



MINISTRY OF
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Security and Safety Policy Guidelines

Promoting a Culture of Security and Safety in Schools



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Manual for Promoting a Culture of Security & Safety in Schools

Ministry of Education

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TABLE OF CONTENTS

Acknowledgements	10
Forward	12
Part 1: Preliminary Concepts and Standards	
What are Standards?	12
Defining Minimum Standards	14
Zero Tolerance	
What is Zero Tolerance	16
Zero Tolerance in the Jamaican Education System	16
Understanding the Ministry of Education’s Zero-Tolerance Strategy	17
Recording and Reporting Requirements	19
Understanding the Recording and Reporting Requirements of the Ministry of Education	19
Searches	23
What is a Search?	23
What is Not a Search?	24
General Rules for Student Searches by School Officials on School Property	24
Legal Justification	24
Defining Reasonable Suspicion	26
Authority to Initiate a Student Search: Reasonable Suspicion	27
Factors Justifying a Search	27
Documentation	29
Procedure for Searching Students	29
Use of Metal Detectors	32
Strip Searches of Students	33
Security Guards	33
Part 2A: School Security & Safety Standards and Guidelines	
1.0 Establishing a Security and Safety Network	35
Aspiration #1	
Guidance	
1.1 The Role of School Leadership	34

Directives

1.2	Establishing the Security and Safety Network	36
1.2.1	Parents and Guardians	37
1.2.2	Students	37
1.2.3	School Staff	38
1.2.4	The Police and Fire Services	38
1.2.5	Other Government Agencies	39

1.3	Emergency Drills and Preparation Plans	39
-----	--	----

2.0	Controlling Access to School Campus	41
-----	-------------------------------------	----

Aspiration # 2		41
-----------------------	--	----

Guidance		41
-----------------	--	----

2.1	Domain Control	41
-----	----------------	----

Directives

2.2	Establish, Maintain and Control Entry and Exit Points	42
-----	---	----

2.3	Develop, Implement and Monitor a School Access Policy	42
-----	---	----

2.4	School Access Policy - Operating Times	42
-----	--	----

2.6	School Access Policy - Visitors	43
-----	---------------------------------	----

2.7	School Security Personnel	44
-----	---------------------------	----

Uniform Groups/Clubs/Societies		45
---------------------------------------	--	----

3.0	Controlling Possession of Weapons and Other Contraband in Schools	47
-----	---	----

Aspiration # 3		47
-----------------------	--	----

Guidance

3.1	Creating a School Environment Free of Weapons and Contraband	52
-----	--	----

Policy on Firearms

Part 2B: School Security & Safety Standards and Guidelines

Directives

3.2	Setting Rules and Sanctions	53
3.3	Contraband - Definition	53
3.4	Contraband - Weapons	53
3.5	Contraband - Alcohol, Tobacco and Dangerous Drugs	54
3.6	Contraband - Obscene Publications	55
3.7	Zero-Tolerance Approach to the Possession of Contraband	56
3.8	Appropriate Use of Information and Communication Technology (ICT)	56
3.9	Appropriate Use of Mobile Phones	57
3.10	Inappropriate Use of Electronic Devices	57
	Guidelines for Social Media Use in Schools	58
	Protecting Your Password	59
	4.0 Controlling Gangs, Associations and Anti-Social Cliques In Schools	61
	Aspiration # 4	61
	Guidance	61
4.1	Creating a School Environment Free of Gangs and Anti-Social Cliques	61
	Directives	
4.2	Approving Formal Associations	62
4.3	Defining Gangs and Cliques	62
4.4	Anti-Social Gangs and Cliques Prohibited from Schools	63
4.5	Duty to Record and Report Gang Activities	63
4.6	Proactive Approach and Early Intervention	63

4.7	School Gangs with Links to Community Gangs	64
4.8	Gangs that Threaten the Operation of the School	64
4.9	Acts of Violence Committed by Gangs	65
4.10	Students in Public Places	65
5.0	Controlling Movement and Gathering in the School Domain	66

Aspiration # 5

Guidance

5.1	Understanding Boundaries	66
-----	--------------------------	----

Directives

5.2	Rules for Movement and Gathering	66
5.3	Off-limit Areas	66
5.4	Navigating Public Space	67
5.5	Movement and Gathering during Class Time	68
5.6	Electronic Surveillance of Movement and Gathering	68
5.7	Supervision of Movement and Gathering	69
5.8	Shutdown Procedures	69
5.9	Co-Curricular Activities after School	70
5.10	Students on Campus after School	70
5.11	Sport and Entertainment Events	70
5.12	Protests	71

6.0 Controlling the Physical Environment To Enhance Security and Safety

Aspiration # 6

Guidance

6.1	Maintenance of Infrastructure for Security and Safety	72
-----	---	----

Directives	
6.2	Natural Surveillance 73
6.3	Ownership of Space 73
6.4	Securing the School Premises 74
6.5	Maintenance of School Premises 74
6.6	Designation of Emergency Points and Procedures 75
6.7	Pedestrian Safety 75
7.0	Policies on Swimming Pool Safety in Schools 76
7.1	Purpose 76
7.2	Supervision 76
8.0	Employer’s Liability 79
8.1	Competent Staff 79
8.2	Adequate Plant and Equipment 80
8.3	Safe System of Working and effective supervision 81
9.0	Bullying in Schools 87
9.1	Findings for Survey 87
9.2	Who is Involved in bullying? 88
9.3	Types of Bullying 88
9.4	Cyber Bullying , The New Frontier 89
9.5	Response of Schools to Bullying 90
10.0	Human Trafficking 91
10.1	What is Human Trafficking? 91
10.2	What are the Types of Human Trafficking? 91

10.3	Does Human Trafficking Exist in Jamaica?	91
10.4	Is There Domestic Legislation Relating to Human Trafficking	92
10.5	How Does the Government Respond to Human Trafficking?	92
10.6	What are some of the Preventative Measures?	92
10.7	What Can You Do to Help Fight This Crime?	92
10.8	Duty to Report	93
10.9	Ananda Alert	95
	Disclaimer	99
	Appendix	99
	References	102

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FOREWORD



As Minister of Education (MoE), I am particular pleased with the review of the Security and Safety Manuals for the nation’s schools. The review comes at a time when our nation is faced with attacks of violence against our children and as a consequence, greater emphasis must be placed on families, communities and other stakeholders including the schools having a full understanding of the duty of care that is necessary for the protection of our children in accordance with the laws established to guide our children.

