases of emergency the police must be contacted immediately and the form used as a follow up.

NT policy is also not as in depth as that of SA, providing that all schools should develop an emergency management plan. It is provided that this plan should include: identification of risks and hazards and measure to prevent or reduce the effect of crises, overall strategy, formation of emergency response team, delegations of the tasks to be fulfilled for each position, training of student and staff, details of communication strategies and warning system, procedures to secure immediate safety, procedure for notifying emergency services and DEET, procedure for specific emergencies, procedures for evacuation, procedure for lockdown and how information on threats will be gathered. The policy does not specifically address how an incident involving a weapon should be handled or planned for however.

Although Queensland’s Responsible Behaviour Plans for Students requires incident reports, debriefing reports and health and safety incident records for all emergency or critical incidents as well as notification processes and record of contact with all parents of student involved in a critical incidents involving severe problem behaviours, more specific information was unavailable for this review. This is valuable information that should inform future policy and legislative development in this area and we encourage the Department as well as authorities from all school systems (public, Catholic, Independent) to ensure that appropriate administrative records are developed and maintained.

**Search and Seizure**

SA policy recommends that police conduct all searches (e.g. bags or lockers). However, in rare circumstances – i.e. only if there is serious risk of injury or harm – a Principal may search a student’s property or school property in the student’s possession without their consent or may ask a student to take off their jacket, remove their shoes and turn out their pockets. It is specifically provided that rare circumstances include suspicion that a student is in possession of a weapon or dangerous article and if so, that the item is to be seized and the police are to be called.

In Queensland the policy provides that if property is illegal to possess, likely to threaten the safety or wellbeing of students or staff or is reasonably suspected to have been used to commit a crime then the Principal should retain the property for handing to police, but that under normal circumstances there is no authority to search or examine student property without consent.
Summary
This chapter has illustrated that although Queensland is relatively well supported by appropriate legislation and school policies to address weapon based violence in schools, there are several gaps which could be closed by incorporating some of the legislative and policy features employed in other states in Australia. However some further legal advice, investigative and consultation with key stakeholders is desirable in consideration of these various issues. We consider these issues in forming our recommendations in the following chapter.
### Table 5.3: Outline of key Australian legislative requirements for use/possession of weapons by children in schools by state

<table>
<thead>
<tr>
<th>Legislation ...</th>
<th>State/Territory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defines weapons, including knives etc.</td>
<td>Qld</td>
</tr>
<tr>
<td>Defines weapons, including knives etc.</td>
<td>Weapons Categories Prohibition Regulation 1997&lt;sup&gt;32&lt;/sup&gt;</td>
</tr>
<tr>
<td>Makes use/possession of weapons in schools an offence</td>
<td>Weapons Act</td>
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<tr>
<td>Identifies consequences of</td>
<td>Weapons Act&lt;sup&gt;44&lt;/sup&gt;</td>
</tr>
</tbody>
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<sup>32</sup> Includes Categories A (e.g. canons, air rifles, shotguns, B (firearms/rifles), C (semi-automatic rifles/shotguns), D (self-loading shotguns/rifles), E (bullet proof vests), H (air pistols), M (anti-personnel/inflammable substances, knives, relevant apparel, cross bows), R (machine guns), Restricted items (handcuffs, nunchaku, batons, studded gloves)

<sup>33</sup> Knives, military style weapons, miscellaneous weapons, imitations and concealed blades, miscellaneous articles

<sup>34</sup> Refers to knives and offensive implements which are defined as anything made or adapted to cause injury or menace to another or to damage property

<sup>35</sup> Refers to prohibited articles and dangerous articles which are defined as adapted or modified so as to be capable of being used as a weapon or any other article carried with the intention of being used as a weapon

<sup>36</sup> Defines a harmful item as a prohibited item, or one declared by the principal as not to be on the school premises, or has been or used or likely to be used in a threatening, violent or harmful manner

<sup>37</sup> Refers to dangerous articles which are defined as any weapon or firearms, modified articles capable of being used as a weapons or any other article intended to be used as a weapon

<sup>38</sup> Refers to prohibited and offensive weapons which are defined as firearms, swords, knives, club, bludgeons, truncheons or other offensive or lethal weapons or instruments

<sup>39</sup> It is an offence to carry an article (not a firearm or prohibited or controlled weapon) with the intention of using it to injure or disable a person or cause a person to fear that someone will be injured or disabled whether or not for defence

<sup>40</sup> Refers to prohibited (e.g. firearms), controlled (e.g. knives) and offensive weapons (defined as an article made or adapted to cause damage to property, injury, or fear of injury to a person

<sup>41</sup> Refers to prohibited weapons which are defined as bladed, hand, missile and other weapons

<sup>42</sup> Assault ... (or) recklessly, by any means, wound or affect grievous bodily harm on a student or staff member while they are attending school

<sup>43</sup> Only refers to knives
<table>
<thead>
<tr>
<th>Legislation ...</th>
<th>State/Territory</th>
</tr>
</thead>
</table>
| possession/use of weapons in schools | Qld: Weapons Amendment Bill<sup>45</sup>  
NSW: Crimes Act<sup>47</sup>  
Victoria:  
Tasmania:  
SA:  
WA:  
NT:  
ACT: Regulations |
| Makes supplying, selling, buying weapons to/by a child/student an offence | Qld: Summary Offences Act<sup>51</sup>  
NSW: Weapons Control Act<sup>53</sup>  
Victoria: Weapons Act  
Tasmania: Weapons Act<sup>54</sup>  
SA:  
WA:  
NT: Crimes Act<sup>55</sup>  
ACT: |
| Has consequences for supplying etc weapons to child | Qld: Summary Offences Act<sup>56</sup>  
NSW: Control Weapons Act<sup>57</sup>  
Victoria:  
Tasmania:  
SA:  
WA:  
NT:  
ACT: |
| Has youth justice provisions | Qld: Youth Justice Act  
NSW: Young Offenders Act  
Victoria: Youth Offenders Act  
Tasmania: Youth Offenders Act  
SA:  
WA:  
NT:  
ACT: |
| Enables action re risks associated with prospective students | Qld: Education Act  
NSW: Education Act  
Victoria:  
Tasmania:  
SA:  
WA:  
NT:  
ACT: |
| Enables parental responsibility for child’s behaviour | Qld: Summary Offences Act  
NSW: Children (Protection |

<sup>44</sup> 6 months imprisonment  
<sup>46</sup> 2 years imprisonment  
<sup>48</sup> Only states that it is an offence to carry a dangerous article in a public place without lawful excuse; it does not define a public place as including a school  
<sup>49</sup> 10 penalty points  
<sup>50</sup> 12 months imprisonment; if the offence takes place at night the penalty doubles  
<sup>45</sup> 12 months imprisonment  
<sup>47</sup> 5-12 years imprisonment  
<sup>51</sup> In Qld the Weapons Act states only that it is an offence to unlawfully supply another with a weapon (s 50 B(1)); children are not specifically mentioned  
<sup>52</sup> The act only identifies knives in this context  
<sup>53</sup> Refers to prohibited (firearms) and controlled weapons (knives that are not prohibited weapons)  
<sup>54</sup> 2 years imprisonment and a fine of $24000  
<sup>55</sup> Only refers to knives  
<sup>56</sup> 2 years imprisonment  
<sup>57</sup> 3 months to 4 years imprisonment
<table>
<thead>
<tr>
<th>Legislation ...</th>
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<tbody>
<tr>
<td></td>
<td>Qld</td>
</tr>
<tr>
<td>Provides search powers for harmful items to school staff</td>
<td>&amp; Parental Responsibility Act</td>
</tr>
</tbody>
</table>

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58 The principal may prohibit items on school premises and a teacher may take from a student any property that is likely to disrupt good order and adversely affect safety and welfare at the school.
59 Suspension/expulsion can be due to disobedience, misconduct or other conduct that is prejudicial to the good order and management of the school (s 284). An adult or student may also be prohibited from entering school property if the principal suspects the prohibited person has or is about to commit an offence, or to ensure the safety and wellbeing of other persons lawfully on the premises or to maintain the good order of the premises.
60 Unacceptable behaviour can include that which is detrimental to the health, safety and welfare of staff and other students and cause/likely to cause damage.
61 A student may be suspended or expelled if they have threatened or perpetrated violence, acted in a manner threatening safety or wellbeing or acted illegally.
62 A student may be excluded if their behaviour has threatened safety to any person on the school premises.
63 Suspension/expulsion may occur because the student’s presence would be harmful to the health or moral welfare of other persons.
64 Provides for student suspension, exclusion or transfer when a student is violent, threatens violence, or acts in any way that threatens the good order of the school or wellbeing of another student or staff member.
Table 5.4: Outline of key Australian policies for use/possession of weapons by children in schools by state

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65 A general anti-violence program
66 Requires a whole school approach, includes sexual abuse prevention and other programs provided by external agencies, requires evaluation
67 Requires positive learning opportunities
68 Promotes care, respect, cooperation and a nurturing and supportive school environment
69 Requires student behaviour as part of an interaction between the student, staff and school community
70 Requires systematic collection & analysis of data to ensure behavioural interventions are evidence based
71 Requires impact evaluations
72 Requires interventions to be evaluated and provides a school wide evaluation tool and an effective behaviour support self assessment survey tool
73 Requires universal proactive/positive expectations, targeted behavioural support for students with higher than average problem behaviour & intensive responses for chronic behaviour problems
74 Requires strategies be put in place to meet the educational, social and emotional needs of students who may be suspended
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<sup>75</sup> Requires universal, secondary (at risk) and tertiary interventions (high risk)
<sup>77</sup> Promotes restorative and educative approaches and includes bullying management and prevention
<sup>75</sup> Requires strategies be put in place to meet the educational, social and emotional needs of students who may be suspended
<sup>75</sup> Requires the effect on students’ education and welfare must be assessed in every case of disciplinary action
<sup>80</sup> In addition to weapons (see below) assaults, threats and offensive behaviour are to be reported
<sup>81</sup> Requires assaults to be reported to the police
<sup>82</sup> Includes behaviour that is likely to be detrimental to the health, safety or welfare of staff or other students
<sup>83</sup> Requires clear definitions of emergency situations and severe behavioural problems, de-escalation procedures and specialist training for staff
<sup>84</sup> Requires illegal behaviour to be reported to the police
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<sup>85</sup> Requires incident reports, debriefing reports and health and safety incident records for all emergency or critical incidents and notification processes and record of contact with parents of student involved in a critical incidents involving severe problem behaviour

<sup>86</sup> Dangerous incidents must be reported to Work Place Standards Tasmania

<sup>87</sup> Bullying, harassment, violence, racism, sexual harassment and anything that poses a threat to the safety of students and staff must be reported immediately

<sup>88</sup> RBPS must set out range and level of consequences for student behaviour not complying with the code of conduct

<sup>89</sup> States that any student who is physically violent ... or seriously interferes with the safety and well being of others is to be suspended immediately

<sup>90</sup> States grounds for suspension as behaviour that threatens or constitutes danger to the health, safety or wellbeing of any person; commits an act of significant violence

<sup>91</sup> Outlines a range of possible sanctions for unacceptable behaviour; doesn’t seem to include references to weapons

<sup>92</sup> For student behaviour that interferes with the long term safety and well being of other students and staff; expulsion will not be approved unless there is evidence of the school working towards the student’s rehabilitation unless the behaviour is so extreme immediate expulsion is judged necessary

<sup>93</sup> Includes restorative and reconciliatory actions

<sup>94</sup> Identifies behaviours that will not be tolerated and likely to lead to suspension including physical, verbal, sexual abuse./assault, intimidation./threats, bullying and harassment, possession of a weapon (see below), illicit drugs, alcohol, tobacco, vandalism, stealing and obscene or offensive acts

<sup>95</sup> Provides that no knife is allowed at school, even for food preparation or craft purposes

<sup>96</sup> Incidents to be reported include firearms, weapons or bomb threats
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<td>Exclusion of prospective students</td>
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<td>Parental</td>
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97 Refers to the Education Regulations that require incidents involving weapons should be dealt with as a serious breach of discipline and students should be suspended immediately
98 States that where there is reasonable belief that an incident involves a weapon the police are to be contacted immediately; defines a critical incident as any significant or threatening event, including weapons and assault
99 States that if a dangerous weapon is confiscated the item is to be seized and police called; if a suspected dangerous weapon is in a student’s car on school ground the car may also be searched
100 States that the possession or use of a weapon will not be tolerated
101 States that weapons should never be taken to school
102 States that any student who possesses a prohibited weapon, firearm or knife is to be suspended immediately; refers to the Weapons Prohibition Act and the Summary Offences Act
103 States that use of weapons will likely lead to suspension and police involvement
104 Enables staff to temporarily remove illegal or threatening property from a student in emergency situations only
105 Recommends police undertake searches and that school personnel are to contact the police if they have reasonable suspicion about a student’s property; only in rare circumstances (if there is serious risk of injury or harm) is the principal to search student’s property without consent, but only if they are certain that it does not put their students at grave risk
106 Principal to refer applicants with unacceptable risks to DG; the DG can exclude potential students only in grave situations only
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107 Requires parents (as well as students and staff) to abide by the code of school behaviour; parents/carers are to contribute positively to behaviour support plans concerning their child.
Chapter 6: Conclusions and recommendations

Introduction
This chapter collates the major findings of our research and presents our recommendations. The latter are informed by (a) what we have learned about the prevalence, nature and causes of weapon based violence in schools in Queensland; (b) the demonstrated effectiveness of various strategies that have been used to deal with weapon based violence in schools nationally and internationally; and (c) the gaps we have identified in Queensland laws and school policies that frame the current response to weapons in schools.

Recommendations

Information systems and surveillance processes
Our review has demonstrated a paucity of state-wide and individual school data on the prevalence and nature of weapon carrying and weapon use in schools, as well as related disciplinary responses. It has also indicated the need for regular monitoring activities, including surveys of students to assess the carriage and use of weapons by young people, especially on school property, and their attitudes towards violence, weapons, school rules, and support programs.

Our review of the various policy responses across the nation also indicated that unlike some other states, Queensland does not appear to have any policies that require systematic data collection and/or the monitoring or evaluation of its prevention and behavioural intervention activities. Although we are aware that the Department does undertake some surveys within schools, a policy that identifies and emphasises the importance of implementing, monitoring and evaluating evidence based interventions to address violence, including weapon based violence, would be beneficial.

Examples of relevant policies are provided in:

- Tasmania’s School Wide Positive Behaviour Support Policy that requires all student behaviour interventions to be evaluated. It also includes a school wide evaluation tool and an effective behaviour support self assessment survey tool.
- Victoria’s Engagement Policy Guidelines require the systematic collection and analysis of data to ensure behavioural interventions are evidence based.

Some jurisdictions undertake systematic data collection efforts of youth to assess experiences with violence (e.g. victimisation perpetration, etc) and weapon use (e.g. carry, use, observing weapons, etc). A useful example of an appropriate survey for school students is the Boston Youth Survey which has been developed and conducted by the Harvard Youth Violence Prevention Centre and is available at http://www.hsph.harvard.edu/hyvpc/research/boston-youth-survey/index.html.

The great strength of such a system rests with the capacity to gauge overall trends in the attitudes, experiences and events involving violence and weapons for young people in Queensland. Such an approach would more specifically identify changes in experiences and events which could more clearly illuminate program needs and inform program responses.
Recommendation 1

To obtain high quality and accurate information about weapons and weapon related incidents and young peoples’ experience of violence, weapons and victimisation in order to inform effective policies and practice, the Queensland Government support the development of a regular community based household survey of youth to explore attitudes and experiences related to violence, victimisation and weapon related experiences in schools and the community.

