Weapons in schools – guidelines

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# Policy summary

The Department of Education (department) does not tolerate the possession or use of weapons in government schools. The possession and use of weapons in schools is regarded as a serious breach of discipline and may constitute grounds for suspension of a student under section 91 of the *Education Act 2015*. There may also be consequences for students and other individuals under the *Weapons Control Act 2001, Firearms Act 1997, Criminal Code 1987* or other legislation.

The possession or carrying of religious or cultural artefacts or items for the purpose of lessons or specific school events; however, may be considered on a case-by-case basis. These items must be deemed safe, and development of an appropriate risk mitigation strategy is essential.

These guidelines provide clear direction for schools in developing and implementing school specific procedures for responding to such situations in a timely and effective manner.

The intent of these guidelines is to keep the school and the school community safe.

The Management of weapon related incidents in schools procedure provides clear direction for schools in responding to such situations in a timely and effective manner and can be used to create school specific procedures.

# Scope

These guidelines apply to Northern Territory (NT) Government schools and educational settings, includingearly childhood education and care settings and out of school hours care programs operating on school premises.

# Weapons in schools guidelines

Where there is reasonable suspicion or it is known that a student is in possession of a weapon, the principal and school staff should refer to the Management of weapon related incidents in schools procedure.

## Key points

* Safety and wellbeing of all students, staff and visitors is the priority.
* With consent of the student or parent – the principal can search the student’s property.
* Without consent – contact NT police to conduct the search.
* The principal can give this responsibility to a teacher or teachers either verbally or in writing where there is reasonable suspicion a student is carrying a weapon and the principal is not on-site or the student is off-site, for example on an excursion.
* A witness must be present when – obtaining consent, conducting a search and when storing student property.
* Only NT police have the power to search an individual without a warrant or conduct a personal search of a student.

## Permission to search – provided

The principal is to request permission from a student to open their bags and cooperate with a search of their property, including their school locker or to empty out their pockets.

The principal or school staff are to ask the student to move the contents of their property around if concealed or covered.

If the student refuses to make their property available for search, the principal will inform the student’s parent and seek their permission to search the student’s property.

Principals are to ensure student and parental permission is witnessed and recorded in SAMS. All other outcomes of the search are to be updated in SAMS as an official record.

## Permission to search – not provided

If the student and parent both refuse to give permission for the student’s property to be searched, or the parent is not contactable, the principal is to contact NT Police on telephone 000 if an emergency, otherwise 13 14 44, if there is a reasonable suspicion that a weapon is being concealed.

## Obtaining a weapon

In the event the student is in possession of a prohibited weapon or firearm, as listed in schedule 2 of the Weapons Control Regulations 2001 and schedule 1 of the *Firearms Act 1997* (see 7.2 and 7.3), the principal must obtain the weapon if safe to do so and store it in a secure location until NT police are contacted for the prohibited weapon or firearm to be handed over. NT police must come to the school to collect the weapon.

The student’s parent must be informed a weapon was found.

## Disposing of a weapon

If a controlled weapon is found, the principal may return the weapon to the parent of the student at a suitable time, taking into consideration:

* the nature of any threat to use the weapon and whether this threat still exists
* the type of weapon
* the likelihood of any students using the weapon to threaten the safety, security or wellbeing of any person
* whether the owner is an independent student and it may not be appropriate to make the property available for collection by the student’s parent so the weapon should be returned to the student
* any other circumstances relating to the weapon or incidents related to the weapon that may be relevant.

If the owner of the item is unknown, reasonable steps should be made to ascertain the owner. After reasonable steps have been taken and the owner is still unknown or in dispute, the item should be disposed of at the discretion of the principal or as directed by NT Police.

# Roles and responsibilities

## Principals

Principals are responsible for:

