



13/05/04

# Education Information

## Safety in Schools Legislation

Schools pride themselves on being open and accessible to parents, visitors and the community and are committed to providing a safe learning environment for students and staff. Many schools have a code of conduct or other standards in place that guide parents and visitors on appropriate behaviour.

To make schools even safer, new legislation will give principals, departmental officers and the governing bodies of non-state schools legal powers to deal with parents and visitors who do not conduct themselves appropriately while on the school's premises.

These powers assist the principal, or the person in charge of the school, to ensure the safety and wellbeing of people at the premises, the security of the premises, and the good order and management of the school. The powers allow principals to direct a person to:

- leave the school premises and not return for 24 hours
- cease certain conduct and desist in that conduct for up to 30 days
- only access the school according to the principal's instructions for up to 30 days.

These powers are aimed at preventing or minimising:

- abusive, disruptive, threatening or violent behaviour
- conduct that is an offence or is about to become an offence
- conduct that is damaging to school premises or property
- attendance at the school premises without a good and lawful reason.

They are not intended to stop parents or other visitors from making legitimate enquiries of school staff.

The principal will give these "directions" in writing, which apply from that time onwards. They only relate to school premises, including sporting fields etc. under the school's full-time control.

When exercising these powers, the principal may require a person to provide their name and residential address. It is an offence not to provide these details.

A breach of a direction may result in a maximum penalty of \$1500.

A direction which applies for up to 30 days may be reviewed by application to the principal's supervisor within seven days of being given or before it ends (if it is for a period less than seven days). For state schools, the principal's supervisor is the executive director (schools); for non-state schools it is the school's governing body or a person nominated by the governing body.

In addition, a person may be prohibited from a school's premises for up to 60 days, by the Director-General or delegate for state schools or by the non-state school's governing body, or a person nominated by the governing body, if the person is likely to:

- cause physical harm to, or apprehension or fear of physical harm in another person while the other person is at the premises
- damage the premises or property
- disrupt the good order or management of the school.

A person may appeal to the Magistrates Court or Childrens Court, if the person is under 18 years of age,



**Queensland  
Government**  
Education Queensland

Produced by Corporate Communication and Marketing  
Floor 20 Education House 30 Mary Street Brisbane 4000  
PO Box Brisbane Albert Street Queensland 4002 Australia

Telephone +61 7 3237 1363 Facsimile +61 7 3237 0551 Email [corporatecommunication@qed.qld.gov.au](mailto:corporatecommunication@qed.qld.gov.au) Web [www.education.qld.gov.au](http://www.education.qld.gov.au)

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against the original decision prohibiting them from a state or non-state school premises for up to 60 days.

A person may also be prohibited from a particular school's premises, from all state school premises or from all Queensland schools for up to one year. This decision is made by the Magistrates Court or the Childrens Court, if the person is under 18 years of age. It is the Director-General who has the responsibility to make application to a court to seek any of these

decisions. An appeal may be made to the District Court in these matters.

A breach of these court orders is punishable as contempt of court; a fine of up to \$15 000 may be imposed or the person may be imprisoned for up to three years.

For more information please contact your school principal. For a copy of the policy visit [www.education.qld.gov.au/corporate/doem/legalleg/11-14000/11-14000.html](http://www.education.qld.gov.au/corporate/doem/legalleg/11-14000/11-14000.html)