Recommendation 2

To obtain high quality and accurate information about weapons and weapon related incidents to inform effective policies and practice, the Queensland Government work with schooling sectors to identify ways to monitor existing data collection processes and options for improving information about weapon related incidents at Queensland schools.

Prevention activities

A comprehensive response to weapon based violence in schools is required. It is important to note, however, that it is difficult to disentangle the responses required for addressing the use of weapons in schools from those that prevent violence and aggression in schools in general. Given the overlapping precursors for school violence and weapon related violence, combined efforts to address both will ensure that effective approaches will generate a range of positive benefits.

Research has demonstrated repeatedly that school communities can do a great deal to prevent violence and that a whole of school approach to violence, safety, and weapons is essential. We endorse the public health framework for prevention as an appropriate umbrella for addressing school based violence and weapon use; its value lies in its capacity to address the universal needs of all schools (primary prevention) as well as the specific needs of ‘at risk’ schools and individuals (secondary prevention) as well as those that perpetrate or experience violent events (tertiary prevention). It also acts as a reminder that simplistic or ‘one size fits all’ responses will be ineffective.

Evidence reveals that safe schools tend to integrate values such as respect into their school mission and align their school practices with these values. The belief that teaching nonviolent behaviour is the responsibility of all school staff also helps reduce violence by increasing staff members’ commitment to model pro-social behaviour, increasing the ability of staff to intervene effectively, and heightening adults’ ownership of public spaces. A safe school emphasises positive school climate and student and staff support systems.

Importantly, greater student understanding of the rules, policies and legislation, has been shown to lessen disruption. This finding points to a critical need for schools to focus their efforts on effective communication to establish the legitimacy of the school’s system of rules in the minds of students. The better the understanding of these rules and the greater the confidence that the school will use them fairly and consistently will also reduce fearfulness among vulnerable students, as well as reducing weapon carrying in those who do so to protect themselves.

Our analysis of the police data provided to us for this report revealed that the majority of weapons offences occur in primary schools at 8 am and at 1 pm for secondary schools. Gladden (2002) claims that the presence of an adult who knows students is viewed as one of the most effective ways of preventing violence. Astor et al. (1999) also cautions that improving connections and respect among
teachers and students in classrooms may not improve school safety if these relationships remain isolated in classrooms and fail to extend to the public spaces where most school violence occurs. A commitment by adults to supervise students throughout the school as well as in their own classroom is required.

Greater supervision of public spaces within schools during the students’ free or transitory time by teachers who have created strong and positive relationships with students in the classrooms (not administrative or security staff) would be likely to reduce some of these conflicts. Enlisting the assistance of trained bystanders (students, other staff) may also assist. Clearly, there is reason to expect that bystander approaches may also assist in contributing toward school environments that are resistant to violence and related social problems, including weapon use.

Recommendation 3

That the three schooling sectors encourage all Queensland schools to:

- use evidence based violence prevention and bystander intervention programs and strategies which foster positive school cultures to make them more resilient to violence
- implement and evaluate violence prevention programs including a series of bystander intervention program pilots.

Legislation

Our analysis of the national legislative framework suggests that with regards to the provisions that affect schools and children, Queensland appears to be relatively well supported by appropriate legislation to enforce the regulation of weapons both on school property and by children attending school. Nevertheless there are some aspects of the legislation in other states that may warrant consideration to enhance Queensland’s legislative capacity in this regard. Some, however, are controversial and we encourage caution in their application and further consultation with key stakeholders. For example:

- **Supplying weapons to children**: Legislation in NSW, Victoria, WA and the ACT specifically state that it is an offence to supply/sell or provide weapons to a child. In Queensland the Weapons Act only states that it is an offence to unlawfully supply *another* with a weapon (s 50 B(1)); the Act makes no specific mention of children nor does it create an offence for supplying weapons to children. Subsequently there are no consequences for specifically supplying a child with a weapon (NSW and Victoria both provide penalties for this offence). Given the relatively high prevalence of access to weapons by children in Queensland, along with the relatively high proportion of weapons offences committed by young people in Queensland demonstrated earlier, this is an important area for further consideration by the government.

- **Right to acquire information**: NSW is the only state to provide an obligation for stipulated agencies to provide information to a school for the purpose of assessing whether the enrolment

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108 The provisions of the Weapons Act (a) do not apply to various groups such as members of the cadet force who may be required to carry weapons for lawful purposes and (b) allow a reasonable excuse for carrying a knife when performing lawful duties or undertaking primary production, for exhibition purposes (such as at a fete) or as part of a uniform (e.g. a scout’s uniform) or for normal utility purposes such as fishing (e.g. a Swiss army knife or a pen knife may be used).
of a particular student would constitute a risk to the wellbeing or safety of any student or staff member. Queensland provides a right for enrolment to be refused on the basis of a risk to safety and wellbeing, but no such right to acquire information. Relatively high rates of reoffending do occur among juvenile offenders and, naturally, any decision can only be made easier with access to more information.

- **Parental responsibility for children’s offences**: NSW is the only state to provide parental responsibility for weapons offences committed by children. This is a contentious issue and it is our understanding that no parents have yet been charged with this offence to date. Without any evidence as to the efficacy or effectiveness of this offence so far, it is not possible to offer any further insights into this provision. It is worth noting, however, that parents in Queensland may be incriminated in respect of offences committed by their children under Section 7 of the Queensland Criminal Code (which makes it an offence for a person to enable or aid another person to commit an offence, or to counsel or procure another person to commit an offence) and that, without any evidence as to the effectiveness of the NSW legislation regarding this matter, this may provide adequate coverage for this issue at this stage.

- **Search and seizure by school staff**: Not all states provide legislative powers for search and seizure by school staff (police generally retain that capacity). Of those that do Victoria’s provisions, contained in a recent proposed amendment, are by far the most comprehensive, followed by WA. As is the case in most states, police officers in Queensland have these powers under Parts 1 and 2 of the Police Powers and Responsibilities Act 2000, are trained in how to conduct such procedures and have oversight mechanisms that ensure appropriate compliance and/or provide robust complaints mechanisms. In Queensland there are also confiscation powers for school staff under Part 2, Division 2 of the Education (General Provisions) Regulation 2006. However, the issue of search and seizure is a contentious one, especially for schools. It also seems logical that if school staff are to have such powers, reasonable training and compliance support measures must be considered. The safety of school staff in conducting these activities (as well as the safety of children involved) must be a primary consideration. The police are trained to protect themselves and the public, teachers are not.

**Recommendation 4**

That the Queensland Government investigates amending Queensland legislation to:

- create an obligation similar to Part 5A of the Education Act 1900 (NSW), which enables schools to obtain information from specified agencies about a young person that has engaged in violent behaviour, for the purpose of assessing whether the enrolment of the young person would constitute a risk to the wellbeing or safety of any student or staff member or to develop and maintain strategies to minimise risk
- bring Queensland into line with other Australian jurisdictions and make it clear that it is an offence to unlawfully supply weapons, including knives, to a child.

**Policy responses**

As with the legislative responses, our analysis of the national school policy responses to weapons use by children in schools indicated that Queensland is relatively well supported. Nevertheless, some
enhancements may improve the capacity of Queensland schools to better respond to weapons based violence. Some of the other states provide examples of best practice that may warrant further examination for Queensland. For example:

- **Specific policies or statements regarding weapons in schools:** Although all state schools in Queensland are required to develop *Responsible Behaviour Plans for Students* (RBPS), and the policy provides comprehensive advice and templates on how to do so, the policy does not require a clear statement about weapons in schools. Nor does it require a clear statement about the consequences of bringing or using weapons into schools. Some of the other states do (as do some of the independent schools in Queensland), and these policies may be worth replicating in Queensland. Responsible Behaviour Plans do empower schools to prohibit or ban certain items and outline the consequences for failing to comply with these, but it is unclear as to how consistently, or even whether these restrictions are used by schools across the state. We would certainly encourage increased efforts in this regard.

Examples of explicit policies regarding the use of weapons in schools interstate include:

- the *Northern Territory Code of Behaviour* which states that the possession or use of weapons in schools will not be tolerated and will likely lead to police involvement and suspension
- in Western Australian the school policy reflects the Education Regulations that require incidents involving weapons to be dealt with as a serious breach of discipline and for students should be suspended immediately
- in NSW the *Suspension and Expulsion Procedures* state that any student who possesses a prohibited weapon, firearm or knife is to be suspended immediately

- **Responding to and reporting critical incidents:** All states had some reporting and/or response policies but the depth of these policies varies. Queensland provides specific procedure for harm caused by another student which requires the use of ‘strategies’, the notification of parents and the management of student behaviour. These strategies are not specified but it is provided that schools should have de-escalation and response procedures in place. There is no specific procedure dedicated to response to the possession of a weapon or firearm. It is provided however, that where harm constitutes a serious criminal offence a specific form is to be used, and in cases of emergency the police must be contacted immediately and the form used as a follow up. Although Queensland’s *Responsible Behaviour Plans for Students* policy requires incident reports, debriefing reports and health and safety incident records for all emergency or critical incidents, as well as notification processes and record of contact with all parents of students involved in critical incidents involving severe problem behaviours, this information does not appear to be readily available for providing baseline and trend information regarding incidents of weapon use at schools, or for informing future policy and legislative development in this area.
**Recommendation 5**

That all Queensland schools:

- incorporate specific statements about using and carrying weapons in schools, including the consequences for doing so, into all relevant policies and procedures
- develop and implement effective communication strategies to ensure that all students, parents and staff members are aware that carrying and using weapons in schools are inappropriate and potentially unlawful and that there are consequences for doing so.

**A community problem**

The data presented in this report indicate that weapon carriage and use by young people is more problematic in the community than it is in schools. Indeed, schools seem to undertake a protective role. There would, therefore, seem to be a need to address the broader community context for weapons carriage and use by young people.

In Chapter 4 we discussed some multi-faceted community based interventions, such as those conducted in the UK and Scotland. We also noted in Chapter 5 the provision in the Weapons Offence Bill currently before the Queensland Parliament that increases the penalty for possession of a knife in a public place or school from 20 units or six months imprisonment to 40 units or one year imprisonment.

More research may elicit other programs and identify their effectiveness to date. We would, therefore, see this as another valuable exercise and refer it to the Queensland Government’s Youth Violence Taskforce for consideration.

**Recommendation 6**

That the Queensland Youth Violence Taskforce examines the efficacy and effectiveness of community based prevention and intervention efforts for reducing the carriage and use of weapons by young people in the community and develop recommendations for addressing this problem.
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http://www.legislation.nsw.gov.au/xref/infance/?xref=Type%3DAct%20AND%20Year%3D1990%20A 
ND%20no%3D8&nohits=y

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http://notes.nt.gov.au/dcm/legislat/legislat.nsf/64117dddb0f0b89f482561cf0017e56f/532fd65cde72c3af69257918000069fafa?OpenDocument

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Western Australia Firearms Act 1973 at

Western Australia School Education Act 1999 at


Western Australia Weapons Act 1999 at


## Appendix 1: School-based police officers in Queensland

<table>
<thead>
<tr>
<th>School</th>
<th>Education Queensland Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beenleigh SHS</td>
<td>South East</td>
</tr>
<tr>
<td>Bray Park SHS</td>
<td>North Coast</td>
</tr>
<tr>
<td>Bundaberg SHS</td>
<td>North Coast</td>
</tr>
<tr>
<td>Charters Towers SHS</td>
<td>North Queensland</td>
</tr>
<tr>
<td>Cleveland District SHS</td>
<td>South East</td>
</tr>
<tr>
<td>Clontarf Beach SHS / Redcliffe SHS</td>
<td>North Coast</td>
</tr>
<tr>
<td>Dakabin SHS</td>
<td>North Coast</td>
</tr>
<tr>
<td>Gladstone SHS / Toolooa SHS</td>
<td>Central Queensland</td>
</tr>
<tr>
<td>Glenala SHS</td>
<td>Metropolitan</td>
</tr>
<tr>
<td>Glenmore SHS / North Rockhampton SHS</td>
<td>Central Queensland</td>
</tr>
<tr>
<td>Harristown SHS</td>
<td>Darling Down South West</td>
</tr>
<tr>
<td>Heatley Secondary College / Pimlico SHS</td>
<td>North Queensland</td>
</tr>
<tr>
<td>Hervey Bay SHS / Urangan SHS</td>
<td>North Coast</td>
</tr>
<tr>
<td>Ipswich SHS</td>
<td>Metropolitan</td>
</tr>
<tr>
<td>Kawana Waters State College</td>
<td>North Coast</td>
</tr>
<tr>
<td>Kelvin Grove State College</td>
<td>Metropolitan</td>
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<tr>
<td>Kepnock SHS</td>
<td>North Coast</td>
</tr>
<tr>
<td>Kingston College / Loganlea SHS</td>
<td>South East</td>
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<tr>
<td>Kirwan SHS</td>
<td>North Queensland</td>
</tr>
<tr>
<td>Mabel Park SHS / Woodridge SHS</td>
<td>South East</td>
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<tr>
<td>Mackay North SHS / Pioneer SHS</td>
<td>Central Queensland</td>
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<tr>
<td>Morayfield SHS</td>
<td>North Coast</td>
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<tr>
<td>Mareeba SHS</td>
<td>Far North Queensland</td>
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<tr>
<td>Maroochydore SHS</td>
<td>North Coast</td>
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<tr>
<td>Marsden SHS</td>
<td>South East</td>
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<tr>
<td>Northern Beaches SHS (Townsville)</td>
<td>North Queensland</td>
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<tr>
<td>Pine Rivers SHS</td>
<td>North Coast</td>
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<tr>
<td>Redbank Plains SHS</td>
<td>Metropolitan</td>
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<tr>
<td>Robina SHS</td>
<td>South East</td>
</tr>
<tr>
<td>Rockhampton SHS</td>
<td>Central Queensland</td>
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<tr>
<td>Smithfield SHS</td>
<td>Far North Queensland</td>
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<tr>
<td>Spinfex College Junior and Senior Campuses</td>
<td>North Queensland</td>
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<tr>
<td>Sunnybank SHS</td>
<td>Metropolitan</td>
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<tr>
<td>Townsville SHS / William Ross SHS</td>
<td>North Queensland</td>
</tr>
<tr>
<td>Thuringowa SHS</td>
<td>North Queensland</td>
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<tr>
<td>Trinity Bay SHS / Woree SHS</td>
<td>Far North Queensland</td>
</tr>
</tbody>
</table>