Inter alia, with trends in human trafficking, cyber-crime and new fronteir in safety issues, the second edition of this manual treats comprehensively with these areas as well as bullying in schools.

I would like to congratulate the Ministry of Education’s team as well as the many Ministry partners who have worked tirelessly over several months in ensuring that the information contined herein meets not only national standards but is comensurate with international conventions dealing with the rights and safety concerns of children.

A handwritten signature in black ink, appearing to read "Khalid Al-Faraj", written in a cursive style.

STANDARDS

What Are Standards?

In a general sense, the concept of a standard refers to a widely agreed, accepted, and sometimes mandatory level of quality or attainment. In order to “operationalize” the concept of a standard, it is useful to consider the following dimensions:

A Standard is a Measure

- A basis for comparison; a reference point against which other things can be evaluated
- A criterion for evaluating performance and results

A Standard is a Norm

- A widely held and accepted belief or view of a process, ethic, moral, behaviour, quantity or quality¹
- A principle commonly agreed on by experts in evaluation, or a measure of a value or quality.
- Established, well-known or widely recognised model of authority or excellence

A Standard is Aspirational

- The ideal by which something can be judged
- Guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context
- Best practices

¹ campuspol.chance.berkeley.edu/GlossaryofTerms.doc

A Standard is Directional

- Performance specifications that, if attained, will lead to the highest possible quality in the system
- A set of criteria or instructions in the form of expectation, guidance, specification, rule, regulation, law, or ethic
- An explicit statement of expected quality

A Standard is Consistent

- Established set of criteria that provides for common and repeated use² when faced with the same challenge, condition or situation
- Accepted practice, benchmark, or yardstick that is permanent or long standing, against which other value or quality can be determined
- Requirements employed to prescribe a disciplined and uniformed approach to solving common and routine problems or determining values

A Standard Requires Compliance

- Established by authority, custom, or general consensus as a model, for example
 - A widely used procedure, unit of value, or criterion
- By definition, for a unit of value, procedure, guidance, regulation or criterion to be considered a standard, it must be widely used and have general compliance either voluntarily or enforced.

² www.bsi-global.com/en/Standards-and-Publications/About-standards/Glossary.

DEFINING MINIMUM STANDARDS

Minimum standards refer to the level of performance or quality to which all agents in a given system must comply. The minimum standard is mandatory and supported by policy direction, regulations and legislation. The minimum standard therefore, emphasizes enforcement and direction.

Aspirational standards set the ideal or optimum, and encapsulate the target to which all agents, including the most challenged, should aspire. The aspirational dimension does not require enforcement. Instead, agents are challenged to improve their level of performance and quality through the processes of goal setting, incentives, guidance, participation and consensus, which ultimately lead to voluntary compliance. The standards for improving quality are presented in three segments:

1. Aspiration

In this context, an aspiration is a statement of the ideal or expected state of quality, or performance.

2. Guidance

The Ministry of Education (MoE) considers guidance to be a set of enlightening explanations of the desired operations of the system, designed to give a deeper understanding of this system and the role and desired actions of all agents. It also seeks to give general direction to agents, and may suggest possible options or pathways to achieve the desired state. Importantly, guidance seeks to develop compliance without enforcement by providing incentives and challenges. It recognizes that where there is a shared vision of the ideal, agents of their own volition want to achieve the ideal state. Guidance allows agents to use their initiative and creativity within the general bounds and direction given from the central plan towards achieving the ideal state. In this way, agents develop and own new ideas, diversity and competition are maintained, and enforcement resources can be focused on weak areas or reluctant agents.

3. Directives

The Ministry of Education's interpretation of directives is a set of specific instructions that all agents are required to implement, which should lead to a uniformed, consistent, and universal quality of operation. Directives are aligned with achieving the Minimum Standard. Oftentimes, a directive will prescribe 'zero tolerance' for certain behaviours or infractions.

In this dimension of the standard, the agents' actions are governed by rules and discretion is limited. Nevertheless, agents are expected to use reason and good judgment in all cases.

Summary

This model of setting and delivering standards allows agents to exercise autonomy and discretion in areas where they have exceeded the minimum requirement. At the same time, they will still be focusing their effort in uniformed and directed ways in areas where they are below the minimum requirements. It seeks to ensure that all agents attain a minimum level of quality in an even and focused manner. The model also reduces problem solving effort and increases the overall efficiency of the system by converting best and appropriate practices into routine and standardized applications.

ZERO TOLERANCE

What is Zero Tolerance?

Zero tolerance refers to mandatory sanctions for an infraction of a specific nature, regardless of extenuating circumstances such as, mistakes or ignorance. The concept is born out of the North American law enforcement experience. Its wide-scale application to education started when the federal government of the United States of America passed the Gun-Free Schools Act of 1994³. The application of zero tolerance policies in education has since spread to other jurisdictions and applied to a variety of infractions, such as alcohol and the use of drugs.

Zero Tolerance in the Jamaican Education System

To operationalize the concept of zero tolerance it is useful to consider some of its dimensions:

1. Sanctions are Mandatory with Limited Discretion

The enforcement agent is mandated to report the offence and apply sanctions to the offender. The enforcement agent may be allowed very limited discretion in the type and severity of the sanction. However, where discretion is allowed, there is usually a minimum sanction that must be applied. The reporting requirement is usually absolute. Warnings are not part of a zero-tolerance system. The principle is that offences must be reported and punished on each occurrence.