* establishing school procedures for management of situations where school staff, students or visitors have reported suspected weapon-related incidents which aligns with the Management of weapon related incidents in schools procedure
* establishing school procedures to minimise improper use of cultural artefacts in schools where a student is required to carry such items for ceremonial, religious or cultural school events, or for the purpose of lessons, for example hospitality, trades, VET in School, elective or cultural programs
* ensuring that the school’s procedures reflect the department’s guidelines and aligns with relevant legislation
* ensuring all staff, students and parents are aware of the guidelines and procedures and the consequences of possession, storage or use of weapons in schools
* undertaking property searches, for example bag or locker, of a student, with consent of the student or parent if there is reasonable suspicion the student is carrying a weapon
* nominating a teacher or teachers either verbally or in writing, for them to conduct property searches for weapons where there is reasonable suspicion a student is carrying a weapon and the principal is not on-site or the student is off-site, for example on an excursion
* notifying NT Police, telephone 000 if an emergency, otherwise 13 14 44, as soon as practicable if a weapon-related incident occurs, particularly those that require activation of the school’s emergency management plan. Schools with School Based Police Officers (SBPO) should not rely on the SBPO to respond to weapon-related incidents
* notifying their Senior Director Education or regional Director School Operations as soon as practicable during, or following, an emergency event or critical incident. The Regional Director School Operations will record on the incident register and progress a newsflash if required
* notifying Quality Education and Care NT (QECNT) where incidents have occurred in a regulated service, for example preschool or outside school hours care operating on school premises.

## School staff

All school staff are responsible for:

* responding to weapons-based incidents in accordance with the school’s emergency management plan
* informing the principal in circumstances where they suspect that a student or individual on school grounds has possession of a weapon or may be involved in a weapon related incident or offence.

## Parents

Parents are responsible for:

* positive role modelling to their children, and to other students and the school community
* ensuring their children do not bring a weapon or item that could be used as a weapon to any school site, event or activity
* participating in debriefing sessions or student re-entry meetings and the review of ‘re-entry plans’ following a possession or use of a weapon in schools’ incident
* advising the school or principal where a student is required to bring cultural artefacts for ceremonial, religious or cultural reasons, or for the purpose of lessons, for example hospitality, trades, VET in School, elective or cultural programs, including activities before or after school
* complying with the Charter for schools, parents, carers and families, and the Codes of conduct for education sites and workplace participants.

## Students

Students are responsible for:

* ensuring they comply with the school’s code of conduct
* not being in the possession of a weapon or not using items as a weapon
* immediately advising a school staff member if they find or become aware of a potential weapon in school or on school grounds.

# Definitions

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| Term | Definition |
| Reasonable suspicion | When a decision is made based on the belief that something is possible. In relation to searching of students, a principal must form a reasonable suspicion that a search will uncover weapons and that the search can be conducted in a manner that does not unduly threaten the safety of themselves, students or other school staff. Consideration must also be made as to whether it is likely that the weapon will be used by a student and  the source and veracity of information regarding the presence of a weapon. |
| Weapon | An object or instrument designed or used for inflicting bodily harm or physical damage.  All weapons that are controlled or prohibited are listed in section 7 of this document:  7.1 Schedule 1 – Controlled weapons – Weapons Control Regulations 2001  7.2 Schedule 2 – Prohibited weapons – Weapons Control Regulations 2001  7.3 Schedule 1 - Prohibited firearms – *Firearms Act 1997.*  An item carried by a student for ceremonial religious, cultural reasons or lessons may be considered as a weapon for the purpose of these guidelines where a student utilises it as such. |

# Related legislation, policy and resources

## Legislation

* *Anti-Discrimination Act 1992* – <https://legislation.nt.gov.au/Legislation/ANTIDISCRIMINATION-ACT-1992>
* *Criminal Code Act 1983* – <https://legislation.nt.gov.au/en/Legislation/CRIMINAL-CODE-ACT-1983>
* *Education Act 2015* – <https://legislation.nt.gov.au/Legislation/EDUCATION-ACT-2015>
* *Education and Care Services (National Uniform Legislation) Act 2011* – <https://legislation.nt.gov.au/Legislation/EDUCATION-AND-CARE-SERVICES-NATIONAL-UNIFORM-LEGISLATION-ACT-2011>
* *Firearms Act 1997* – <https://legislation.nt.gov.au/Legislation/FIREARMS-ACT-1997>
* *Trespass Act 2023* – <https://legislation.nt.gov.au/Legislation/TRESPASS-ACT-2023>
* *Weapons Control Act 2001* – <https://legislation.nt.gov.au/Legislation/WEAPONS-CONTROL-ACT-2001>
* Weapons Control Regulations 2001 – <https://legislation.nt.gov.au/Legislation/WEAPONS-CONTROL-REGULATIONS-2001>
* *Work Health and Safety (National Uniform Legislation) Act 2011* – <https://legislation.nt.gov.au/Legislation/WORK-HEALTH-AND-SAFETY-NATIONAL-UNIFORM-LEGISLATION-ACT-2011>
* *Youth Justice Act 2005* – <https://legislation.nt.gov.au/Legislation/YOUTH-JUSTICE-ACT-2005>