This information is available online at: [http://education.qld.gov.au/studentservices/protection/community/police.html](http://education.qld.gov.au/studentservices/protection/community/police.html)
Appendix 2: Summary tables of relevant Australian legislation and school policies to address weapon based school violence, by state
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Weapons Act 1990</strong></td>
<td>• It is an offence to possess a weapon unlawfully – s50(1)</td>
<td>• s50(1) Max penalties depending on weapon number and category</td>
<td>It is an offence to possess a knife in a public place or school without reasonable excuse – s51(1)</td>
<td>• s51 – 20 penalty units or 6 months imprisonment</td>
</tr>
<tr>
<td></td>
<td>• It is an offence for a licensee to possess an unregistered firearm – s50A(1)</td>
<td>• s50(1)(a), 10 or more weapons, 5 of which are category D, E, H or R – 13 years imprisonment</td>
<td>o Reasonable excuse includes to perform lawful duty or employment, participate in lawful entertainment, recreation or sport, exhibition of the knife, use for lawful purpose –s51(2)</td>
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<td></td>
<td>• It is an offence to unlawfully supply another with a weapon – s50B(1)</td>
<td>• s50(1)(b), if (a) does not apply and 10 or more weapons are possessed – 500 penalty units or 10 years imprisonment</td>
<td>• Self defense is expressly excluded as a reasonable excuse – s51(3)</td>
<td></td>
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<td></td>
<td>o The categories of weapons are contained in the Weapons Categories Regulation 1997</td>
<td>o s50(1)(c), if (a) and (b) do not apply</td>
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<td></td>
<td>o Firearms are included in these categories</td>
<td>▪ (i) category D, H or R weapon – 300 penalty units or 7 years imprisonment</td>
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<td></td>
<td>o There are different types of licences depending on the type of weapon – including for firearms</td>
<td>▪ (ii) category C or E weapon – 200 penalty units or 4 years</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools/children</td>
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<td>imprisonment</td>
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<td>category A, B</td>
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<td>or M weapon</td>
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<td>– 100 penalty units or 2 years</td>
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<td>S50A(1) – 60 penalty units</td>
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<td>S50B(1) max penalties depending on weapon category and number</td>
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<td></td>
<td></td>
<td>s50B(1)(a), 5 or more weapons, 1 of which is category D, E, H or R – 13 years imprisonment</td>
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<tr>
<td></td>
<td></td>
<td>s50B(b) if (a) does not apply and 5 or more weapons are unlawfully supplied – 500 penalty units or 10 years imprisonment</td>
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<td></td>
<td></td>
<td>s50B(c) if (a) and (b) do not apply</td>
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<td>(i) category D, H or R weapon – 500</td>
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<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools/children</td>
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<td>penalty units or 10 years imprisonment</td>
<td>(ii) category C or E weapon – 300 penalty units or 7 years imprisonment</td>
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<td></td>
<td></td>
<td>(iii) category A, B or M weapon – 200 penalty units or 4 years imprisonment</td>
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</table>

**Weapons Amendment Bill 2010**

- Currently before Queensland Parliament.
- The purpose of the stage 1 amendments is to further enhance community safety, streamline some administrative arrangements and send a strong message of deterrence to those in the community who would commit weapons related offences.
- The Bill doubles the penalties for behavioural offences, such as discharging a weapon in a public place and dangerous conduct with a weapon.
- The maximum penalty for those offences will increase from 100 penalty units or two years imprisonment to 200 penalty units or four years.
- The Bill amends section 51, possession of a knife in a public place or a school to clarify that a person may physically possess a knife in a public place for genuine religious purposes (e.g. the Sikh religion requires baptised members to carry a small blunted knife known as a kirpan underneath clothing). However, the Bill excludes the possession of any type of knife on school grounds.
- The penalty for possession of a knife in a public place or school increases to 40 units or one year imprisonment.
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
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<tr>
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<td>imprisonment.</td>
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<td>• those offences will be reclassified from simple offences to indictable offences.</td>
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<tr>
<td>Criminal Code</td>
<td>• Where a person commits an assault occasioning bodily harm is armed or pretends to</td>
<td>s339(3) – increase from 7 years imprisonment to 10 years imprisonment</td>
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<td>be armed the penalty increases – s339(3)</td>
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<td>• Section 7 makes it an offence for a person to enable or aid another person to</td>
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<td>commit an offence, or to counsel or procure another person to commit an offence</td>
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<td>• See also s.411(2, 412, 417A, 419, 420, 425, 427, 359E, 56(b), 61(1)(b)(i), s.352(3)(a), 359F(3)(b))</td>
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<td>Youth Justice Act 1992</td>
<td>• A police officer is to consider alternatives to proceeding against a child other</td>
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<td>than for a serious offence – s11</td>
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<td>• Serious offence is defined as a life offence or an offence that if committed by</td>
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<td>an adult would make the adult liable to imprisonment for 14 years or more – s8</td>
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<td>• Police officer must consider:</td>
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<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
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<td></td>
<td>- s11(1)</td>
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<td></td>
<td>o Taking no action</td>
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<td></td>
<td>o Administering a caution</td>
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<td>o Referring the offence to a conference</td>
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<td>- Police officer must have regard to:</td>
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<td>o s11(2)</td>
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<td></td>
<td>o Circumstances of alleged offence</td>
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<td></td>
<td>o Child’s criminal history</td>
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<td>- Police may administer a caution where: s 16(1)</td>
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<td>o Child admits to the offence</td>
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<td></td>
<td>o Child consents to being cautioned</td>
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<td>- Police may refer for a conference where: s22 (1)</td>
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<td>o Child admits committing the offence</td>
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<td>o The police consider, having regard to s30(5)</td>
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<td>o Caution is inappropriate</td>
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<td>o Proceeding for the offence would be</td>
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<td>o appropriate if a reference were not</td>
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<td>o made</td>
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<td>o Referral is more appropriate than</td>
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<td>o starting proceeding</td>
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<td>o Convenor will be available for the</td>
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<td></td>
<td>o conference</td>
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<td></td>
<td>o When deciding if</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools/children</td>
<td>Consequences</td>
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<td>appropriate police are to have regard to: s30(5)</td>
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<td></td>
<td></td>
<td>▪ Nature of offence</td>
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<td></td>
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<td></td>
<td>▪ Harm suffered by anyone</td>
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<td></td>
<td>▪ Whether interests of child and community would be served by dealing with it via conference</td>
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<td></td>
<td></td>
<td>Grounds for suspension: disobedience, misconduct, other conduct that is prejudicial to the good order and management of the school – s284</td>
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<td>Education (General Provisions) Act 2006</td>
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<td>Grounds for exclusion: disobedience, misconduct, other conduct that is prejudicial to the good order and management of the school – s288B</td>
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<tr>
<td></td>
<td>If the principal is reasonably satisfied grounds exist to exclude the student and does not reasonably believe it would be inappropriate for the principal to make a decision to exclude must give notice to the student and suspend the student pending a final decision – s288C</td>
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<td></td>
<td>If principal is reasonably satisfied a ground exists to suspend a student from the school they may suspend the student for no more than 5 school days – s285</td>
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<td></td>
<td>o If principal is satisfied the behaviour was so serious that the suspension should be longer than 5 schools days, may be suspended for not more than 20 school days s285(2)</td>
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<td>If the period after the student was given notice (5 days) has experience, principal has considered any submissions against the proposed exclusion and the principal is</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
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<td>• sections 337-353 prohibit adults and students from school premises for willful disturbance and trespass (including insulting or abusing a staff member to: (a) ensure the safety or wellbeing of other persons lawfully at the premises; or (b) prevent or minimise damage to the premises or property or (c) maintain good order at the premises; or (d) for the proper management of the institution.</td>
<td>reasonable satisfied a ground exists for exclusion then, the principals must no later than 20 days after the day the student was given notice, exclude the student – s288F</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Division 6 prohibits a person from entering premises of State instructional institutions for more than 60 days, but not more than 1 year</td>
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<td>• S 339 empowers (1) a principal to give a prohibited person a written direction to immediately leave and not re-enter the institution’s premises for 24 hours if the principal reasonably suspects the prohibited person (a) has committed, or is about to commit, an offence at the premises; or (b) has used, or is about to use, threatening, abusive or insulting language towards another person at the premises; or (c) has engaged, or is about to engage, in threatening or violent behaviour towards another person at the premises; or (d) has otherwise disrupted, or is about to disrupt, good order at the premises; or (e) does not have a good and lawful reason to be at the premises.</td>
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<td>• s 341 empowers (1) The chief executive to apply to a court for an order prohibiting a person from entering the premises of a State instructional institution for more than 60 days, but not more than 1 year; (2) An application under (1) may not be made in relation to an exempt person for the institution (3) The court may make the order if the court is satisfied, on the balance of probabilities, that unless the order is made the person is likely— (a) to cause physical harm to, or apprehension or fear of physical harm in, another person</td>
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<td>Chapter 8, Division 2 – provides grounds for obtaining information re. prospective students who are a risk to the safety or wellbeing of certain persons</td>
<td>when the other person is at the premises; or (b) to damage the premises or property at the premises; or (c) to disrupt the good order or management of the institution.</td>
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<td>- applies if a principal refers an application of enrolment to the chief executive – s157</td>
<td>• if the chief executive reasonably believes the prospective student would, if enrolled, pose an unacceptable risk to the safety and wellbeing of members of the school they must give the applicant a notice: - s159</td>
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<td>o that the chief executive proposes to refuse enrolment</td>
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<td>o the grounds for the proposed action</td>
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<td>o outline of the facts and circumstance forming the basis for the grounds</td>
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<td>o invitation for the applicant to show within at least a 14 day period why the proposed action should not be taken</td>
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<td>• s162 refusal of enrolment</td>
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<td>o applies if after considering any accepted representations from the application showing why the action should not be taken, the chief executive reasonably believes the prospective student would if enrolled at the school pose an unacceptable risk to the safety or wellbeing of school community members – s162(1)</td>
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<td>o chief executive must decide to refuse enrolment – s162(3)</td>
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Table 2: Queensland: School policies