³ That law mandated a one year expulsion of students for possession of a firearm and referral of the offender to the criminal justice system.

2. Sanctions are Predetermined and Consistent

The exact punishment or penalty is decided before the offence is committed. Sanctions are applied to all offences, each time they occur, regardless of the seriousness or innocuousness of the offence. Predetermined sanctions do not consider the circumstances in which the offence occurred. Sanctions are applied by offence and not according to circumstance. It does not matter how or why the rule was broken, the fact that the rule was broken is the basis for the imposition of the penalty. The Guidance Counsellor can explore further the reasons for the breaking of the rules

3. Sanctions are Significant and Inflexible

Penalties for infractions are considerably greater than the infraction contemplated. The inflexible application of a considerable predetermined penalty adds greater imbalance in the penalty/offence equation. Offenders with mitigating circumstance or involuntary commission, face the same penalty as offenders with premeditation and malice.

Under a zero tolerance framework relatively minor offences are prosecuted with more severe penalties. The assumption is that the deterrent effect is greater if the penalty exceeds the offence and the penalty is inflexible.

Understanding the Ministry of Education's Zero-Tolerance Strategy

The Ministry of Education does not sanction the full adoption by Jamaican schools of zero tolerance as practised in the United States of America. Such an approach does not provide school administrators with sufficient discretion to take all the circumstances of each individual case into consideration and is therefore manifestly unfair to the student. The Ministry of Education is desirous, however, of fostering a Zero-Tolerance Approach customized for the Jamaican school system as explained below.

It must be clearly understood that the school is not a place for breaking the law. Whatever is illegal in the society is illegal in the school, and the school as the chief socialization agent of the State, has a duty to ensure that the law is observed in its domain.

In particular, the school leadership has a duty to report infractions of the law to the relevant authorities, in addition to applying sanctions and such measures as are necessary to assist and support the student in modifying behaviour.

As necessary, the Ministry of Education will declare certain infractions to be treated in a zero- tolerance framework. These infractions will usually be those prescribed in law and are prevalent and dangerous occurrences. Zero tolerance in this sense will mean that:

- The Principal must report the offence to the relevant authority. There is no discretion to ignore or 'cover up' the offence designated as zero tolerated.

- The Principal and where appropriate, the school board must apply sanctions to the offence in accordance with the Code of Regulations and the school rules, and the sanction must be appropriate to the offence. Principals and school boards are encouraged to avoid unfair punishment and should try to match penalty with offence, and in addition ensure rehabilitative interventions where necessary.

RECORDING AND REPORTING REQUIREMENTS

Understanding the Recording and Reporting Requirements of the Ministry of Education

The main source of law governing the public education system in Jamaica is the Education Act, 1965, and the regulations made there under. Key reporting and recording requirements prescribed by The Education Regulations, 1980, include:

1. Regulation 17 (1) (p) and 17 (2): every public educational institution is required to keep such records as the Ministry may direct and to allow these records to be made available for inspection at all reasonable times by Board members, supervisory staff of the MoE and such persons as may be authorized by the Minister.
2. Regulation 17 (1) (n): every public educational institution is required to keep a cumulative record of every student of that institution.
3. Regulation 20(1)(f) and 20(2), (5) and (6): a Principal (or his designate) is required to make entries in the school's log book of any serious breach of discipline or neglect of duty on the part of any student. A student and his parent/guardian must be made immediately aware of any entry made in the log book concerning any serious breach of discipline or neglect of duty on the part of that student. The parent/guardian is also entitled to a copy of the entry upon request. Entries in the log book are of an official nature and should not be communicated to any unauthorized person. The log book should be carefully preserved as a permanent record of the institution.
4. Regulation 28 (2) to (4): upon the transfer of a student from one public educational institution to another, the Principal of the institution that the student last attended shall provide to the Principal of the receiving school a transfer record of the

student, inclusive of details of standards achieved and general remarks on work and conduct. Alternatively, a cumulative school record may be provided.

5. Regulation 30 (5): a student who has been permanently excluded for disciplinary reasons from a public educational institution may be admitted to another such institution if a confidential report of the circumstances surrounding his exclusion is given to the Principal of the receiving school.

Inappropriate and disruptive behaviour of students in school affects the security and safety of the institution. Where such behaviour is observed or brought to the attention of the Principal or teacher, it must be recorded to the account of the students involved. Students must be guided to the understanding that their permanent record has captured good as well as bad behaviour and the bad has consequences now and in the future. Students should be advised that behaviour which threatens the security and safety of the school environment will have a negative impact on their future prospects.

The MoE has created as a tool of behaviour management a permanent record for every student in the education system. This will be a part of the National Student Registration system. The permanent record will be a detailed account of the academic performance as well as the conduct of the student in school. In the first instance, the record should move with the student through the secondary education system and should be used to inform teachers in developing appropriate teaching and behaviour management strategies.

In the interim, pursuant to Regulation 17(1) (p), Principals are directed to keep a cumulative record for each student that shall include entries relating to the student's academic performance, any commendations the student has received, and his involvement in extra-curricular activities, as well as any disciplinary infractions.

Any entry relating to a serious breach of discipline or neglect of duty by a student should be brought to the attention of that student and his parent at the time of recording and a copy of the entry provided if requested.

Additionally, pursuant to Regulation 17 (1), the MoE requires Principals and teachers in all public educational institutions to record and track behaviour of students in their charge and report to the MoE in the prescribed format and frequency. This is dealt with further in this Manual at paragraph 1.2.3. Where a student's behaviour results in a criminal offence, in particular, the possession of weapons and/or drugs, this must be reported to the police.

The Education Act and Regulations are not the only statutory instruments affecting school administrators. The Child Care and Protection Act, 2004 (CCPA), and the Access to Information Act, 2002 (ATIA), are also relevant to the reporting and recording requirements of the school.