## Policy

* Behaviour and wellbeing: detention, suspension and expulsion –<https://education.nt.gov.au/policies/health-safety/behaviour-and-wellbeing>
* Codes of conduct for education sites and workplace participants policy and procedures – <https://education.nt.gov.au/policies/conduct#codes_of_conduct_for_education_sites_and_workplace_participants>
* Student wellbeing and positive behaviour policy – <https://education.nt.gov.au/policies/health-safety/behaviour-and-wellbeing>

## Resources

* Management of weapon related incidents in schools procedure – <https://elearn.ntschools.net/policies/3832>
* Charter for schools, parents, carers and families – <https://education.nt.gov.au/__data/assets/pdf_file/0009/946791/parent-engagement-charter.pdf>
* Police in NT Government schools – <https://education.nt.gov.au/policies/health-safety/police-in-nt-government-schools>
* Quality Education and Care NT (QECNT) – <https://education.nt.gov.au/committees,-regulators-and-advisory-groups/quality-education-and-care-nt>
* Safe Schools NT – Code of behaviour – [Let’s keep school safe for everyone | Department of Education](https://education.nt.gov.au/parents-and-carers/lets-keep-school-safe-for-everyone)
* Trespass on school grounds - information for visitors – <https://education.nt.gov.au/policies/school-operations#trespass_on_school>

# Controlled weapons, and prohibited weapons and firearms list

## [Schedule 1 – Controlled Weapons – Weapons Control Regulations 2001](https://legislation.nt.gov.au/en/Legislation/WEAPONS-CONTROL-REGULATIONS-2001)

1. A crossbow, being a type of bow fixed transversely on a stock grooved to direct a dart, bolt or arrow (other than a type of crossbow listed as a prohibited weapon in Schedule 2).

2. A spear-gun.

3. A baton or cudgel, being a short stout stick, made of any material, designed as a weapon, including the weapon commonly known as a "police nightstick".

4. A dagger, being a sharp pointed stabbing instrument (other than an oyster knife or an instrument such as a sword or bayonet) ordinarily capable of being concealed on the person and having:

(a) a flat blade with cutting edges (whether serrated or not serrated) along the length of both sides; or

(b) a needle-like blade, the cross section of which is elliptical or has 3 or more sides.

5. A bayonet, being a thrusting, striking or cutting weapon designed to be attached to a firearm.

6. A sword, being a thrusting, striking or cutting weapon with a long blade having one or 2 cutting edges and a hilt.

7. A cattle prod.

8. A catapult, shanghai, slingshot or hunting sling (other than a catapult, shanghai, slingshot or hunting sling to which item 15 of Schedule 2 relates).

9. A whip with metal lashes.

10. A cat o'nine tails with knotted lashes.

11. A hand-held battery-operated article, commonly known as a "laser pointer", designed or adapted to emit a laser beam with an accessible emission limit of greater than 1mW.

12. An article that consists of a baton or stick constructed in such a way that it can be unscrewed or broken so as to form 2 or more parts joined by chain, rope or cord, including the martial arts weapons known as "Baton-chucks" or "Bo-chucks".

13. A scythe, or sickle-shaped article designed as a weapon, that:

(a) has a fixed or folding blade; and

(b) may or may not have a chain attached,

and includes the martial arts weapon known as "Kama".

14. An article consisting of a chain, rope or cord with a wooden or metal baton, stick or rod attached at each end, including the martial arts weapons known as "Kasari-Fundo", "Kusari-Fundo" and "Manrikigusari".

15. A stick or rod, of any material, designed as a weapon to be applied to the pressure points of the human body, including the martial arts weapon known as "Kubotan".

16. An article that consists of 2 sticks, rods or batons joined by a cord, rope or chain, including the martial arts weapon known as "Nunchaku".

17. A "Sai" or "Jitte", being a short, tapered, metal rod, dull at the point, with flared metal prongs guarding the handle.

18. An article consisting of a curved blade pointed at both ends with a handle attached to the middle, including the martial arts weapon known as "Suan Ywe Gou".