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| **Department of Education SMS-PR-012 Student Protection** | • Outlines responsibilities and commitment to preventing and responding to harm or risk of harm for all students  
• States that all state school employees, short term contractors, volunteers and regular ongoing visitors are inducted into Education Queensland’s Student Protection Policy | • When harm is caused by another student the policy indicates to:  
  o Implement strategies, notify parents/carers and manage students behaviour in accordance with Responsible Behaviour Plan (see below) when reasonable to suspect another student has been, is being or will be harmed by another student  
  o Report an act of harm which constitutes a serious criminal offence  
    ▪ Using SP-4-Report of Suspected Harm or Risk of Harm  
  o In cases of emergency – contact police immediately and follow up with SP-4-Suspected Harm or Risk of Harm as a matter of urgency  
  o Copies should be forwarded to Regional Director  
  o Advise student and their parents of the right to report directly to the police |
| **Responsible Behaviour Plan for Students** | • Mandates that each school sets out its emergency responses to critical incidents  
• Should detail responses the school community has agreed appropriate for emergency situations or critical incidents involving severe problem behaviour including:  
  o a clear definition of an emergency situation or critical incident  
  o a clear definition of severe problem behaviour  
  o de-escalation procedures  
  o requisite training provided to specialist (i.e. advisory visiting teacher, special education) and general staff on the use of any physical intervention  
  o record keeping requirements (e.g. incident report, debriefing report, health and safety incident record) for all emergency situations or critical incidents involving physical intervention by an adult staff member  
  o Notification processes and record of contact with parent of student/s who are involved in an emergency situation or critical incident involving severe problem behaviour. | • Student behaviour not complying with the standards set out in the code of conduct (see below) is not acceptable – each school’s responsible behaviour plan is to set out the range and level of consequences |
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| Template for developing Responsible Behaviour Plan for Students | The Schools may customise their own plans but the headings must remain unchanged as follows:  
- Purpose  
- Consultation and data review – process used in development of plan  
- Learning and behaviour statement – beliefs | Relevant headings continued:  
- Process for facilitating standards of positive behaviour and responding to unacceptable behaviour  
  - Universal behaviour support - proactive, whole school processes  
  - Targeted behaviour support – school and or classroom processes  
  - Intensive behaviour support – individualised intervention  
- Emergency responses for critical incidents  
- Plans may prohibit/ban certain items in schools and outline the consequences for failing to comply  
- Consequences for unacceptable behaviour  
- Network of student support  
- Consideration of individual circumstances  
  - record keeping requirements (e.g. incident report, debriefing report, health and safety incident record) for all emergency situations or critical incidents involving physical intervention by an adult staff member  
  - notification processes and record of contact with parent of student/s who are involved in an emergency situation or critical incident involving severe problem behaviour. |
| Department of Education Policy and Procedure: SCM-PR-020: Refusal to Enrol: Risk to Safety or Wellbeing | A principal who reasonably believes a prospective student poses an unacceptable risk to the safety or wellbeing of members of a school community refers that student’s application through the Executive Director to the Director General |  
- the Director General, if satisfied of the risk, is to refuse enrolment at the school, exclude the student from certain state schools (up to 1 year or permanently) or exclude the student from all state schools (up to 1 year or permanently)  
- refusal of enrolment is contingent on being able to demonstrate that the student poses an unacceptable risk to safety or wellbeing – not just that their enrolment would cause some difficulty  
- Determining whether a student poses an unacceptable risk is subject to guidelines which provide that enrolment is only to be refused in grave situations, where there is clear evidence the student’s enrolment poses a risk such as:  
  - convicted child sex offenders |
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<tr>
<td>Department of Education Student Management and Support: SMS-PR-039: Temporary Removal of Student Property by School Staff</td>
<td>This policy states that if property is illegal to possess, likely to threaten the safety or wellbeing of students or staff or is reasonable suspected to have been used to commit a crime the principal should retain the property for handing to police, this policy provides for emergency situations.</td>
<td>• Under normal circumstances a principal or staff member does not have authority to open or examine student’s property without the student’s or their parent’s consent – but there may be emergency situations where it is necessary to do so o emergency circumstance may include where the life or welfare of a student or students is at immediate risk.</td>
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| Guidelines for developing a Responsible Behaviour Plan for Students | Provides guidelines to assist schools develop a RBPS as follows:  
• Purpose  
  ▪ Clearly articulate  
  ▪ Consultation and data review – process used in development of plan  
  ▪ Broad consultation, brief details consultation process  
  ▪ Review of: attendance, unexplained absences, suspensions and exclusions, behaviour incidents  
• Learning and behaviour statement – beliefs  
  ▪ Must refer to and be firmly grounded in set of clearly articulated behavioural expectations  
• Emergency responses or critical incidents  
  ▪ Should detail responses the school community has agreed appropriate for emergency situations or critical incidents involving severe problem behaviour including:  
    ▪ a clear definition of an emergency situation or critical incident  
    ▪ a clear definition of severe problem behaviour  
    ▪ de-escalation procedures | • Process for facilitating standards of positive behaviour and responding to unacceptable behaviour  
  o Universal behaviour support - proactive, whole school processes  
    ▪ To all students  
    ▪ Explicit and scheduled teaching of rules, behavioural expectations or values  
  o Targeted behaviour support – school and or classroom processes  
    ▪ Delivered in small groups  
    ▪ Strategies, adjustments and programs that facilitate acceptable standards of behaviour and provide educational support in responding to students demonstrating higher than average rates of problem behaviour  
  o Intensive behaviour support – individualised intervention  
    ▪ For students with highly complex and challenging
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| Code of conduct for school behaviour | - Defines responsibilities that all members of the school community are expected to uphold  
- Outlines consistent standard of behaviour for all state school communities  
- Schools are to use the code as a basis for providing positive support to provide high standards of achievement and behaviour and clearly articulated responses and consequences for inappropriate behaviour  
- Schools will detail particular strategies to promote appropriate behaviour as well as consequences for unacceptable behaviour  
- Legislation now provides for the introduction of an enrolment agreement – before enrolling principals must give an enrolment agreement to the student’s parents and parents or students will be asked to sign. Agreement sets out rights and obligations of students, parents and staff – requires all parties to abide by the Code of School Behaviour  
- Provides that all members of school communities are to abide by the following standards:  
  - All members: conduct themselves in a lawful, ethical, safe and responsible manner  
  - Students: participate actively in school’s education program, take responsibility for own behaviour and learning, respect the rights of others, cooperate with staff  
  - Parents/carers: show active interest in child’s schooling, cooperate with school, support school staff, initiate and maintain constructive communication with school staff regarding their child, contribute positively to behaviour support plans concerning their child  
  - Schools: safe and supportive environments, inclusive and engaging teaching, initiate and maintain constructive communication with parents, promote skills of responsible self management  
  - Principals: strong leadership role in implementing the Code, ensure consistency and fairness, review and monitor effectiveness, support staff  
  - Regional Executive Directors: endorse school’s responsible behaviour | - behaviours  
- Intensive intervention that respond to chronic problem behaviour  
- Student behaviour not complying with the standards set out in the code is not acceptable – each school’s responsible behaviour plan is to set out the range and level of consequences  
- Principals are to consider both the individual circumstances and needs and rights of school community members when responding to inappropriate behaviour |
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<td>plan, ensure school plans implemented consistently, fairly and reasonably</td>
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<td>• Principles</td>
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<td>o High standards of personal achievement and behaviour are expected</td>
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<td>o Foundation of positive classroom behaviour is effective teaching, inclusive and engaging curriculum and respectful relationships</td>
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<td>o Positive behaviour enhanced through whole school approach</td>
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<td>o Partnerships with parents/carers, wider school community, other support agencies</td>
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<td>o Staff expertise valued and developed</td>
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<td>o Standards of behaviour are to be linked to transparent, accountable and fair processes, interventions and consequences</td>
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<td><em>Weapons Prohibition Act 1998</em></td>
<td>It is an offence to:</td>
<td>• s7 – max penalty imprisonment for 14 years</td>
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<td>• possess or use a prohibited weapon unless authorised by permit – s7</td>
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<td>• when holding a permit:</td>
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<td>o possess or use the weapon for anything other than the genuine purpose established by that person for possessing/using it</td>
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<td>o contravenes any condition of the permit</td>
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<td>Also requires:</td>
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<td>• general safe keeping of any prohibited weapons, including ensuring:</td>
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<td>o it is not stolen or lost</td>
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<td>o it does not come into the possession of someone not holding a permit to do so – s32A</td>
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<td>Schedule 1 provides weapons that are prohibited, including details on:</td>
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<td>• Knifes</td>
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<td>• Military style weapons</td>
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<td>• Miscellaneous weapons</td>
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<td>• Imitations and concealed blades</td>
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<td></td>
<td>• Miscellaneous articles</td>
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<td><em>Summary Offences Act 1988</em></td>
<td>• a parent of a child (&gt;18) who commits an offence under s11C of the <em>Summary Offences Act 1988</em> commits an offence – s11E</td>
<td>• s11F – max 50 penalty units</td>
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<td>• does not affect the liability of the child</td>
<td>• max penalty 5 penalty units</td>
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<td>• parent cannot also be charged under the <em>Children (Protection and Parental Responsibility) Act 1997</em></td>
<td>excuse – s11B</td>
<td>• offensive implement is defined as anything made or adapted for use to cause injury or anything intended by the holder to injure or menace another or to damage property</td>
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<td>• offensive implement is defined as anything made or adapted for use to cause injury or anything intended by the holder to injure or menace another or to damage property</td>
<td>• have custody of a knife in a public place or school without reasonable excuse – s11C</td>
<td>• defence of self or another is excluded as a reasonable excuse</td>
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<td>• have custody of a knife in a public place or school without reasonable excuse – s11C</td>
<td>• use or carry a knife visibly in the presence of any person in public place or school without reasonable excuse and in a manner that would be likely to cause a person of reasonable firmness fear for their personal safety – s11E</td>
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<td><em>Firearms Act 1996</em></td>
<td>• It is an offence to possess or use a prohibited firearm or pistol unless authorised to do so by licence or permit – s7(1)</td>
<td>s7 (1) – max 14 years imprisonment</td>
<td>a licence must not be issued to someone under the age of 18 – s11(5)</td>
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<td>o a person is guilty of an offence under this section if a person who is the holder of a licence of a prohibited firearm or pistol uses it for any purpose other than the purpose established by the person as being the genuine reason for possessing or using the prohibited</td>
<td>s7A(1) – max 5 years imprisonment</td>
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<td>• a licence must not be issued to someone under the age of 18 – s11(5)</td>
<td>s36 – max 10 years imprisonment if prohibited firearm, max 5 years</td>
<td>A minor may apply for a permit if they are above the age prescribed by the regulations for the purpose of this section and under 18 and have completed a firearms safety training course – s32(2)</td>
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<td>• A minor may apply for a permit if they are above the age prescribed by the regulations for the purpose of this section and under 18 and have completed a firearms safety training course – s32(2)</td>
<td>• application must contain written consent of a parent</td>
<td>o application must contain written consent of a parent</td>
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|             | firearm or pistol or contravenes a condition of the licence  
- it is an offence to possess or use a firearm unless the person is authorised to do so by a licence or permit – s7A(1)  
- a person is guilty of an offence under this section if a person who is the holder of a licence of a firearm uses it for any purpose other than the purpose established by the person as being the genuine reason for possessing or using the firearm or pistol or contravenes a condition of the licence  
- it is an offence to sell, purchase or use a firearm that is not registered – s36 | imprisonment otherwise | or guardian – s32 (3)  
- permit can only be a training permit or target pistol permit - s32(4)  
the permit allows the minor to possess and use a firearm (other than a pistol or prohibited firearm) only under the supervision of the holder of a category A, B or C licence or someone authorised by the commissioner to supervise use of firearms by minors and only for the purpose of receiving instruction on the safe use of the firearm or competing in event approved by the commissioner – s32(5) | |
| Crimes Act 1900 | It an offence to  
- assault, stalk, harasses or intimidate any school student or staff member while they are attending school, even if no bodily harm occurs – s60E (1)  
- assault any school student of staff member while they are attending school and occasion bodily harm – s60E (2)  
- recklessly, by any means, wound or affect grievous bodily harm on a student | s60E – (1) liable to imprisonment for 5 years  
(2) liable to imprisonment for 7 years  
(3) liable to imprisonment for 12 years  
(4) liable to imprisonment for 5 years | |
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<td>or staff member while they are attending school – s60E (3)</td>
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<td>• enter school premises with intent to do any of the above – s60E (4)</td>
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<td>The Young Offenders Act 1997</td>
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<td>• Applies to persons who were children when the offence was committed/alleged to be committed and are under 21 when being dealt with by this act – s7</td>
<td>Children who have committed offences covered by this act have the following procedures available to them</td>
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<td>• Covers summary offences and indictable offenses that may be dealt with summarily under Chapter 5 of the <em>Criminal Procedure Act 1986</em> or another prescribed law that a child is accused of – s8</td>
<td>o a warning may be given, including a warning in accordance with Part 3,</td>
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<td>• s8(2) sets out further offences that are excluded from the application of this act</td>
<td>o a caution may be given, but only if it is a caution given in accordance with Part 4,</td>
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<td>o a conference may be held, but only if it is a youth justice conference held in accordance with Part 5.</td>
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<td>Warnings under Part 3:</td>
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<td>• May be given for a summary offence which – s 13</td>
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<td>o does not involve violence – s14</td>
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<td>o and would not, in the opinion of the investigating official be better dealt with by other means as a warning would not be in the interests of justice</td>
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<td>• is to be given by the investigative official – s15</td>
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### Cautions under Part 4:

- May be given for offences covered by the act and that conform to the regulations in this part – s18
- Conditions required – s19
  - The offence is one for which a caution may be given, and
  - The child admits the offence, and
  - The child consents to the giving of the caution, and
  - The child is entitled to be given a caution.
- Entitlement to be given a caution – s20
  - If investigator determines giving a warning is not appropriate or the offence is one a warning cannot be given for
  - The investigator does not feel the matter would be more appropriately dealt with by other means and giving a caution would not be in the interests of justice

- In considering appropriateness the following is to be considered by the inspector
  - The seriousness of the offence,
  - The degree of violence involved in the offence,
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- the harm caused to any victim,
- the number and nature of any offences committed by the child and the number of times the child has been dealt with under this Act,
- any other matter the official thinks appropriate in the circumstances.
  - if dealt with through a caution 3 times previously the child is not entitled to a caution, regardless of the type of offence

Conferences under Part 5
- may be given for offences covered by the act that conform to the regulations in this part – s35
- conditions required – s36
  - the offence is one for which a conference may be held, and
  - the child admits the offence, and
  - the child consents to the holding of the conference, and
  - the child is entitled to be dealt with by holding a conference.
- entitlement to be dealt with by
Provisions relevant to schools/children

- if the investigating officer deems the offence unsuitable to be dealt with by a caution
- the investigating officer does not think that the offence would be better dealt with through commencing proceedings against the child or through a caution because it is not in the interests of justice to deal with the offence through a conference

- in considering appropriateness the following is to be considered by the inspector
  - the seriousness of the offence,
  - the degree of violence involved in the offence,
  - the harm caused to any victim,
  - the number and nature of any offences committed by the child and the number of times the child has been dealt with under this Act,
  - any other matter the official thinks
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<td><em>The Education Act 1900</em></td>
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<td>• Under Division 2, Obtaining Information About Students may be obtained for the purpose of assessing whether enrolment of particular students would constitute a risk to the wellbeing or safety of any student or staff member – s26B</td>
<td>appropriate in the circumstances.</td>
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<td>• disclosure of that information is prohibited except to the parent of the student, the student or any person nominated in writing by the student or parent of the student</td>
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<td>• relevant agencies from which information may be obtained are stipulated – s26C</td>
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<td>• The Department of Education and Training, a non-government schools authority or a school may request a relevant agency to provide such information about a particular student to assist with the risk assessment set out in 26B – s26D</td>
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<td>• a relevant agency has a duty to provide the information sought under this section if the agency has the information in its possession or under its control - s26D</td>
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<td>• information is not required to be passed on if it is prohibited by:</td>
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<td></td>
<td>o section 20G, 20P or 23 of the Health Administration Act 1982, or</td>
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<td>o section 29 (1) (f) of the Children and Young Persons (Care and Protection) Act 1998</td>
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<td></td>
<td>o except for under these sections it is not an offence to disclose information under this section that is prohibited by law – s26F</td>
<td></td>
</tr>
<tr>
<td>Children (Protection and Parental Responsibility) Act 1997</td>
<td></td>
<td></td>
<td>A parent who, by wilful default, has contributed directly or in a material respect to the commission of an offence of which the child has been found guilty, is guilty of an offence – s11</td>
<td>Max penalty: 10 penalty units</td>
</tr>
</tbody>
</table>
**Table 4: NSW: School policies**

<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>DET No Knives at School Fact Sheet</td>
<td>Provides that no type of knife is allowed at school – even for food preparation or craft purposes.</td>
<td>• any student who is physically violent and injures another or seriously interferes with the safety and well being of others is to be suspended immediately – 6.1.4</td>
</tr>
</tbody>
</table>
|Suspension and Expulsions of School Students – Procedures Policy      | Any incidents involving firearms, prohibited weapons or knives (without reasonable cause) are to be reported to the NSW police force and School Safety and Response Hotline immediately – 6.1.4 | • any student who possesses a prohibited weapon, firearm or knife (without reasonable cause) is to be suspended immediately  
• The matter is also to be immediately reported to police – 6.1.4                                                                               |
|                                                                      |                                                                                                                                                                                                                      | The policy further provides that a long suspension is to be imposed for:  
• physical violence that causes injury or which seriously interferes with the safety or wellbeing of students or staff  
• the use or possession of a prohibited weapon (Schedule 1, the Weapons Prohibition Act 1998)  
• uses or possesses a knife (without reasonable excuse as per The Summary Offences Act 1988)  
• uses or possesses a firearm of any type  
The policy also provides:  
In serious circumstances of misbehaviour the principal may expel a student of any age from their school |
| Reporting School Accidents Support Document, Incident reporting in schools | • an accident report is to be prepared for any accident that occurs on school grounds or during school activities that is not minor  
  o common sense approach for not minor, examples given include serious injury, where medical treatment was required etc  
  o a template is attached                                                                 |                                                                                                                                                                                                          |
| Bullying: Preventing and Responding to                               | Sets out a process for the development or review of the school’s anti bullying plan  
1. form a school team to facilitate the development and revision process with the focus questions                                                                                                         |                                                                                                                                                                                                          |
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| Student Bullying in Schools Guidelines | o who are the key stakeholders  
o how will representation from the whole school community be ensures  
o what representation for each stakeholder is appropriate  
o what expertise is required  
o how should team members be selected  
2. develop a shared understanding of all forms of bullying behaviour, including cyber bullying  
3. engage the school community  
4. develop a statement of purpose  
o outlines the aims of the school and key beliefs the plan is based on  
5. develop or revise the plan to include protection, prevention, early intervention and response strategies  
6. publication and promotion of the plan  
7. review at least every 3 years |              |
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| **Control of Weapons Act 1990** | • It is an offence to possess, use or carry a prohibited weapon without exemption or approval under this act – s5(1)  
• It is an offence to possess, carry or use a controlled weapon without a lawful excuse – s6(1)  
  ○ Self defence is excluded as a lawful excuse  
• It is an offence to possess or carry a dangerous article in a public place without lawful excuse – s7(1)  
  ○ Self defence is excluded as a lawful excuse  
  ○ Dangerous article is defined in s3 to mean  
    ▪ An article adapted or modified so as to be capable of being used as a weapon or any other article carried with the intention of being used as a weapon | • s5(1) – 240 penalty units or 2 years imprisonment  
• s6(1) – 120 penalty units or 1 year imprisonment  
• s7(1) – 60 penalty units of 6 months imprisonment | • It is an offence to sell a prohibited weapon to a child – s5(1AC)  
• It is an offence for child to purchase a prohibited weapon – s5(1AD)  
  ○ Prohibited weapon is defined in s3 to mean:  
    ▪ Imitation firearm or an article that is prescribed by the regulations to be a prohibited weapon  
• It is an offence for a child to purchase a controlled weapon – s6(1AA)  
• It is an offence to sell a controlled weapon to another person knowing they are a child – s6(1AB)  
  ○ Controlled weapon is defined in s 3 to mean:  
    ▪ A knife that is not a prohibited weapon  
    ▪ An article that is prescribed by the regulations to be a controlled weapon | • s5(1AC) – 240 penalty units or 4 years imprisonment  
• s5(1AD) – 25 penalty units  
• s6(1AA) – 12 penalty units  
• s6(1AB) – 20 penalty units |
| **Firearms Act 1996**          | • it is an offence for a prohibited person to possess, carry or use a registered firearm – s5(1)  
• it is an offence for a prohibited person to possess, carry or use an unregistered firearm – s5(1A)  
  ○ a prohibited person is defined in s3 and includes a person serving a term of imprisonment for an indictable offence, an assault, an offence under the Drugs, Poisons and Controlled Substances Act | • s5(1) – 1200 penalty units or 10 years imprisonment  
• s5(1A) – 188 penalty units or 15 years imprisonment  
• s6(1) – 120 penalty units or 2 years imprisonment  
• s6(2) – 120 penalty units or 2 years imprisonment | • a person under 18 and over 12 may have a Junior licence to carry or use Category A, B or C longarms or general category handguns for the purpose of receiving instruction in the use of firearms or engaging in sport or target shooting competitions |
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981, an offence under the Control of Weapons Act 1990 or a person where not more than 15 years have expired since that person finished serving a term of more than 5 years for such an offence or where not more than 5 years have experiences since the person finished serving a term of less than 5 years for such offence – the definition goes on to includes related other offences and orders</td>
<td></td>
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<tr>
<td>• it is an offence for a non-prohibited person to possess, carry or use a registered category A longarm unless in accordance with a licence – s6(1)</td>
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<tr>
<td>• it is an offence for a non-prohibited person to possess, carry or use a registered category B longarm unless in accordance with a licence – s6(2)</td>
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<tr>
<td>• it is an offence for a non-prohibited person to possess, carry or use a registered category C longarm unless in accordance with a licence – s6(3)</td>
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<tr>
<td>• it is an offence for a non-prohibited person to possess, carry or use a registered category D longarm unless in accordance with a licence – s6(4)</td>
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<tr>
<td>• it is an offence for a non-prohibited person to possess, carry or use a registered category E longarm unless in accordance with a licence – s6(5)</td>
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<tr>
<td>○ Categories A-E refer included different types of Firearms and</td>
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<tr>
<td>• s6(3) – 240 penalty units or 4 years imprisonment</td>
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<tr>
<td>• s6(4) – 240 penalty units or 4 years imprisonment</td>
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<td>• s6(5) – 600 penalty units or 7 years imprisonment</td>
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<tr>
<td>• s6A(1) – first time offence: 120 penalty units or 2 years imprisonment, subsequent offence: 1200 penalty units or 10 years imprisonment</td>
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</tr>
<tr>
<td>• s6A(2) – first time offence: 240 penalty units or 4 years imprisonment, subsequent offence: 1200 penalty units or 10 years imprisonment</td>
<td></td>
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</tr>
<tr>
<td>• s6A(3) – first time offence: 600 penalty units or 7 years imprisonment, subsequent offence: 1200 penalty units or 10 years imprisonment</td>
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<tr>
<td>• s7(1) – 240 penalty units or 4 years imprisonment</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools/children</td>
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<td></td>
<td>are defined in s3</td>
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<td></td>
<td>• it is an offence for a non-prohibited person to possess, carry or use a category A or B longarm that is not registered – s6A(1)</td>
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<td></td>
<td>• it is an offence for a non-prohibited person to possess, carry or use a category C or D longarm that is not registered – s6A(2)</td>
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<td></td>
<td>• it is an offence for a non-prohibited person to possess, carry or use a category E longarm that is not registered – s6A(3)</td>
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<td></td>
<td>• it is an offence for a non-prohibited person to possess, carry or use a category E handgun for purposes other than collecting unless authorised by licence – s7(1)</td>
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<tr>
<td></td>
<td>• it is an offence for a non-prohibited person to possess, carry or use a registered general category handgun for purposes other than collecting unless authorised by licence – s7(2)</td>
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<td></td>
<td>• it is an offence to possess, carry or use an unregistered handgun – s7B(1)</td>
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<td></td>
<td>• it is an offence to possess, carry or use an unregistered category E handgun – s7B(2)</td>
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<td></td>
<td>imprisonment</td>
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<td>• s7(2) – 600 penalty units or 7 years imprisonment</td>
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<tr>
<td></td>
<td>• s7B(1) – first offence: 600 penalty units or 7 years imprisonment, subsequent offence: 1200 penalty units or 10 years imprisonment</td>
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<tr>
<td></td>
<td>• s7B(2) – first offence: 1800 penalty units or 14 years imprisonment, subsequent offence: 2100 penalty units or 17 years imprisonment</td>
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</table>