Under section 6 of the CCPA, Principals, teachers and other teaching personnel are required to make a report to the Children's Registry on the prescribed form where, in the discharge of their duties, they acquire information that ought reasonably to cause them to suspect that a child has been, is being, or is likely to be abandoned, neglected or physically or sexually ill-treated or is otherwise in need of care and protection. Section 6 also places a duty on all adults to make a report where they have information which causes them to suspect that a child has been, is being or is likely to be similarly mistreated.

Under the ATIA:

1. A person has a right to obtain access to an official document other than an exempt document⁴. An 'official document' means a document held by a public authority in connection with its functions (i.e. in its possession, custody or control)⁵. A Board of Management of a public educational institution, which

⁴ Section 6 of the Access to Information Act, 2002

⁵ Section 3(1), *ibid*

derives its existence from statute⁶, arguably falls within the definition of a 'public authority'⁷.

2. A public authority is precluded from granting access to an official document if it would involve unreasonable disclosure of information relating to the personal affairs of any person unless the application is made by the person whose affairs the document relates (e.g. a past student, or parent of a student under the age of 18)⁸.
3. Where a person claims that an official document contains personal information about the person that is:
 - incomplete, incorrect, out of date or misleading; and
 - has been used, is being used or is available for use by a public authority for administrative purposes that person has a right to apply to the public authority for an amendment or annotation of the document⁹.
4. There is a right of an appeal/review against a decision denying an application for access, or an application for amendment/annotation, respectively¹⁰.

⁶ Section 9 of the Education Act, 1965

⁷ Section 3(1) of the Access to Information Act, 2002

⁸ Section 22, *ibid*

⁹ Section 24, *ibid*

¹⁰ Section 29 and 30 of the Access to Information Act, 2002

SEARCHES

Purpose of Policy

The purpose of this policy is to set forth standards and procedures to be followed by security personnel, teachers, Principals and/or vice-Principals when conducting student searches; with the aim being that of maintaining a safe school environment.

The policy will also seek to provide guidance that will allow for any property, including but not limited to dangerous material, weapons, illegal substances or narcotics, seized from a student during a student search is secured and disposed of in a safe and legal manner.

What is a Search?

The following are examples of searches.

- Examining private items or places that are not in the open and exposed to public view
- Physically examining or patting down a student's body or clothing, including the student's pockets
- Opening and inspecting personal possessions such as purses, backpacks, bags, books, notes, calendars, appointment books and closed containers
- Handling or feeling any closed, opaque item to determine its contents when they cannot be inferred by the item's shape or other publicly exposed physical properties

What is Not a Search?

The following are not searches:

- Observing an object in plain view where it is exposed to the public
- Examining an object after a student denies ownership of the object
- Examining an object abandoned by a student
- Detecting anything openly exposed to the senses of sight, smell or hearing, as long as school officials are located in a place where they have a right to be (e.g. a male teacher seeing and smelling marijuana smoke in the boys' restroom)
- Using extraordinary means to enhance sensory perceptions in open areas (e.g. using flashlights, binoculars etc., are not searches)

General Rules for Student Searches by School Officials on School Property

Legal Justification

The fundamental human right to protection against unlawful searches and seizures is a part of English Common Law. From the Common Law, this right has passed into the Fourth Amendment to the Constitution of the United States of America and into the constitutions of countries throughout the world. In Jamaica, it appears in Section 19 (1) of the Constitution:

19. (1) Except with his own consent, no person shall be subject to the search of his person or his property or the entry by others on his premises.

- But the right is not absolute. A search can be done but it must be justified by law.

- There are cases in which the power to conduct a search without the consent of the person being searched is necessary for the proper functioning of a democratic society¹¹. In Jamaica, Section 19 of the Constitution restricts the power of the legislature to create new powers of search. They must come within one of the categories listed in Section 19(2) of the Constitution, that is, reasonably required: ***in the interests of public safety, public order, public morality; or for the purpose of preventing or detecting crime; or for the purpose of protecting the rights or freedoms of other persons.***

- There is currently no legislation that specifically deals with the search of students by school officials.

- At Common Law, however, a Principal or teacher may be justified in committing a trespass against a student where the action in question is reasonably necessary for the maintenance of discipline or for preserving that student's welfare. The authority of the Principal is, while it exists, the same as that of the parent. A parent when he places his child in a school delegates to the Principal all his own authority so far as it is necessary for the welfare of the child¹².

- In an English case, it was recognized that a school official could remove a book from a student's pocket without his consent and retain the book and student's papers where he had reasonable grounds to believe the book and papers contained evidence of misbehaviour¹³

¹¹ Per Lord Hoffmann in *The Attorney General v. Danhai Williams and Danwills Construction Ltd. (P.C.)* (1997) 34 J.L.R. 229 at 230

¹² *Ryan v. Fildes and Others* [1938] 3KBD; *Fitzgerald v. Northcote and Anor* (1865) 4F &F 656; Halsbury's Laws of England 4th Ed. Reissue Volume 15(1) para 414, n. 2 (mostly on authority to administer reasonable corporal punishment); *Education Law*, K.P. Poole, (London, Sweet & Maxwell, 1988), 299 to 302. The disciplinary authority exercised by school officials may either be said to be delegated from the parent or arise as an incident of the unique relationship between school officials and the students who are entrusted to their care and tutelage.

¹³ *Ryan v. Fildes and Others* (1938) 3KBD

- In a Canadian case, involving the right to privacy protected under the Canadian Charter of Rights¹⁴, it was stated: *“Teachers and Principals are placed in a position of trust that carries the onerous responsibilities of teaching and caring for the children’s safety and well- being. In order to teach, school officials must provide an atmosphere that encourages learning. The possession of illicit drugs and dangerous weapons at school challenges the ability of school officials to fulfil their responsibility. Current conditions require that teachers and school administrators be provided with the flexibility needed to deal with discipline problems in schools and to be able to act quickly and effectively. One of the ways in which school authorities may be required to react reasonably is by conducting searches of students and seizing prohibited items...a search may be undertaken if there are reasonable grounds to believe that a school rule has been or is being violated and that evidence of the violation will be found in the location or on the person of the student searched. Searches undertaken in situations where the health and safety of students is involved may well require different considerations. All the circumstances surrounding a search must be taken into account in determining if the search is reasonable.”*

In concluding, the common law authority bestowed on school officials to search students where they have reasonable grounds to suspect that a crime or (reasonable) school rule has been or is likely to be violated is entirely consistent with the protection of privacy enshrined in the Jamaican Constitution.