19. An article consisting of a blade or blades with cord, rope or chain attached for the purpose of enabling the blade to be thrown and retrieved, including the martial arts weapon known as "Shoge", "ninja Kyokeysu-Shoge" or "Kyotetsu Shoge".

20. An article consisting of a handle and an edged blade, joined by chain or a combination of chain and metal pieces or steel rods, designed to be used as a whip, including the martial arts weapon commonly known as "Chinese whip", "whip spear", "7 piece iron chain", "9 piece iron chain", "Bian Tzu Chiang" or "Lien Tzu Chiang".

21. The martial arts weapon known as a "Butterfly Sword".

22. The martial arts weapon known as a "Tonfa".

## [Schedule 2 – Prohibited Weapons – Weapons Control Regulations 2001](https://legislation.nt.gov.au/en/Legislation/WEAPONS-CONTROL-REGULATIONS-2001)

1. A "flick knife", being a knife designed or adapted so that the blade is concealed when folded or recessed into the handle and that opens by gravity or centrifugal force or by any pressure applied to a button, spring or device in or attached to the handle of the knife.

2. A "knuckle knife", being an open or exposed blade or similar instrument attached to a handle that is designed or adapted to be held between the knuckles (including the device commonly known as the "Urban Pal Knife").

3. An article that is designed to include a concealed knife or sword blade, including but not limited to:

(a) a belt, or similar article, designed or adapted to hold a knife, dagger or similar instrument so that the presence of the knife, dagger or instrument is concealed or disguised as part of the belt or article when it is worn (for example, an article known as the "Bowen Knife Belt");

(b) a "swordstick", being a cane, stick or similar article designed or adapted to hold the blade of a sword so that it is concealed from view until withdrawn from the cane, stick or article; and

(c) a riding crop designed or adapted to hold a blade or spike so that it is concealed from view until withdrawn from the crop.

4. A "butterfly knife", being a knife with a 2 piece handle that folds together to cover both edges of the blade (whether the blade is serrated or not serrated).

5. A "double-end knife", being a knife that has the appearance of 2 overlapping curved blades joined together so as to form an ellipse shape.

6. A knife that is designed or adapted so that the blade is concealed by a plastic, wooden or metal sheath that retracts into the handle of the knife by gravity or centrifugal force or by any pressure applied to a button, spring or device in or attached to the handle of the knife (including the knife commonly known as the "Black Eagle Knife").

7. A "push knife" or similar device designed as a weapon that consists of a single-edged or multi-edged blade or spike of any material that has a handle fitted transversely to the blade or spike and allows the blade or spike to be supported by the palm of the hand so that stabbing blows or slashes can be inflicted by a punching or pushing action.

8. A "trench knife" or similar device that consists of a single-edged or multi-edged blade or spike (of any material) fitted with a handle made of a hard substance that can be fitted over the knuckles of the hand of the user to protect the knuckles and increase the effect of a punch or blow.

9. A "throwing blade", being a knife or axe of any material that is designed to be thrown or modified to enable it to be thrown.

10. A "ballistic knife", being a device or instrument designed or adapted to fire or discharge a knife, dagger or similar instrument by mechanical, percussive or explosive means.

11. A "non-metal/ceramic knife", being a knife, blade or spike of which no part is metallic, but not including plastic cutlery.

12. A crossbow that is reasonably capable of being:

(a) carried or concealed about the person; and

(b) raised and discharged by one hand.

13. A "blow gun", being a blow pipe or similar device or instrument designed to propel an arrow, dart or similar projectile by air expelled from the mouth.

14. A dart designed to be projected from a blow-gun or similar device.

15. A catapult, shanghai, hunting sling or slingshot:

(a) designed or adapted to be used with an arm brace that fits or rests on the forearm to support the wrist from the tension of the elastic material used to propel the projectile (whether or not the brace is home-made and including the device commonly known as the "Saunders Falcon Hunting Sling"); or

(b) that is manufactured and intended for commercial distribution (including a frame or stock, and a sling, that is marketed or intended for use as a part for a catapult, shanghai, hunting sling or slingshot).

16. A dart projector (for example, an article commonly known as the "Darchery Dartslinger") or any similar device that is manufactured and intended for commercial distribution.

17. An article designed or adapted to discharge oleoresin capsicum spray.

18. An article designed or adapted to emit or discharge an offensive, noxious or irritant liquid, powder, gas or chemical so as to cause disability, incapacity or harm to another person.