**Education and Training Reform Amendment**

The amendment proposes the insertion of a new Part 5.8A, dealing with harmful items:

- a harmful item (5.8A.1) is any:
### Legislation

**School Safety Act 2011**

<table>
<thead>
<tr>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>o prohibited item</td>
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<td></td>
<td></td>
<td>o item brought onto/kept on school premises that contravenes a declaration by the principal under s5.8A.2</td>
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<td></td>
<td></td>
<td>o an item reasonably suspected by a person conducting a search under 5.8A.3 as being used or likely to be used in a threatening, violent or harmful manner</td>
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<td></td>
<td></td>
<td>o an item reasonably suspected by a person seizing an item under 5.8A.4 as being used or likely to be used in a threatening, violent or harmful manner</td>
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<td></td>
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<td>A principal may declare: - 5.8A.2(1)</td>
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<tr>
<td></td>
<td></td>
<td>o Items that may not be brought onto school grounds</td>
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<td></td>
<td>o Items that may only be brought onto school grounds at times and purposes stipulated by the declaration</td>
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<td></td>
<td></td>
<td>The items which a declaration is made about are to be those the principal reasonably believes are likely to be used in a threatening, violent or harmful manner</td>
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<td></td>
<td></td>
<td>The principal or any assistant principal or any authorised teacher may search for a harmful item 5.8A.3 (1) in: -</td>
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<td>o school premises</td>
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<td>o premises being occupied by students of the school while engaged in a teacher supervised student activity</td>
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<td></td>
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<td>o vehicle in use for a teacher supervised</td>
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109 According to the Victorian Legislation and Parliamentary website this amendment has been passed at all stages and given royal assent on 10/05/11 – however, these amendments are not included in the current (July 2011) version of the Education and Training Reform Act.
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
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<tbody>
<tr>
<td></td>
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<td>student activity</td>
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<td></td>
<td>o any bag or other article used by a student</td>
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<td>for storage, that has been bought by the student onto the premises or used while student is engaged in a teacher supervised activity</td>
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<td>the search must be conducted only when there is reasonable suspicion the search will uncover harmful items – 5.8A.3(2)</td>
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<td>the person searching may: - 5.8A.3(3)</td>
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<td>o require room, cupboard, locker or other spaced used for storage on premises be unlocked</td>
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<td></td>
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<td></td>
<td>o require student to open bag or other storage article</td>
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<td>o ask student to turn out pockets</td>
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<td>o ask student to disclose harmful items</td>
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<td></td>
<td>Principal, assistant principal or authorised teacher may seize harmful items: - 5.8A.4 (1)</td>
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<td></td>
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<td></td>
<td>o on school premises</td>
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<td></td>
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<td></td>
<td>o on premises occupied by students engaged in teacher supervised activity</td>
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<td>o in vehicle used for teacher supervised activity</td>
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<td></td>
<td></td>
<td></td>
<td>o in possession of student on premises or engaged in teacher supervised activity</td>
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<td>can seize whether or not found during course of a search – 5.8A.4 (2)</td>
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<td></td>
<td>if the item in possession of person who has an exemption or lawful excuse under the Control of Weapons Act 1990 or Firearms Act 1996 – must not seize – 5.8A.4 (3)</td>
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</tbody>
</table>
Table 6: Victorian school policies

<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| Ministerial Order 184, Procedures for Suspension and Expulsion | Suspension  
  - Grounds for suspension include: – Part 2, 5.  
    - behaves as to threaten or constitute danger to the health, safety or wellbeing of any person  
    - commits act of significant violence | Procedure for suspension include: – Part 2, 7.  
  - before suspension ensure:  
    - student support group held  
    - strategies to meet education, social and emotional needs of student considered and implemented  
    - and despite this the inappropriate behaviour persisted  
  - prior to suspension taking effect:  
    - convene student support group meeting  
    - provided notice to student, parents and school council president prior to day suspension commences |  
  - Immediate suspension  
  - principal may suspend a student immediately (proper to support meeting) if students behaves in a way that provides basis for ordinary suspension and their behaviour puts the health, safety and wellbeing of themselves, staff or other students at significant risk  
  - principal has a duty of care to supervise the student until they can be collected, if parent unable to collect student must stay on school premises and be supervised until the end of the day |
<p>|                                             |                                                                                                        | Expulsion                                                                                               |</p>
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
</table>
|        |                    | • Grounds for expulsion – Part 3, 12.  
|        |                    |   o if student does anything (while attending, travelling to and from, engaged in any school related activity) in clause 5 (above)  
|        |                    |   o and the behaviour is of such magnitude, comparing need of education to the need to maintain the health, safety and wellbeing of other students and staff and need to maintain effectiveness of education, expulsion is the only available mechanism  
|        |                    | • Procedure for expulsion contained in Part 3, 13, 14, 15  
|        |                    |   No option for immediate expulsion  

**Department of Education and Early Childhood Development Emergency Management Guidelines**

- Critical Incident Reporting
  - Critical Incident: any event which has the potential to adversely affect the children, staff or community and interrupts the normal flow of daily events
  - Where the safety of staff or students is at risk, there is criminal activity, a threat to property or the environment it must be reported to emergency services immediately and then to Emergency and Security Management Unit (ESMU)
  - Incidents listed as to be reported to ESMU include ‘firearms, weapons or bomb threats’, ‘assault, threat of assault or offensive behaviour’
  - Recommended that records are also maintained

**Effective Schools are Engaging Schools: Student Engagement Policy Guidelines**

- Articulates the school’s shared expectations in the areas of student engagement, attendance and behaviour
- Does not specifically address weapons
- Behaviour
  - Prevention
    - define expectations
    - define consequences
    - processes for identifying students have academic or behavioural difficulty
    - empower students
    - environment conducive to positive behaviour
### General provisions

- Use evidence-based interventions
  - Intervention
    - When concerns arise about a student, a more targeted response may be needed
    - Intervention strategies should:
      - Be based on systematic collection and analysis of data
      - Include teaching/building of pro-social replacement behaviours
      - Support should be reduced gradually following progress monitoring
      - Should occur first in the classroom and involve the teacher
      - Academic and social strategies
      - Partnerships with parents
      - Student support group is critical
  - Student Support Group
    - Aims:
      - Understand the child
      - Utilise data collection and monitoring systems
      - Identifying the child’s needs and the support/resources needed for meeting them

### Consequences

- Does not provide specifically for preventing weapons in schools but looks at bullying prevention in general
- Is a support document to the *Effective Schools are Engaging Schools: Student Engagement Policy Guidelines*
- Provides strategies/guidelines for:
  - Creating safe and respectful schools
    - Whole school approach to safe and respectful schools addressing the factors:
      - Professional leadership (leadership teams have whole school approach to safety and wellbeing, staff collaboration, respectful and caring interactions with staff, understating of duty of care, using specialist support professionals)
      - Focus on teaching and learning (professional learning opportunities for teachers, opportunities for students and staff to work with outside organisations and programs, extracurricular activities promoting positive peer relationships)
      - Purposeful teaching (method/pedagogical approach to teaching, cooperative and problem-based learning, teaching cyber safety, drug education)
      - Shared vision and goals (policies are developed collaboratively with staff, students and parents, clear and agreed expectations of behaviour are set, teachers intervene firmly and swiftly to manage unacceptable situations)
      - High expectations (clear communication of the right to feel safe physically and...
<table>
<thead>
<tr>
<th>Respectful Relationships Education</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Intended to advance violence prevention in schools</td>
<td>emotionally, embracing diversity)</td>
<td>Responding to bullying/unacceptable behaviour</td>
</tr>
<tr>
<td>• Violence Prevention in Schools</td>
<td>learning communities (whole school programs, partnerships with families, parents supported in understanding safe and responsible use of technologies, whole school culture, opportunities to develop and nurture relationships, engaging curriculum and extracurricular activities, collaboration and partnerships)</td>
<td>strategies for responding to bullying and unacceptable behaviour</td>
</tr>
<tr>
<td>o Rationale to focus efforts on young people</td>
<td>accountability (self monitoring, review and refinement of programs, feedback mechanisms, enabling students to communicate with teachers and staff)</td>
<td>cyber safety and preventing cyber bullying</td>
</tr>
<tr>
<td>▪ Can have a lasting effect on their later relationships</td>
<td>stimulating and secure learning environment (respectful relationships promoted, non-punitive approaches to intervening, whole school behaviour management system)</td>
<td>responding to homophobic bullying</td>
</tr>
<tr>
<td>▪ Many children experience violence in their homes</td>
<td>Responding to bullying/unacceptable behaviour</td>
<td>responding to incidents that have a serious impact on individuals or the school</td>
</tr>
<tr>
<td>▪ Many youth have already been subject to violence themselves or perpetrated it</td>
<td>strategies for responding to bullying and unacceptable behaviour</td>
<td>(schools should develop and implement policies for incidents, response level should be appropriate to the incident – specialist support professionals can assist, restoring wellbeing – repairing and rebuilding trust</td>
</tr>
<tr>
<td>▪ Among young people there is already some degree of tolerance for violence against women</td>
<td>cyber safety and preventing cyber bullying</td>
<td></td>
</tr>
<tr>
<td>▪ Violence prevention among youth has been shown to work</td>
<td>responding to homophobic bullying</td>
<td></td>
</tr>
<tr>
<td>o Rationale for in schools</td>
<td>responding to incidents that have a serious impact on individuals or the school (schools should develop and implement policies for incidents, response level should be appropriate to the incident – specialist support professionals can assist, restoring wellbeing – repairing and rebuilding trust)</td>
<td></td>
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<tr>
<td>▪ Practical</td>
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<tr>
<td>▪ Has been done before</td>
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<tr>
<td>▪ Youth want violence prevention activities in schools</td>
<td></td>
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<tr>
<td>▪ Schools have advantages for violence prevention – experience in other programs suggest schools are well placed to facilitate</td>
<td></td>
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<td>▪ Substantial body of evidence for effectiveness</td>
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<td>Policy</td>
<td>General provisions</td>
<td>Consequences</td>
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</table>
| Victoria’s Prevention Policy | - Benefits the school  
  - Education policies and curriculums  
    - example of Whole school learning in sexuality is given  
      - does not include substantial content on violence in relationships and families  
      - included more as a model curriculum integration rather than content  
    - States few Australian violence prevention programs have been evaluated substantially  
    - Sets out the elements of good practice in programs – on which there is broad consensus  
      - whole school approach  
        - operates across teaching, learning, policy, school environment and involve curriculum integration, assessment and reporting, training and resources for staff, reinforcement of the program through policies, structures and processes  
      - program framework and logic  
        - have appropriate theoretical framework  
        - incorporate a theory of change  
      - effective curriculum delivery  
        - content (informed by feminist research addresses various forms of violence, the determinates of violence, behaviours, interpersonal relations and avoid focusing only on minimising personal risk of victimisation – should teach commitment to non-violence  
        - pedagogy (quality materials, interactive, address cognitive, affective and behavioural domain, skills development, appropriate responses to disclosure of victimisation and perpetration)  
        - structure (duration/intensity to produce change, timed to suit developmental needs, clear rationales if either single sexed or mixed sexed groups are used  
        - teachers and educations  
      - relevant, inclusive and culturally sensitive practice  
      - informed by target group  
      - inclusive and culturally sensitive – all stages of the program  
      - consult representatives/leaders from the population groups where appropriate  
      - impact evaluation  
        - process that reflects program framework, evaluation of outcomes (through pre and post assessment, long term follow up, standard measures)  
  - 16 programs in Victoria that include content on violence prevention  
  - nearly all are delivered by external agencies  
  - few cover the range of content and use the range of teaching and learning methods the |
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<tr>
<th>Policy</th>
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<tr>
<td></td>
<td>report identified as good practice</td>
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<td>• 3 programs in Victoria currently that meet most good practice standards (sexual assault prevention program for secondary schools, respect protect connect and solving the jigsaw)</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
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<tr>
<td><strong>Police Offences Act 1935</strong></td>
<td>• it is an offence to possess a dangerous article in a public place without a</td>
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<td>lawful excuse – s15C(1)</td>
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<td>• dangerous article is defined (s3) as:</td>
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<td>▪ any weapon other than a firearm</td>
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<td>▪ article adapted or modified so as to be capable of being used as such a</td>
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<td>▪ any other article intended to be used as a weapon</td>
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<td>• a police officer may stop, detain and search, without a warrant, a person or</td>
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<td>their vehicle in a public place whom the officer reasonably believes has</td>
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<td>possession of a dangerous article without lawful excuse - s15C(2)</td>
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<td>• a police officer may seize any dangerous article – s15C(3)</td>
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<td>• a lawful excuse does not include self defence – s15C(4)</td>
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<td>• a lawful excuse does include a lawful occupation, duty or activity, participation</td>
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<td>in a lawful sport, recreation or entertainment, the use of the article for its</td>
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<td>intended lawful purpose and lawful collection, display or exhibition – s15(4)</td>
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<td><strong>Firearms Act 1996</strong></td>
<td>• it is an offence to possess or use a firearm unless the person is the holder of</td>
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<td>a firearms licence as specified in division 2 of this act – s9</td>
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<td>• it is an offence to acquire a firearm without a licence and permit</td>
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<td>• s9 – 50 penalty units or imprisonment for 2 years or both</td>
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<td>s10 – 50</td>
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<td>• person can apply for a permit if they are over 12</td>
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<td>Legislation</td>
<td>General provisions</td>
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<td>appropriate to that firearm – s10</td>
<td>if a person is found to be dealing in firearms without a firearms dealer licence, it is an offence punishable under the Criminal Code – s11</td>
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<td>It is an offence to sell, acquire, possess or use a firearm that is not registered – s74</td>
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<td>It is an offence to possess a loaded firearm in a vehicle in a public place – s111(1)</td>
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<td>It is an offence to be in possession of a loaded firearm in a public place unless the person is the holder of a licence and is undertaking the particular purpose to which the licence relates – s111(2)</td>
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<td>A police officer may require a person to hand the firearm to the police officer for examination – loaded or not, in a public place or vehicle in a public place – s134</td>
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<td></td>
<td>o It is an offence not to comply with this section – 134(3)</td>
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<td>Police officer with reasonable grounds to believe that a person has committed an offence under this act or is about to do so may:</td>
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<td>o Search that person or any vehicle or thing in their possession</td>
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<td></td>
<td>o Seize any fire arm or ammunition</td>
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<tr>
<td></td>
<td>o Seize any licence or permit</td>
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<td></td>
<td>o Arrest a person in possession of a firearm or ammunition</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
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</table>
| Education Act 1994 |                    |              | Unacceptable behaviour includes – s36   | • Punishment for unacceptable behaviours – s37  
|                   |                    |              |  
|                   |                    |              | o Refusal to participate  
|                   |                    |              | o Disobedience  
|                   |                    |              | o Impeding the learning of others  
|                   |                    |              | o Detrimental to the health, safety or welfare of the staff or other students of that school  
|                   |                    |              | o Causes/ likely to cause damage  
|                   |                    |              | o Likely bring school into disrepute  
|                   |                    |              | Any other behaviour that the secretary determines  
|                   |                    |              |  
|                   |                    |              | • Exclusion and expulsion – s38  
|                   |                    |              | o If the principal believes the behaviour justifies a suspension of more than 2 weeks principal can refer to secretary  
|                   |                    |              | o The secretary, if satisfied the behaviour justified it, may:  
|                   |                    |              | ▪ Suspend the student for less than 2 weeks  
|                   |                    |              | ▪ Exclude the student for more than 2 weeks  
|                   |                    |              | ▪ Expel the student  
|                   |                    |              | ▪ Prohibit the student from enrolling in any state school  