Defining Reasonable Suspicion¹⁵

“Reasonable suspicion” means that the person initiating the search has a well-founded belief, based on objective facts that can be articulated, of either criminal activity or a violation of school rules. “Reasonable Suspicion” encompasses more than a mere hunch or supposition¹⁶.

¹⁴ *R. v. M.R.M.*, [1998] 3 SCR 393. Section 8 of the Charter reads: “Everyone has the right to be secure against unreasonable search or seizure” See also the United States Supreme Court decision in *New Jersey v. T.L.O.* 469 U.S. 325 applying the Fourth Amendment of the US Constitution to searches by public school officials. In both cases, the searches were held to be lawful

¹⁵ Adapted from Florida School Search Manual, prepared by the Office of the Attorney General of Florida and accessed at <http://myfloridalegal.com>.

¹⁶ *Ibid*

Authority to Initiate a Student Search: Reasonable Suspicion¹⁷

To initiate a lawful search, a public school official must have reasonable grounds to suspect that all of the following exist:

1. A crime or (reasonable) school rule violation has been or is being committed;
2. A particular student has committed a crime or school rule violation;
3. Physical evidence of the suspected crime or school rule violation is likely to exist;
4. Physical evidence would likely be found in a particular place associated with the student suspected of committing the crime or school rule violation.
5. In the interest of public safety and public order, the Principal may initiate searches at official access points for students entering the school premise or any other area on the school plant that a search is deemed necessary.

Factors Justifying a Search¹⁸

The following are examples of relevant factors in determining whether reasonable suspicion exists to initiate a student search. Sometimes, one factor by itself is sufficient to create a reasonable suspicion (e.g. a teacher glimpses a weapon in a backpack); other times, multiple factors must be present (e.g. a school official approaches an area where students frequently smoke cigarettes and a student appears nervous, discards an object and attempts to flee).

Factors Generally Sufficient by Themselves

- A crime or school rule violation is observed in progress
- A weapon or portion of a weapon is observed on a student
- A student has told others that he or she has a weapon on campus
- A student has been seen in possession of an illegal weapon

¹⁷

¹⁷ Ibid

¹⁸ Although referring to statutory authority for search: R Stone, Entry, Search and Seizure, (London, Sweet & Maxwell, 1985), p.61; Blackstone's Criminal Practice, 1992, para. D1.2; Attorney General v. Danhai Williams and Danwillis Construction Ltd. (P.C.) (1997)³⁴

- A student has been seen in possession of stolen items
- A student is found with incriminating items
- The prevalence of illegal weapon or substances entering in the school compound
- The smell of burning tobacco or marijuana is detected
- A student appears to be under the influence of alcohol or drugs
- A student admits to committing a crime or school rule violation

Factors Generally Not Sufficient by Themselves¹⁶

- A student flees from the vicinity of recent crime or school rule violation
- A student flees upon the approach of a school official
- Imprecise information about a crime or school rule violation has been provided to school officials
- A student threatens others with words or behaviour without an indication that the student possesses a weapon (a reasonable indication that student possesses a weapon always provides reasonable suspicion justifying a search)
- A student has a history of previous similar criminal or school rule violations
- A report has been made of a stolen item, including a description and value of the item and place from which it was stolen
- A student was seen leaving an area where crimes or school rule violations are often committed
- A student became unduly nervous or excited when approached by a school official
- A student made a suspicious movement. (Note: To provide the basis for a search, a witness must be able to describe the exact conduct and why it was suspicious)

Documentation

Documenting a Student's Consent to Search

A student may consent to a search. Schools should take care to document consent where given.

Student Search Report Form

Schools should develop a standard form covering, for example, the grounds for reasonable suspicion.

Procedure for Searching Students^{16a}

Once reasonable suspicion justifying a search has been established, the following general guidelines should be followed: (For ease of reading, the student will be referred to in the masculine gender; however these procedures apply equally to female and male students).

1. **Remove Student to a Private Area.** Personally escort the student to be searched directly to the office or other private location.
Maintain contact with the student from the time he is retrieved from the classroom, or other school area, to the time he reaches the search location to ensure he does not abandon contraband or evidence.
2. **Always Watch Student's Hands.** If a student is suspected of having a weapon or drugs, the student may try to discard it if the opportunity arises. This can occur from the time the student is told to accompany a school official to the office, up to and including the time when the student is actually in the office and being searched. Never allow a student to follow behind a staff member where the student cannot be observed.

3. **Searches are to be Conducted by Authorised Personnel.** Only the Principal is permitted to search a student, unless the task is delegated to any of the following persons of power:
 - The Vice Principal
 - The Dean of Discipline
 - The Guidance Counsellor
 - Senior Teacher, such as Head of Department
4. **Always Have a Witness.** From the inception of the search until the evidence is properly secured, ensure another school official is present as a witness. This strengthens the case against the student and protects the searcher from charges of improper conduct.
5. **Have Searcher and Witness of Same Gender as Student.** Student searches should be conducted and witnessed by school officials of the same gender as the student. This will protect the student's rights and guard the searcher against charges of improper conduct.
6. **Keep Searches Discreet.** Searches should be conducted discreetly and with an eye toward causing the least amount of embarrassment to the student as possible. Only the searcher, witnesses and student should be present. A student should never be searched in front of another student.
7. **Give Students a Chance to Surrender Item Sought.** Tell the student what you are looking for and give him a chance to surrender the item. Before beginning the search, ask the student if he has anything in his possession that is illegal or violates school rules. If the student hesitates, tactfully advise him that you have reasonable grounds to suspect that he in fact possesses such an item. Further, explain that you plan to conduct a search and that it would save everyone time and unnecessary embarrassment if he cooperates.