19. An article designed or adapted to emit an electric current into a human body for the purposes of incapacitation or injury.

20. An acoustic anti-personnel device that is designed to cause permanent or temporary incapacity or disability or to otherwise physically disorientate a person.

21. A "shark dart" or any other similar device that is designed to expel, on or after contact, any gas or other substance capable of causing bodily harm.

22. An "extendable baton", being a baton designed or adapted so that the length of the baton extends by gravity or centrifugal force or by any pressure applied to a button, spring or device in or attached to the handle of the baton.

23. A "knuckle-duster", being a device or instrument designed or adapted to be worn across a knuckle or knuckles of the hand, finger, fingers or thumb so as to:

(a) increase the force or impact of a punch or blow when striking another person with the hand, finger, fingers or thumb; or

(b) protect the knuckle or knuckles from injury when striking another person with the hand, finger, fingers or thumb.

24. A "weighted glove", being a glove (including a fingerless glove), or any other similar article, that:

(a) is designed or constructed to be used as a weapon; and

(b) has weighted material sewn into it to increase the effect of a punch or blow.

25. A "studded glove", being a glove (including a fingerless glove), or any other similar article, that:

(a) is designed or constructed to be used as a weapon; and

(b) has a number of raised studs or spikes made of a hard substance and positioned over the back of the glove to increase the effect of a punch or blow.

26. A mace or any other similar article capable of causing injury that consists of a club or staff fitted with a flanged or spiked head, other than a ceremonial mace made for and used solely as a symbol of authority on ceremonial occasions.

27. A flail or any other similar article that consists of a staff or handle that has fitted to one end, by any means, a freely swinging striking part that is armed with spikes or studded with any protruding matter.

28. An article designed to be attached to, or worn on the hands or feet, that has claws attached, including the martial arts weapons known as "ninja climbing claws", "ninja hand claws" and "ninja foot claws".

29. A "throwing star", being a sharpened star-shaped article designed for throwing, including the martial arts weapon known as "Surikan", "Suriken" or "Shaken" (including where the throwing star is attached to a belt-buckle).

30. An imitation firearm.

31. A "WASP injection knife" or any similar device that has a blade from which compressed gas can be expelled.

## [Schedule 1 – Prohibited firearms](http://classic.austlii.edu.au/au/legis/nt/consol_act/fa1997102/sch1.html) *[– Firearms Act 1997](http://classic.austlii.edu.au/au/legis/nt/consol_act/fa1997102/sch1.html)*

1. A machine gun, sub-machine gun or other firearm capable of propelling projectiles in rapid succession during one pressure of the trigger.
2. A self-loading rimfire rifle (including such a firearm described elsewhere in this Schedule).
3. A self-loading centre-fire rifle (including such a firearm described elsewhere in this Schedule).
4. A self-loading or pump action shotgun (including such a firearm described elsewhere in this Schedule).
5. A self-loading centre-fire rifle of a kind that is designed or adapted for military purposes.
6. A self-loading shotgun of a kind that is designed or adapted for military purposes.
7. A firearm that substantially duplicates in appearance (regardless of calibre or manner of operation) a firearm mentioned in item 1, 5 or 6.
8. A shotgun fitted with or designed to be fitted with a drum magazine of the "Striker 12" assault shotgun type or any similar weapon.
9. A firearm to which there is attached an article or device capable of muffling, reducing or stopping the noise created by firing the firearm.
10. A firearm, not being a pistol, fitted with a stock that is specially designed so as to be readily detachable, or to operate on a swivel, folding or telescopic basis.
11. A firearm made up in the form of a stylographic or propelling pen or pencil, capable of being used for the discharge of gas, bullets, shot, dye or pyrotechnic flares.
12. A firearm capable of discharging, in any way:(a) an irritant matter in liquid, powder, gas or chemical form; or(b) a pyrotechnic flare or dye, other than a distress signal device.
13. A firearm that substantially duplicates in appearance a walking stick or walking cane.
14. A cannon or other weapon by whatever name known of a type that will expel a projectile by the action of an explosive or other propellant, and that has a barrel with a bore in excess of 10 gauge.
15. A firearm or part that has a dimension less than the minimum dimension prescribed for the firearm

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| Acronym | Full form |
| NT | Northern Territory |
| QECNT | Quality Education and Care Northern Territory |
| SBPO | School Based Police Officer |
| VET | Vocational Education and Training |

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