Table 8: Tasmanian school policies

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<th>Policy</th>
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| Unacceptable student behaviour | **Refers to the Education Act and states:**  
  • 36 (1) A student at a State school is to behave in a manner acceptable to the principal.  
  • (2) Behaviour which is not acceptable in a State school includes behaviour which -  
    a. constitutes refusal to participate in the education programme; or  
    b. constitutes disobedience of instructions which regulate the conduct of students; or  
    c. is likely to impede significantly the learning of the other students of that school; or  
    d. is likely to be detrimental to the health, safety or welfare of the staff or other students of that school; or  
    e. causes or is likely to cause damage; or  
    f. is likely to bring that school into disrepute. | **Disciplinary measures:**  
  o Detention – enabled by s37 Education Act  
  o Suspension  
    ▪ Enabled by s37 Education Act  
    ▪ Guidelines:  
      ❖ Only to be applied where appropriate and likely to be effective – automatic use diminishes effectiveness  
      ❖ Mindful of the hardship suspension can cause families  
      ❖ Where behaviour illegal principle should contact the police where they think it appropriate. |
| Discipline Guidelines          | **Outlines range of sanctions that are possible responses by schools to unacceptable behaviour by students**  
  • specifies procedures and good practice  
  • upholds that the effect on students education and welfare must be assessed in every case of disciplinary action  
  • guidelines should be read in context of the Education Act  
  • the document sets out unacceptable student behaviour, referring to s36 of the Education Act and set out the following guidelines:  
    o description in s36 is not exhaustive  
    o what is unacceptable depends on age and year level  
    o schools should make what is acceptable and unacceptable clear so to ensure fairness and consistency  
    o ‘in a state school’ includes travelling to and from school, involved in school activities, identified with the school by wearing the uniform |                                                                                               |
| Department of Education Guidelines on Exclusion | **Should take a supportive, problem solving stance rather than a punitive one**  
  **Recommended when:**  
    o the seriousness of the behaviour poses a risk to the safety of other students. Re-entry therefore requires substantial planning;  
    o more time is required to plan an appropriate flexible program for the student, using cluster resources;  
    o the school requires a substantial period of ‘time-out’ from the student; and  
    o a more substantial break from the school is needed to break an established behaviour pattern or contact with individuals or a peer group. | **Should only be applied as a last resort**                                                   |
<p>| Department of Education Guidelines on Exclusion | <strong>For students’ behaviour that cannot be coped with because it interferes with the long term</strong>                                                                                                                  |                                                                                               |</p>
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<thead>
<tr>
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<tbody>
<tr>
<td>Education Guidelines on Expulsion</td>
<td>safety and wellbeing of other students and staff</td>
<td>- An expulsion will not usually be approved unless there is evidence of the school consistently working toward the students rehabilitation – exception to this is where behaviour is so extreme (such as an illegal act) that immediate expulsion is judged necessary</td>
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<tr>
<td>Department of Education online reporting form</td>
<td>The Department of Education provides an online reporting form, for when a student is injured by someone or something and requires medical treatment exceeding a bandaid. Serious accidents and dangerous incidents must be reported to Work Place Standards Tasmania. The Department of Education requires that where an employee, student or visitor suffers an injury resulting in medical action beyond application of first aid in the workplace (i.e. Visit to hospital/medical centre/doctor etc), and/or a dangerous incident (involving fire, explosion, steam, gas or electricity) occurs as a result of which a person could have been killed or could have suffered serious bodily injury or illness the incident must be reported to Work Place Standards.</td>
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</table>
| School Wide Positive Behaviour Support (SWPBS) | - System of strategies to support social and learning outcomes whilst preventing problem behaviours  
  - Strategies comprised of 3 phases:  
    - Universal support: school wide, instructional and positive behaviour support  
    - Secondary support: specialised group systems for students with at risk behaviour  
    - Tertiary support: specialised, individualised systems for students with high risk behaviour  
  - The systems will usually require school leadership teams including parent representative to access quality professional learning or training in the model  
  - The program also provides evaluation methods including:  
    - Team Implementation Checklists:  
      - Updated monthly, used to guide activities  
      - Checklists to monitor start up activities, ongoing activities, and action plans to complete start activities  
    - School Wide Evaluation Tool:  
      - Conducted annually, before and after SWPBS interventions begin  
      - Results used to:  
        - Assess features in place  
        - Determine annual goals |

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<tr>
<th>Policy</th>
<th>General provisions</th>
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<tr>
<td></td>
<td>Evaluate ongoing efforts</td>
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<td></td>
<td>Compare efforts from year to year</td>
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<td></td>
<td>Information gathered from sources including: observations, student and staff interviews and review of permanent products</td>
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<td></td>
<td>Permanent products: school behaviour management document, school improvement plan, annual action plan, social skills instructional materials, behavioural incident summaries, office discipline referrals</td>
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<td></td>
<td>The document includes an implementation guide, a scoring guide, interviewer guide and an interview and observation form</td>
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<td></td>
<td>Effective Behaviour Support –Self Assessment Survey</td>
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<td>Conducted annually and completed by all staff</td>
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<td></td>
<td>Initial assessment of effective behaviour support systems</td>
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<td>Results used to:</td>
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<td></td>
<td>Develop action plan</td>
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<td>Make internal decision making</td>
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<td></td>
<td>Assessment of change over time</td>
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<td></td>
<td>Build awareness of staff</td>
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<tr>
<td>Legislation</td>
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<td>Consequences</td>
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| **Summary Offences Act 1953**                   | • it is an offence to carry an offensive weapon without lawful excuse - s15 (1)(a)  
  o an offensive weapon means a rifle, gun, pistol, sword, knife, club, bludgeon, truncheon or other offensive or lethal weapon or instrument but does not include a prohibited weapon –s15(3)  
  • it is an offence to manufacture, sell, distribute, supply, otherwise deal, possess or use a dangerous article without lawful excuse – s15(1b)  
  o dangerous article means article or thing declared dangerous by regulation – s15(3)  
  • it is an offence to manufacture, sell, distribute, supply, otherwise deal, possess or use a prohibited weapon  
  o prohibited weapon means an article or thing declared to be a prohibited weapon by regulation – s15(3)  
  • the Governor may make regulations declaring articles or things to be dangerous things or prohibited weapons for the purpose of s15 – s85(2)(a)                                                                                                                                                                                                 | • s15(1)(a) – max $2500 or 6 months imprisonment  
• s15(1b) – max $7500 or 18 months imprisonment  
• s15(1c) – max $10 000 or imprisonment for 2 years                                                                                                                                                                                                 |                                           |               |
| **Criminal Law Consolidation Act 1935**         | • A person who commits an assault commits an offence and the offence is aggravated by the use of or threat of an offensive weapon – s20(3)  
• A person who commits an assault that causes harm to another commits an offence and that offence is aggravated by  | • s20(3) – imprisonment for 4 years  
• s20(4) – imprisonment for 5 years                                                                                                                                                                                                                                           |                                           |               |
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools, children</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| **Firearms Act 1977** | - it is an offence to possess a firearm without a licence – s11(1)  
                     - it is an offence to possess or use a firearm for a purpose not authorised by the licence held – s11(2)  
                     - it is an offence to acquire a firearm or knowingly take part in the acquisition of firearm without being authorised to do so by permit – s14(1)  
                     - it is an offence to supply a firearm or knowingly takes part in the supply of a firearm without being authorised to do so by permit – s14A(1)  
                     - it is an offence to possess an unregistered firearm s23  
                     Police are granted power to inspect or seize firearms – s32 | - s11(7) max penalties for an offence against this section:  
  o s11(7)(a) prescribed firearms $50000 or imprisonment for 10 years  
  o s11(7)(b) class C, D or H firearm $35000 or 7 years imprisonment  
  o s11(7)(c) any other kind $20 000 or 4 years imprisonment  
 - s14(6) max penalties for an offence against this section:  
  o 14(6)(a) prescribed firearms $75 000 or 15 years imprisonment  
  o 14(6)(b) class C, D or H firearm $50 000 or 10 years imprisonment  
  o 14(6)(c) any other kind $35 000 or 7 years imprisonment  
 - s14A(6) max penalties for an offence against this section:  
  o 14A(6)(a) prescribed firearms $75 000 or 15 years imprisonment  
  o 14A(6)(b) class C, D or H firearm $50 000 or 10 years imprisonment  
  o 14A(6)(c) any other kind $35 000 or 7 years imprisonment  
 - s23(5) max penalty for an offence against this section |
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<td>o s23(5)(a) prescribed firearm or class C, D or H firearm $10 000 or 2 years imprisonment</td>
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<td></td>
<td>o s23(5)(b) any other kind $5 000 or 1 year imprisonment</td>
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<td>Youth Offenders Act 1993</td>
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<td>• if a youth admits commission of a minor offence and the police officer is of the opinion the matter does not warrant formal action the officer may informally caution the youth s6(1)</td>
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<td>• if a youth admits to commission of a minor offence police offer may deal with the matter: - s7</td>
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<td>o under division 2</td>
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<td>o may notify a youth justice coordinator so a family conference may be convened to deal with the matter</td>
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<td>o may lay charged for the offence before the court</td>
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<td>• Division 2 sanctions that may be imposed</td>
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<td>o may administer a caution and exercise one or more of the following: pay compensation, community service, apologise to the victim</td>
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<td>Education Regulations 1997</td>
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<td>• a student may be suspended by the head teacher if the head teacher believes on reasonable grounds that</td>
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<td>Legislation</td>
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<td>the student has threatened or perpetrated violence, acted in a manner threatening safety or wellbeing, acted illegally – s40(1)</td>
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<td>o a student cannot be suspended for more than 5 consecutive days or 15 schools days in a year or on more than 4 occasions in a year – s40(2)</td>
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<td><strong>a student may be excluded by the head teacher if the head teacher believes on reasonable grounds that the student has threatened or perpetrated violence, acted in a manner threatening safety or wellbeing, acted illegally – s41(1)</strong></td>
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<td>o student may not be excluded for less than 4 consecutive weeks – s41(2)</td>
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<td>o before exclusion student must be suspended for not more than 5 days – s41(3)</td>
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<td><strong>a student may be expelled by the head teacher if the head teacher believes on reasonable grounds that the student has threatened or perpetrated violence, acted in a manner threatening safety or wellbeing, acted illegally – s42(1)</strong></td>
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<td>o a student cannot be expelled from the school for less than 6 consecutive months or more than</td>
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<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools, children</td>
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<td>18 months – s42(2)</td>
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<td>o before expulsion the student must be suspended for a period not exceeding 20 days</td>
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<td>- in deciding whether to suspend, exclude or expel the student there must be regard to the severity and frequency of the misbehaviour, prior records of behaviour and any other relevant behaviour – s44</td>
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</table>
Table 10 South Australian school policies