8. **Direct Student to Remove Outer Clothes and Empty Pockets.** The student should first remove any outer clothing such as a sweater and shoes. The student's uniform should not be removed (unless a blazer). The student should remove all objects from his pockets. These items should be laid aside until the student search is completed. Conduct the search on the side of the student's body working from top to bottom on each side. Do not stop if contraband is found. Continue until all places have been searched. Next, turn attention to items that have been set aside.

Items that could conceal relevant contraband or evidence should be searched.

Remember: The scope of the search must be reasonably related to the circumstances that justified the search and the items sought. (For example, a search of backpack for a stolen pair of shoes generally would not justify opening and examining the contents of a small coin purse in the backpack; however, a search for suspected marijuana should generally include a probe of the coin purse.)

9. **Seize Illegal Items or Evidence. Seize any item that is illegal or is evidence of a crime or school rule violation.** Each seized item should be placed inside a separate sealed envelope. The envelope should be marked with inventory information, including a description of the item seized, the date and time of the seizure, source of the item, the name of the person who seized the item and the name of the person(s) who witnessed the search. Seized evidence should be secured in a locked storage area with restricted access. Illegal items and evidence of crimes should be handed over to the police immediately or as soon as reasonably practicable.
10. **Special Considerations for Weapons.** Every school should have in place a plan for dealing with students who possess weapons on school property, in school buses and at school events. Every school administrator, teacher and other staff members should be familiar with the plan. Where students are suspected of

having a weapon, they should be asked to voluntarily hand over to a teacher, dean of discipline or the Principal. In cases where the student fails to hand over and the aforementioned conditions for a search are justified, the persons so authorized should with caution proceed to search and remove the weapon and to do so in a manner to not cause arm/injury. In extreme cases, the school resource officer, or the police, should be notified for their assistance and intervention.

Use of Metal Detectors^{16b}

Where circumstances exist that give school officials reasonable grounds to believe that the health and safety of students or staff at a school may be endangered by the threat of drugs and/or weapons on the school campus, then the MoE endorses the use of metal detectors at fixed locations, such as school entry ways, or at randomly selected locations around the school, for the purpose of conducting indiscriminate screening of students. The purpose of this exercise is to ensure, as far as possible, a safe and weapons-free environment conducive to teaching and learning.

A metal detector is minimally intrusive and indiscriminate screening bears little or no stigma. As such, the Ministry regards the screening of students using metal detectors as a reasonable measure in response to a credible threat to school safety. The school official is not required in such a case to have a reasonable suspicion that a particular student has committed or is likely to commit a violation.

However, school officials should not use screening with metal detectors to target particular individuals or groups unless they have reasonable grounds to suspect that the targeted individual or each member of the targeted group has committed or is likely to commit a crime or school rule violation.

The following procedures are recommended whenever metal detectors are used for indiscriminate screening:

1. Request all students to empty their pockets and belongings of all metal objects before the search.
2. If a large walk-through metal detector is activated indicating the possible presence of metal, request that the student pass through the metal detector a second time.
3. Use hand-held metal detector, or magnetometer, if available, to focus on and discover the precise location of the metal source.
4. Expand the search only if the activation is not eliminated or explained. If no less-restrictive alternatives remain available, a limited pat-down search for a weapon might then be necessary.
5. Before extending the search beyond a pat-down, take the student to a private area.
6. Any expanded search, such as a frisk or a request to open purses or book bags, should be conducted in keeping with the guidelines for searches set out above.

Strip Searches of Students

Strip searches are highly intrusive law enforcement procedures that must not be done by school officials.

Note Briefly:

Unless by agreement, school officials have no legal authority to conduct searches on members of staff; whether they be teaching, administrative, ancillary, or otherwise. Where employees are suspected of unlawfully removing property not belonging to them, the police or school resource officer should be notified forthwith for their attention.

Registered security guards may conduct searches of vehicles entering and exiting the school compound, but should not engage in an actual body search of students, i.e. body pat downs. Security guards are authorized to use metal detectors to scan students and/or visitors entering the premise. In the event that the student refuses to be searched, the Principal should be notified forthwith.

SECURITY GUARDS

School administrators generally employ/contract security guards for providing security services. The following represents the guidelines concerning arrangements with these individuals or groups:

1. Companies **MUST** be registered with the Private Security Regulation Authority (PSRA) which falls under the Ministry of National Security.
2. The company must produce proof of such registration on an annual basis to the school administration or the Principal.
3. Individual guards must also be registered with the PSRA.
4. No individual should perform the duties of providing security or to function in that capacity unless they meet the requirements stated hereto.
5. Unless there are prevailing circumstances, The MoE does not support armed guards during normal school operation when students are present. This rule, however, does not apply for schools that contract guards who perform duties after school/overnight.
6. The MoE does not under any circumstance support the use of a guard dog during school hours at school.

PART 2A- SCHOOL SECURITY AND SAFETY STANDARDS AND GUIDELINES

1 CREATING A SECURITY AND SAFETY NETWORK

Aspiration #1: The school has an established and robust management structure and security and safety network, comprising school and community stakeholders, to support security and safety objectives and activities

Guidance:

1.1 The Role of School Leadership

Security and safety is a management function of the leadership of the school. The Principal is the chief security and safety officer of the school. He/she is responsible for planning and administering the day-to-day security and safety arrangements at the school within the policy framework that is laid down by the school board.¹⁹

The school board is in turn responsible to the Minister for ensuring that effective policies, programmes and measures are developed and successfully implemented for the safety of students, staff and school property²⁰. At common law, the school board also has a duty of care for the safety of students entrusted in the care of the school.²¹

¹⁹ Education Regulations, 1980, Reg. 44(1) and Schedule D, paragraph 4(1) (b) and (k).