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<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
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</table>
| The Department of Education and Children’s services School Care Emergency and Crisis Management Fact sheets | • Assualts  
  o Outlines the definition of Assault – s20 Criminal Law Consolidation Act  
  o Provides school personnel should assess whether an incident should be reported to police based on the definition  
  o Provides that where there is a reasonable belief that the incident involves a weapon the police are to be contacted immediately  
  o Provides principals should apply appropriate consequences to students for the purpose of managing behaviour, regardless of any involvement or action by police  
 • Critical Incident Reporting  
  o Defines a critical incident as any significant or threatening event, including weapons and assaults  
  o Site leaders are required to submit reports via the Incident Response Management System as soon as practicable  
  o If the matter is urgent the regional director and the manager, DECS school care should be telephone before submission | |
| The Department of Education and Children’s Services Emergency Management All Hazards Information Pack | Assualts  
  • Immediate action  
    o assess situation  
    o take no action that will provoke situation  
    o ensure safety of the rest of the group  
    o attend to injured victim  
    o call for assistance  
 • follow up  
    o notify stakeholders  
    o document by completing relevant report  
 • recovery  
    o debrief  
    o provide counselling  
    o review processes siege/hostage/firearm  
 • do not act alone without first getting advice from Police  
 • do not antagonise situation  
 • do not touch firearms or explosives  
 • do not put self or victims or hostages at increased risk  
 • immediate action  
    o call for assistance  
    o call site’s emergency response team  
    o attend to injured  
    o ensure safety of rest of group | |
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<tr>
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</table>
| Department of Education and Children Services School Discipline Policy Statement | Provides a framework for a learning community that is safe, inclusive, conducive to learning and free from harassment and bullying. The policy states:  
- schools will focus on providing opportunities and support for students to experience success  
  - including via implementing strategies to ensure positive learning opportunities and responses to inappropriate behaviour involving staff, students and families in partnership  
- schools will develop in students acceptance of responsibility for their own behaviour  
  - through placing appropriate limits on behaviour  
  - the behaviour code reflecting processes for restorative and reconciliatory actions  
  - reinforcing consistently student’s responsibility for their own behaviour  
- staff, parent, caregivers and students will work together to create safe caring, orderly and productive communities which support the rights of all students to learn  
  - including developing consequence for responsible and irresponsible behaviour  
  - using suspension and exclusion to support change in behaviour to students who don’t respond to school level consequences  
- each school will develop a code of behaviour  
  - a behaviour code expands on school discipline policy, involves staff, students and families, states expectations and consequences, describes grievance procedures |  |
| Principles and Beliefs | behaviour is chosen for a purpose  
- behaviour codes need to be explicit  
- all individuals and groups within society must be valued and treated with respect  
- individuals must accept responsibility for their own behaviour  
- all behaviour has consequences which affect future opportunities – more time should be devoted to responsible rather than irresponsible behaviour  
- partnership with staff, student and families must be created  
- staff must have opportunities to develop a wide range of skills  
- the responsibilities of Department of education and children services directors, district directors, principals, school staff, teachers and parents are set out |  |
| National Safe Schools Framework | The aim of the framework is to assist all school communities in building safe and supportive schools where bullying, harassment and violence are minimised and students receive support on issues related to child abuse and neglect  
The framework provides in relation to bullying, harassment and violence: |  |
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>• guiding principles:</td>
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<tr>
<td>o affirm that all school members have a right to feel safe</td>
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<td>o promote care, respect and cooperation and value diversity</td>
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<td>o nurture a safe and supportive school environment</td>
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<td>o quality leadership is essential to create a safe and supportive school environment</td>
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<td>o policies and programs to engage the whole school</td>
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<td>o importance of professional development</td>
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<td>o policies that are proactive and orientated to prevention and intervention</td>
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<td>o regular monitoring and evaluation</td>
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<td>• key elements/approaches that inform good practice</td>
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<td>o leadership committed to shared vision of positive and inclusive school</td>
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<td>o parent, teacher, student and school community commitment established</td>
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<td>o programs to empower students</td>
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<td>o policies and procedures established in collaboration with staff, students and parents</td>
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<tr>
<td>o policies include:</td>
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<tr>
<td>o statement of rights and responsibilities</td>
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<td>o definition of bullying, harassment and violence and agreed statement of unacceptable behaviour and consequences</td>
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<tr>
<td>o policies promoted to whole school and integrated with existing policies</td>
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<td>o periodic evaluation</td>
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<td>o pre and in service training for teachers</td>
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<td>o cases or abuse/victimisation are identified and reported</td>
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<tr>
<td>o support provided for students involved in bullying, harassment and violence</td>
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<tr>
<td>o working closely with parents</td>
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</table>

**The Department of Education and Children's Services School Care, Emergency and Crisis Management Search and Seizure Fact**

- Police officers are the recommended persons to search bags or lockers
- If there is a reasonable suspicion based on fact that a search is required school personnel should:
  - Accompany the student and their bad to a safe place
  - Phone the police to ask for attendance
  - Have a second staff member of the same gender as the student present until police attend
  - Inform parents
  - Ask police officers to search
- School staff should not search clothing the student is wearing.
- In rare circumstances, if serious risk of injury or harm, principals may ask student to take of jacket, turn out pockets and remove shoes – if student refuses contact police, following above procedure
- In rare circumstance, if serious risk of injury or harm, principals may search students property or any school property the
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
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</thead>
</table>
| Sheet  | student has without their consent – principals must only do this if they are certain not doing so puts their students at grave risk  
<p>|        | o Power only to be exercised in extreme circumstances, including reasonable suspicion that the student is in possession of a weapon or dangerous article                                                                 |
|        | • If a dangerous weapon is confiscated, item is to be seized and police must be called                                                                                                                                  |
|        | • If it is suspected a dangerous weapon is in a student’s car on school grounds, the car may also be searched                                                                                                       |              |</p>
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| Weapons Act 1999     | • it is an offence to carry, possess, purchase, sell, supply or manufacture a prohibited weapon – s6(1)  
• it is an offence to carry or possess a controlled weapon without lawful excuse – s7(1)  
• it is an offence to carry an article, not a firearm, prohibited weapon or a controlled weapon, with the intention of using it to injure or disable a person or cause a person to fear that someone will be injured or disabled – whether or not for defence – s8(1)  
• a member of the police force may detain and search, without a search warrant anyone the member suspects on reasonable grounds:  
  - s13(1)  
    o committing an offence  
    o carrying a weapon relating to an offence  
    o carrying something else that will afford evidence as to the commission of an offence  
• a member of the police force may stop, detain and search without a warrant any conveyance where the | • s6(1) 3 years imprisonment and a fine of $36,000  
• s7(1) 2 years imprisonment and a fine of $24,000  
• s8(1) 2 years imprisonment and a fine of $24,000  | • it is an offence to sell a controlled weapon to a child (<18) – s8A(1),(2)  
• it is an offence to supply a controlled weapon to a child – s8A(3) | • s8A(2) 2 years imprisonment and a fine of $24,000  
• s8A(3) 2 years imprisonment and a fine of $24,000 |
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<thead>
<tr>
<th>Legislation</th>
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<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
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<td>member suspects on reasonable grounds there is located: - s13(2)</td>
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<td>o weapon relating to an offence</td>
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<td>o anything else that will afford evidence as to the commission of an offence</td>
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<td>• member of the police force may seize without a warrant – s13(3)</td>
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<td></td>
<td>o weapon suspected on reasonable grounds to relate to an offence</td>
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<td></td>
<td>o anything else suspected on reasonable grounds will afford evidence as to the commission of an offence</td>
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<tr>
<td><strong>Criminal Code</strong></td>
<td></td>
<td>Possession of a weapon in a public place for entertainment includes a school.</td>
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<tr>
<td><strong>Firearms Act 1973</strong></td>
<td>• it is an offence to (a) sell, deliver or dispose of, (b) purchase or otherwise come into possession of or (c) possess a firearm or ammunition when not the holder of a licence – s19(1)</td>
<td>s19(1) imprisonment for 3 years or a fine of $12000</td>
<td>• a licence or permit under this Act cannot be issued to a person under 18</td>
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<td><strong>Young Offenders Act 1994</strong></td>
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<td>• s22B provides that a police officer dealing with a young person must first consider whether it is more appropriate to take no action or give a caution before starting proceedings</td>
<td>• cautions cannot be given for schedule 1 and 2 offences</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools/children</td>
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<tr>
<td>School Education Act 1999</td>
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<td>s90(1) provides a principal may suspend a student for a breach of school discipline</td>
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<td>o the principal must</td>
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<td></td>
<td>▪ inform student and parent of reason for and duration of suspension</td>
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<td>▪ provide student and parent reasonable time to respond</td>
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<td>o after considering relevant evidence, including explanations from student and parent, principal decides if there is sufficient grounds for suspension – if so notify parents and student in writing</td>
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<td>• for serious breach of school discipline (3.5.2)</td>
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<td>o principal can suspend immediately</td>
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<td>o as soon as practicable student must be afforded procedural fairness</td>
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<td>after suspension takes effect</td>
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<td>▪ inform student and parent of reason for and duration of suspension in writing</td>
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<td>• provide parent and student reasonable opportunity to show the student should not have been suspended/suspension should stop</td>
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<td>• education instruction must be provided for students suspended for 3 or more consecutive days or has accumulated 5 days of suspension within the year</td>
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<td>Exclusion (3.6)</td>
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<td>• s91 provides a student may be excluded from a school if they have</td>
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<td>Legislation</td>
<td>General provisions</td>
<td>Consequences</td>
<td>Provisions relevant to schools/children</td>
<td>Consequences</td>
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<td>acted in a way listed below</td>
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<td>principal can recommend exclusion</td>
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<td>order be made as a consequence of</td>
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<td>student behaviour that breaches</td>
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<td>school discipline where behaviour:</td>
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<td>o has threatened safety of any person</td>
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<td>on the school premises</td>
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<td>o is likely to cause/result in damage</td>
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<td>to school or personal property</td>
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<td>o has significantly disrupted the</td>
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<td>education instruction of others</td>
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</table>

**School Education Regulations 2000**

Search/seizure:
- A principal may make an order to prohibit an item from being brought on to the school’s premises or place conditions on that item being brought on to the premises – s70
- A member of teaching staff may take from a student any property that: - s71(1)
  - Has been brought or used in a manner contrary to an order under s70
  - Is likely to disrupt good order, adversely affect safety and welfare, cause damage to property
- Item must be delivered to principal – s71(2)

Principal is to make arrangements for parent to collect the item unless the property has been delivered to the police force – s71(3)

CEO Instruction re Weapons in Schools:
<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
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<tbody>
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<td></td>
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<td></td>
<td>Incidents involving weapons should be dealt with as a serious breach of discipline and students should be suspended immediately (s43(1)(b))</td>
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</tbody>
</table>
## Table 12: Western Australian school policies

<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
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</table>
| **Behaviour Management in Schools** | The Plan outlines the relevant actions that can be taken under:  
- s90(1) *School Education Act 1999*  
  - *see above*  
- *School Education Regulations 2000* s43(1)(b)  
  - *see above.* | 3.5 Suspension  
- max: 5 days for a breach, 10 for a serious breach  
- consultation with the student and parents is vital  
  - *see above* |
| **Emergency and Critical Incident Management** |  
- Critical incident: incident with high likelihood of traumatic effects, evokes unusually or unexpectedly strong emotional reactions – e.g. accident causing death or serious injury, suicide, vandalism, sexual assault, students lost or injured on an excursion, intruders on school site who cause harm to people or damage property  
- Emergency: event, actual or imminent, occurring on or off site, endangers or threatens life, property or the environment and requires a significant coordinated response  
- The principal or site manager, following a critical incident or emergency must (4.3):  
  - contact police is necessary  
  - contact parents/guardians of any student who has been harmed or threatened  
  - report incident to their Director Schools  
  - liaise with their director schools and/or the Departments media unit  
  - submit an entry using the online incident notification system as soon as reasonably possible |  
| **Behaviour Management** |  
- The principal is responsible for the creation and maintenance of a safe and positive learning environment and processes for effective behaviour management  
- Principles to guide schools in management (2)  
  - Student wellbeing and the prevention of inappropriate behaviour will be enhanced through a focus on early intervention and prevention.  
  - The use of appropriate curriculum and learning programs will encourage engagement by students  
  - Student behaviour is best managed in ways that promote restorative practices and are educative in nature  
  - All decisions relating to the management of student behaviour and the implementation of policy are made according to the principles of procedural fairness.  
  - Teacher’s behaviour management processes will acknowledge the duty to take reasonable care for the safety of staff and students.  
  - Student behaviour must not be viewed in isolation but as part of an interaction between the student, staff and the school community. |  
- Managing breaches (3.2)  
  - detaining after school  
  - withdrawal from school activities  
  - protective isolation  
  - withdrawal for students whose behaviour place themselves or others at risk of harm – student is removed from their regular school environment and is placed into a location on their own that is safe for themselves and others  
  - only may be implemented with the written consent of the director  
  - principal must consult with staff, manager of student services about the use of this measure, must obtain written parental |
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
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</thead>
</table>
| School staff will demonstrate accountability for evidence based decision making, reporting and referral to appropriate support, and record keeping. | • the procedures must contain (3.1.1):  
  o a code of conduct  
  o an outline of rights and responsibilities  
  o strategies to establish and maintain a supportive culture and positive learning environment  
  o bullying management and prevention  
  o a description of behaviours which are a breach or serious breach of discipline  
  o description of process that apply when there is a breach of discipline (conflict resolution, restorative practices)  
  o available assistance  
  o summary of communication strategy  
  o process that will ensure school's behaviour management plan is monitored and reviewed annually |  
  • preventing and managing bullying (1.1.3)  
  o principals must have strategy containing:  
    ▪ rationale  
    ▪ whole school community statement of rights and responsibilities (inc student, staff, parents etc)  
    ▪ understanding of what bullying is, types of bullying, bystanders’ roles and other terminology  
    ▪ evidenced based strategies for prevention and management of bullying  
    ▪ process to monitor and review the strategies  
  • For each student whose behaviour is at a level beyond the scope of the behaviour management plan a document plan must be developed to address behaviour (3.1.4)  
  • risk management plans are to be undertaken where a student’s behaviour is considered to present a physical risk to the safety of staff or students – to be included in the documented plan (3.1.4.1)  
  o summary of behaviour and risk  
  o known antecedents to the behaviour and strategies to de-escalate  
  o strategies to support staff |  
  CEO Instruction: Weapons in Schools  
  incidents involving weapons should be catered for |
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
</table>
| School Security | Provides policy for  
- protecting school property  
- maintaining security and managing security risks  
  - manage key security  
  - inform and induct staff in security practices  
  - report all breaches to the department's security section  
  - verify alarm system  
- creating a safe physical environment  
  - minimise electrical hazards  
  - minimise fire hazards  
  - verify suitable lighting  
- use of CCTV  
• Appendix I Crime Prevention Through Environmental Design Security Risk Management  
  - strategy for prevention and reduction of crime  
  - precinct design and effective use of physical attributes to produce an environment that results in a reduction in the incidence of crime and the fear of crime  
  - increases likelihood of offenders being caught and increases their fear of being caught  
  - changes the environment to reduce antisocial behaviour (e.g. vandalism, threats)  
  - better natural surveillance, landscaping, lighting, physical barriers, effective signage | by principals as part of their behaviour management planning |
Table 13: Northern Territory legislation

<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
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</thead>
</table>
| Weapons Control Act as in force at 21 September 2011 | • that to manufacture, sell, purchase, possess, use or carry a prohibited weapon without an exemption is an offence – s6  
  o prohibited weapon is defined in s3 as a weapon prescribed by regulation to be prohibited  
  o schedule 2 of the Weapons Control regulation provides prohibited weapons  
  • that to carry a controlled weapon at all, except in a safe and secure manner, consistent with the reason for which it is to be possessed is an offence  
  o controlled weapon is defined in s3 as a knife other than a knife that is a prohibited weapon and weapons prescribed by regulation  
  o s7(4) sets out that lawful excuse includes: lawfully employment or duty, lawful sport, recreation, entertainment or activity and legitimate collection, display or exhibition of weapons  
  • that possessing, using or carrying an offensive weapon without lawful excuse is an offence – s8(1)  
  o offensive weapon is defined in s3 as an article made or adapted to cause damage to property, injury or fear of injury to a person or that the person possessing it intends to cause damage to | • s6 400 penalty units or imprisonment for 2 years  
  • s7(2) 200 penalty units or 12 months imprisonment | • that to carry or use a controlled weapon in a public place or school without lawful excuse is an offence – s7(1)  
  • if the offence takes place at night, in a public place or school the max penalty doubles –s7A(2)  
  • that a person under 18 possess, carry or use a weapon referred to in s11A is an offence – s7A(1)  
  o s11A concerns crossbows and any other controlled weapons prescribed by regulation for this section  
  o that a person sell a crossbow or other controlled weapon to a child under 18 is an offence – s11A | • s7(1) 200 penalty units or 12 months imprisonment  
  • s11A 200 penalty units or 12 months imprisonment  
  • s7A(1) 200 penalty units or 12 months imprisonment |
<table>
<thead>
<tr>
<th>Legislation</th>
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<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
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</table>
| **Firearms Act as in force at 21 September 2011** | • it is an offence to possess or use a firearm unless authorised to do so by permit or licence – s58(1)  
• a person applying for a licence must be 18 years of age – s9  
• a person must not sell, purchase, possess or use a firearm that is not registered – s59(1) | • s58(1) Category A firearm: 400 penalty units or imprisonment for 2 years or category B firearm: 200 penalty units of imprisonment for 1 year  
• s59(1) – category A firearm: 50 penalty units or 1 year imprisonment or category b: 10 penalty units of 3 months imprisonment | • a person under 18 may apply for a Firearms Club Junior Licence that authorises the holder to possess and use firearms of a category specified in the licence only under the supervision of a holder of a licence for firearms of the same category and for the purpose of receiving instruction in the safe use of firearms at an approved shooting range or competing in an approved event – s28 |  |
| **Education Act as in force at 1 June 2011** | | | s21 Suspension by principal  
(1) section applies if the principal is satisfied a student should be suspended from attending school because the students presence would be harmful to the health or moral welfare of other persons  
(2) principal may suspend by written notice  
(3) the notice of suspension and a report to the CEO and parent of the child  
(4) suspension has effect for the period specified (not exceeding one month) or until expulsion |  |
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<th>Legislation</th>
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<td>s21A Expulsion by Minister</td>
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<td>(1) Minister may by written notice expel a student from school, if considered necessary in the interests of the other persons attending the school</td>
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<td>(2) copy of notice must be given to the parent</td>
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<td>(3) the expulsion may be reviewed and the Minister may revoke it</td>
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<td>(4) notice of revocation must be given to parent</td>
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### Table 14: Northern Territory school policies