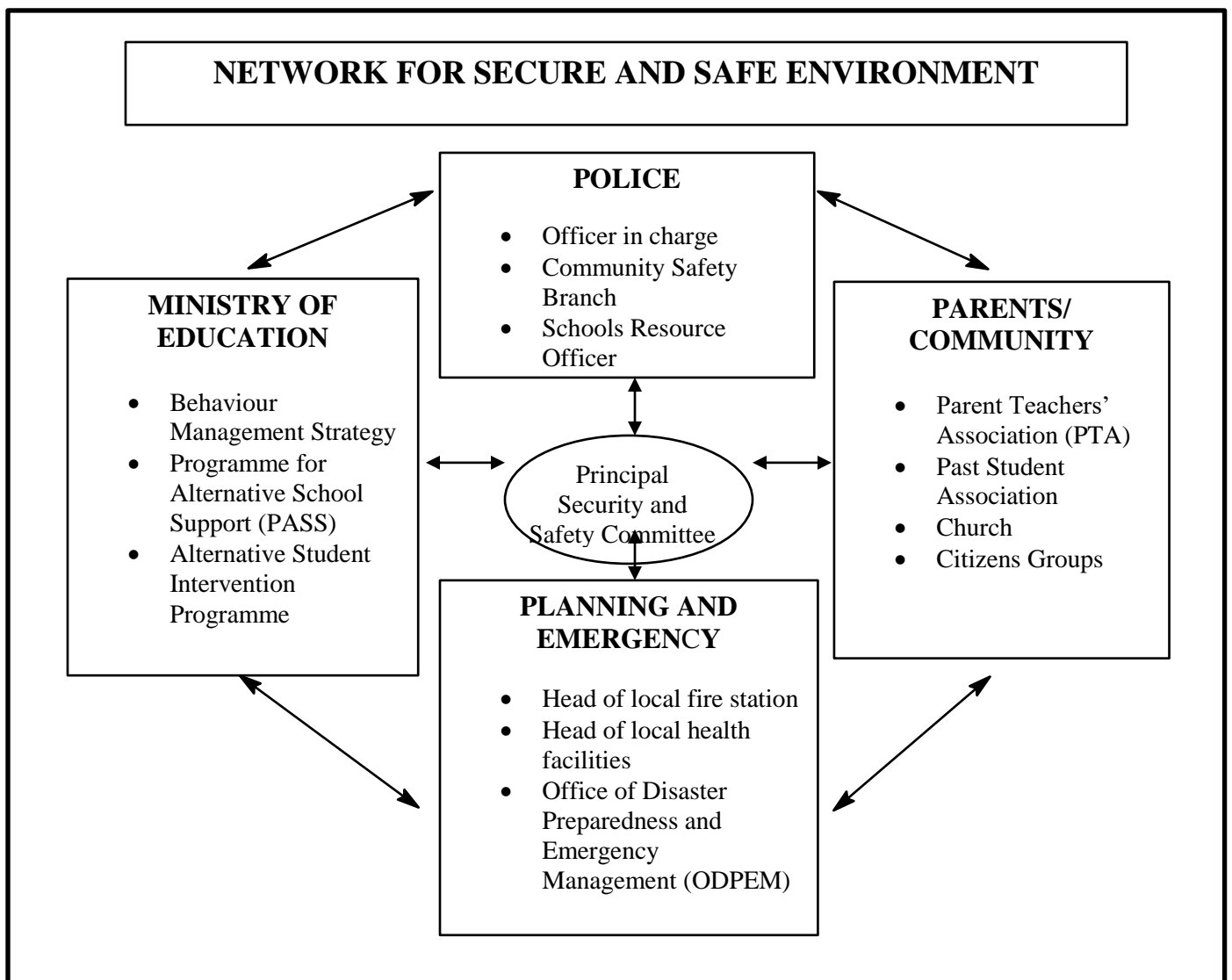
²⁰ The Education Act, 1965, Section 9; and see Education Regulations, 1980, Regs. 89(1) (a), (f), (g), (h), 89(4) & 13(1) for examples of the powers and duties of the Board

²¹ Under the Occupiers Liability Act, 1969, the Board owes a statutory duty to staff, students and visitors to take such care as in all the circumstances of the case is reasonable to see that these persons will be reasonably safe for the purpose for which they are permitted to be there. The Board may be vicariously liable for the negligence of their employees. The Board also has a duty of care towards its employees to provide a safe place of work.

Directives:

1.2 Establishing the Security and Safety Network

The Principal is directed to establish a Security and Safety Committee from among his/her staff and the school resource officer (SRO) to assist in developing, implementing, monitoring, and evaluating the security and safety operations of the school. The dean of discipline must play a key role with the operations of this committee. The Committee must be the hub for activities of the School Security and Safety Network, forging links with the relevant community stakeholders as demonstrated below.



Decisions of the committee with policy or budgetary implications should be submitted as soon as possible to the Board for approval. Security and safety must be an agenda item at all management meetings. The School Security and Safety Network will require the input of all stakeholders.

1.2.1 Parents and Guardians

Security and safety of the school environment begins at home. Parents are critical stakeholders in achieving a secure and safe school environment. Principals are directed to engage parents in reinforcing the security and safety standards, rules and guidelines of the school. Parents must be involved in developing the security and safety procedures and they must be constantly informed and updated as security and safety procedures evolve. Security and safety must be an agenda item for all Parent Teachers Association meetings.

1.2.2 Students

The Principal is directed to engage students in a security and safety campaign²² in schools. The campaign should encourage students to be proactive about their own security and safety, to be alert and observant and to relay information about security and safety risks to school personnel. Students must be informed of the security and safety rules, guidelines and procedures, and the risks and penalties associated with breaches²³. They should be consulted on policies concerning their rights and responsibilities and where appropriate, their views should be accommodated.²⁴ Such consultation provides an excellent opportunity for students to learn how to behave as law-abiding and responsible citizens in a democratic society. Security and safety should be integrated into the curriculum and teaching strategies of the school.²⁵

²² Principals should use their own initiative to develop appropriate security and safety awareness programmes and campaigns in their schools.