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<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
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<tbody>
<tr>
<td>Department of Employment, Education and Training (DEET) Safe Schools NT Code of Behaviour</td>
<td>States that possession or use of a weapon will not be tolerated</td>
<td>Likely to lead to suspension and police involvement</td>
</tr>
<tr>
<td>DEET Student Safety Fact sheet</td>
<td>States that weapons should never be taken to school</td>
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<tr>
<td>DEET Guidelines for Suspension</td>
<td>Provides Guidance for emergency and continuity management</td>
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<td>• The school principal is responsible for:</td>
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<td></td>
<td>o ensuring the welfare of the school and decisions relating to the management of an emergency or critical incident</td>
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<td>o the development of a school emergency management plan</td>
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<td>o submitting this plan to schools manager for endorsement</td>
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<td>o providing leadership for response and recovery</td>
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<td></td>
<td>• Critical incident: any event which causes disruption to the school, creates danger, risk of or likelihood of traumatic effects and creates a situation where staff, students and parents experience trauma, feel unsafe, vulnerable or under stress</td>
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<td>• Emergency: incidents, accidents, catastrophes, disasters or crises – an event, actual or imminent which endangers or threatens to endanger life, property or the environment and which requires a significant and coordinated response</td>
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<tr>
<td>DEET Emergency Preparedness and Continuity Management</td>
<td>Provides guidelines or developing a school emerging plan:</td>
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<td></td>
<td>• responsibility of schools to develop their own</td>
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<td></td>
<td>• Principal must ensure the plan is developed on considerations of the management of foreseeable risk, the NT all hazards emergency management arrangements and the Australian standard emergency procedure for buildings, structures and workplace</td>
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<tr>
<td>Policy</td>
<td>General provisions</td>
<td>Consequences</td>
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<td></td>
<td>• The plan should include:</td>
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<td></td>
<td>o identification of risks and hazards and measure to prevent or reduce the effect of crises</td>
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<td></td>
<td>o overall strategy</td>
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<td></td>
<td>o formation of emergency response team</td>
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<td>o delegations of the tasks to be fulfilled for each position</td>
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<td></td>
<td>o training of student and staff</td>
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<td>o details of communication strategies and warning system</td>
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<td>o procedures to secure immediate safety</td>
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<td>o procedure for notifying emergency services and DEET</td>
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<td>o procedure for specific emergencies</td>
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<td>o procedures for evacuation</td>
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<td></td>
<td>o procedure for lockdown</td>
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<td></td>
<td>o how information on threats will be gathered</td>
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<td></td>
<td>• All emergencies must be reported to the relevant emergency service</td>
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<tr>
<td></td>
<td>• Schools must contact the appropriate schools manager to discuss actions to be taken, support required and the relevant legal and media issues</td>
<td></td>
</tr>
</tbody>
</table>

**NT Government Safe Schools NT: Wellbeing and Behaviour Policy Guide**

- Does not deal with prevention of weapons in schools specifically
- Provides guidelines to be used in conjunction with the Wellbeing and Behaviour policy template
- This guide and the template provide a basis for a school Wellbeing and Behaviour to be developed in consultation with the school community and to be endorsed by the Principal, School Council Chairperson and the General Manager Schools/Regional Director
- The guidelines aim to link DEET principles (including the Code of Behaviour for Schools) with individuals school policy
- The template provides that:
  - Student behaviour programs and practices must:
    - embrace a health-promoting approach to creating a safe, supportive and caring environment
    - embrace inclusiveness, and cater for the different potentials, needs and resources of all students
    - place the student at the centre of the education process
- The guidelines and template set out nationally agreed principles to be used as a basis for addressing student behaviour
<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>o Create positive learning communities</td>
<td>• The following behaviours will not be tolerated and are likely to lead to suspension and police involvement</td>
</tr>
<tr>
<td></td>
<td>▪ promoting wellbeing and positive behaviour</td>
<td>o physical abuse</td>
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<tr>
<td></td>
<td>▪ acknowledging and rewarding exemplary and improving behaviours</td>
<td>o verbal abuse</td>
</tr>
<tr>
<td></td>
<td>▪ promoting positive learning communities</td>
<td>o sexual assault</td>
</tr>
<tr>
<td></td>
<td>o Consequences for unacceptable behaviours</td>
<td>o intimidation and threats</td>
</tr>
<tr>
<td></td>
<td>▪ be clear about unacceptable behaviour</td>
<td>o bullying and harassment</td>
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<tr>
<td></td>
<td>▪ outline the school’s response to unacceptable behaviour</td>
<td>o possession or use of a weapon</td>
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<td></td>
<td>▪ provide for students with high behavioural support needs</td>
<td>o possession, being under the influence of or trafficking of illicit drugs</td>
</tr>
<tr>
<td></td>
<td>▪ provide consequences for specific unacceptable behaviours</td>
<td>o possession, supply or being under the influence of alcohol</td>
</tr>
<tr>
<td></td>
<td>▪ Outline Student support networks</td>
<td>o possession or supply of tobacco</td>
</tr>
</tbody>
</table>

DEET Safe Schools NT Code of Behaviour

- Students are to be treated with respect and dignity and in return they must demonstrate respect for themselves, others and the school environment – including refraining from bringing anything to school that may compromise safety
- Parents have a responsibility to support the efforts of school staff in maintain a safe and respectful learning environment
- All school community members are expected
  - follow the Safe Schools NT Code of Behaviour
  - comply with law, especially in regards to weapons, alcohol, drugs, dangerous acts, vandalism, violence, verbal abuse and sexual misconduct
- Teachers and school staff are to maintain order in the school in a respectful and responsible manner, including
  - implementing the School Wellbeing and Behaviour Policy with fairness and consistency
- Principals take a leadership role under the direction of the General Manager Schools/Regional Director and are expected to
  - play a strong leadership role in implementing the Safe Schools NT Code of Behaviour and School Wellbeing and Behaviour Policy
  - support staff in ensuring compliance with these policies
  - review and monitor effectiveness
  - facilitate the collection of data
  - engage support of external agencies where required
  - ensure consistency and fairness

- SETS out consequences authorised by the DEET time out, withdrawal of privileges, detention, restorative processes, reflective thinking rooms, mediation, suspension, police involvement

States that possession or use of a weapon will not be tolerated and is likely to lead to suspension or police involvement
### Table 15: ACT legislation

<table>
<thead>
<tr>
<th>Legislation</th>
<th>General provisions</th>
<th>Consequences</th>
<th>Provisions relevant to schools/children</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Prohibited Weapons Act 1996</strong></td>
<td>Makes it an offence to: • Possess or use a prohibited weapon – s5 • Possess or used a prohibited articles – s6 There are extensive legislative provisions concerning the meaning of possessing and evidence required to prove possession. Schedule 1 sets out what weapons are prohibited, including provision on: • Bladed weapons • Hand weapons • Missile weapons • Other weapons Schedule 2 sets out what articles are prohibited.</td>
<td>• s 5 – 500 penalty units, imprisonment for 5 years, or both • s6 – 200 penalty units, imprisonment for 2 years of both</td>
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<tr>
<td><strong>Crimes Act 1900</strong></td>
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<td></td>
<td>• provides a power by police to conduct a search for a knife in a public place or school where there is reasonable grounds to suspect possession – s193 • that a person shall not have a knife in their possession in a public place or school without a reasonable excuse – self defence or defence of another is expressly excluded as a reasonable excuse – s382 • that the sale of knives to a</td>
<td>• s382 – 10 penalty units, imprisonment for 6 months or both • s383 – 10 penalty units, imprisonment for 6 months or both</td>
</tr>
<tr>
<td>Legislation</td>
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<td>Consequences</td>
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<td>Consequences</td>
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</tbody>
</table>
| **Firearms Act 1996** | • Firearm means a gun or weapon that is or was capable of propelling a projectile by means of an explosive force and includes a blank fire firearm, an airgun, a paintball marker, something declared a fire arm under s31 and a modified item (something that would be a fire arm has something not been removed/added to it) – s6  
• Prohibited Firearm means a firearm described in schedule 1, a firearm prescribed to by regulation and something declared to be a prohibited firearm and includes a modified firearm – s7  
• it is an offence to possess or use a prohibited firearm where not authorised by licence, permit or otherwise under this act – s42  
  o there are different penalties provided, depending on the number of prohibited firearms  
• it is an offence to possess or use a firearm where not authorised by licence, permit or otherwise under | • s42(a)(i), 10 or more prohibited firearms – max imprisonment for 20 years  
• s42(a)(iii), 1 or 2 prohibited firearms – max imprisonment for 10 years  
• s43(a)(i), 10 or more firearms – max imprisonment for 20 years  
• s43(a)(iii), 3 – 10 firearms – max imprisonment for 7 years  
• s45(1) – max 1000 penalty units, 10 years imprisonment or both  
• s45(2) – max 500 | • person under the age of 16 is prohibited – s383  
• police may conduct a frisk or ordinary search for knives suspected to be held by a person in a school – s193  
• a child must not own a firearm – s84  
• a child may apply for a minors firearms licence if the child: is the age prescribed (under 18), has complete each approved firearms training course for the licence and is a member of an approved shooting club – s85 |
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<thead>
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<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>this act – s43</td>
<td>o there are different penalties provided, depending on the number of firearms</td>
<td>penalty units, 5 years imprisonment or both</td>
<td>s36 provides for the suspension, exclusion or transfer of a student by the Director General:</td>
<td>(2) Provides a principle may recommend suspension, transfer or exclusion of the child to the director-general</td>
</tr>
<tr>
<td></td>
<td>o here, firearm does not include a prohibited firearm</td>
<td>• s177(1)(a), prohibited firearm – max 1000 penalty units, 10 years imprisonment or both</td>
<td>(1) Applies when</td>
<td>(3) Provides the Director-General may give effect to the recommendation, take any other action in (2), suspend the student</td>
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<tr>
<td></td>
<td>• it is an offence to possess or use a prohibited firearm, though authorised by</td>
<td>• s177(1)(b), firearm – max 500 penalty units, 5 years imprisonment or both</td>
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<td></td>
<td>licence to do so, and contravene a condition of that licence or permit – s45(1)</td>
<td>• s177(2)(a), a prohibited firearm – max 1000 penalty units, 10 years imprisonment or both</td>
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<td></td>
<td>• it is an offence to possess or use a firearm (that is not a prohibited firearm),</td>
<td>• s177(2)(b), firearm – max 500 penalty units, 5 years imprisonment or both</td>
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<td></td>
<td>though authorised by licence to do so, and contravene a condition of that licence or</td>
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<td></td>
<td>permit – s45(2)</td>
<td>• provides police officers with powers of entry – s203</td>
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<td>• it is an offence to acquire or dispose of a (a) prohibited firearm or (b)</td>
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<td>firearm that is not registered – s177(1)</td>
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<td></td>
<td>• it is an offence to possess (a) a prohibited firearm or (b) a firearm that is</td>
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<td></td>
<td>not registered – s177(2)</td>
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<td></td>
<td>• provides police officers with powers of entry – s203</td>
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<td>Education Act</td>
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<tr>
<td>2004</td>
<td>s36 provides for the suspension, exclusion or transfer of a student by the Director</td>
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<td>General:</td>
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<td>(1) Applies when</td>
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<td></td>
<td>• Student is violent or threatens violence to another student, staff or anyone</td>
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<td>associated with the school</td>
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<td>(2) Provides a principle may recommend suspension, transfer or exclusion of the</td>
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<td>child to the director-general</td>
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<td></td>
<td>(3) Provides the Director-General may give effect to the recommendation, take any</td>
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<td>other action in (2), suspend the student</td>
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<tr>
<td>Legislation</td>
<td>General provisions</td>
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<td></td>
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<td>• Student acts in any way that threatens the good order of the school or wellbeing of another student, staff member or anyone else associated</td>
<td>for no longer than 20 days</td>
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<td></td>
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<td>(4) Provides the criteria the Director-General must meet before excluding the student</td>
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<td>(5) Provides the criteria the director-general must meet before transferring or suspending the student</td>
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<td>(6) Provides the Director-General may suspend the student for up to 5 days if the circumstances are of such urgency or seriousness to require immediate suspension</td>
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<td>(7) Provides the criteria contained in (5) must be complied with to the extent that is practicable</td>
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</tbody>
</table>
### Table 16: ACT school policies

<table>
<thead>
<tr>
<th>Policy</th>
<th>General provisions</th>
<th>Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Education and Training Providing Safe Schools P-12 Policy</td>
<td>Teachers may use physical restraint when acting to prevent students injuring themselves or to prevent students from injuring other students as a last resort only.</td>
<td></td>
</tr>
<tr>
<td>Providing Safe Schools P-12 Policy</td>
<td>Schools must report instances of bullying, harassment, violence, racism and sexual harassment that pose an immediate threat to the safety of students and staff as ‘critical incidents’. This must be made immediately by telephone and in writing within 24 hours.</td>
<td></td>
</tr>
</tbody>
</table>
| Providing Safe Schools P-12                                             | • the Department shall provide specific policies on racism, bullying, harassment, violence and sexual harassment  
• the department will develop strategies to support schools in the development of programs and monitor the implementation  
• Schools will develop procedures, working with students, parents and carers to promote a safe learning environment and review the procedures on a regular basis  
• Principals will:  
  o Develop a whole school approach  
  o Ensure positive social skills are embedded in teaching  
  o Facilitate professional development of staff  
  o Promote communication with families |              |
| Department of Education and Training Countering Bullying, Harassment and Violence in ACT Public Schools | (To be read in conjunction with Providing Safe Schools)  
• All schools must develop procedures to counter bullying, harassment and violence  
• instances of bullying, harassment and violence that pose an immediate threat to the safety of students and staff must be reported as critical incidents  
• there must be procedures for reporting, intervening, help and support and professional learning  
• bullying, harassment and violence must be differentiated and responded to differently  
• students and caregivers must be encouraged to be proactive |              |
| Suspension, Exclusion or Transfer of Students in ACT Public Schools     | States that all schools must adhere to Section 36 of the *Education Act 2004* (the Act) when dealing with the suspension, transfer or exclusion of students from ACT public schools. |              |