²³ The Board is responsible for approving school rules: See Reg. 89(1)(h) of the Education Regulations, 1980

²⁴ Ibid. This could be achieved through the student council. In addition, the students' representative on the Board could be invited to make representations on the matter

²⁵ The school is expected to use its initiative and creativity in infusing security and safety into the curriculum. The MoE will give suggestions, however we believe it is important to develop best practices in this area.

1.2.3 School Staff

The Principal is directed to develop a system of detecting and recording disruptive activities in the school. Teachers are required to record and report observed disruptive behaviour in keeping with the procedure laid down in the Education Regulations, 1980, and as directed from time to time by the MoE. The MoE has developed a Daily Behaviour Record Sheet (See appendix) which will assist teachers and Principals in capturing data and analyzing potential trends in anti-social and disruptive behaviour²⁶. The entire staff of the school must be sensitized and alerted to the signs of anti-social behaviour and develop a culture of recording and reporting such behaviour.

1.2.4 The Police and Fire Services

Principals are directed to make contact with the officer-in-charge of the local police station and the nearest fire station and establish a protocol for co-operation.

Principals are also directed to make contact with the Community Safety and Security Branch of their respective police zones to conduct a Crime Prevention Survey/ Safe Schools Audit on the school and its facilities at reasonable intervals or as needed. In particular, Principals should engage the police in a concerted and proactive effort to tackle the problem of gangs, possession of weapons, extortion, drug use, violence, and petty offences in schools.

The MoE strongly recommends that Principals organize regular educational programmes in collaboration with the police, where the police and other relevant support agencies are invited to conduct informative and motivational discussion sessions with students. Principals should also seek the co-operation of the police in implementing the schools' search programme.

²⁶Reg. 17(1)(i) and(p), Reg. 20(1) (f) of the Education Regulations, 1980. See "Understanding The Recording And Reporting Requirements of the MoE" at pages 7 to 8 of this Manual.

1.2.5 Other Government Agencies

The Principal is directed to establish and maintain a good working relationship and collaborate with all national and local government agencies that can assist the school with security and safety issues. Principals are specifically directed to engage the local fire service, the Office of Disaster Preparedness and Emergency Management (ODPEM), and the Public Health Department in developing safety plans for their schools.²⁷

The MoE has developed a Critical Incident Management Manual that gives clear and detailed guidelines on safety issues and procedures. Relevant government agencies must be utilised and consulted in developing evacuation plans, disaster preparedness plans, and accident and emergency plans, to ensure that national standards in these areas are met.²⁸

1.3 Emergency Drills and Preparation Plans

Principals are directed to plan and execute at least three emergency drills for the school year, covering fire, earthquake, and school invasion. As far as possible, the fire services and the local police and local health personnel should be invited to assist in the drill.

Principals are directed to have a Hurricane Preparedness and Recovery Plan.²⁹ While the greater part of the hurricane season falls within the summer, the ending of the school year in June and the beginning of the school year in September can be affected. Additionally, schools that are owned by the Government form part of the national emergency response as shelters, storage and logistics centres and command and control headquarters.

²⁷ Principals have a duty to ensure that safety equipment is regularly inspected and safety drills conducted: See Reg. 13(2) of the Education Regulations, 1980. The Board of Management has a duty to ensure that safety and protective equipment is provided to students and staff involved in practical activities, and that proper safety precautions are also adopted: See Reg. 13(1) of the Education Regulations, 1980. A similar duty of care exists at Common Law.

²⁸ Contact may be made with the Occupational Health and Safety Department, in the Ministry of Labour and Social Security for assistance, or visit the Department's website at <http://www.mlss.gov.jm/eoshd/home.php>.

²⁹ The MoE has developed a proforma Hurricane and Disaster Recovery Plan for all schools. Principals may seek guidance from the ODEPM where necessary.

The school must determine beforehand the areas it needs to stay intact to facilitate speedy re-opening. Depending on the need and the magnitude of disaster, specific areas not critical to re-opening should be made available to the relief exercise in the first instance.

Principals are directed to make contact with the administrator in charge of the nearest public health facility in order to develop a working relationship and establish a protocol for cooperation on health and safety education and service provision in emergency situations.

2.0 CONTROLLING ACCESS TO SCHOOL CAMPUS

Aspiration #2: The Principal has effective control over the physical domain of the school.

Guidance:

2.1 Domain Control

The school is an institution in its own right and space. Its boundaries should be clearly defined and protected. The boundary of the school is as much defined by the rules governing conduct and behaviour as the structures around the physical domain. Schools are 'the nurseries of society' and as such they must offer a protected and controlled environment for students. To reinforce the aspiration of effective control, the MoE is challenging all schools to have a secured boundary fence. Where no fence exists or the fencing is inadequate, the school administration should develop plans and initiatives to have secured fencing erected. The MoE will provide support to schools in this endeavour. In the overall development plan of the school, fencing must now be considered a priority and school leaders are encouraged to independently mobilise resources to meet this critical standard in the shortest possible time.

Prior to the erection of the fence, the school should seek other alternate and innovative methods to ensure its perimeters are secured. This could include the use of technology such as installation of surveillance camera, patrolling of security personnel and or where cases allow, the use of plants to form barriers, as is the case with some of our primary schools. School administrators should work with the community members to ensure that the school is secured.

Directives:

2.2 Establish, Maintain and Control Entry and Exit Points

The Principal is directed to establish entry and exit points and clearly define them with appropriate signage. Entry and exit points should be operated in keeping with the school's Access Policy. The Principal should make arrangements for all established entry and exit points in use to be physically monitored. Where entry and exit points are not intended for use they must be closed and secured. It is the prerogative of the school, if it wishes, to use electronic methods such as, surveillance cameras, remote gates or turnstiles, to enhance physical monitoring.

2.3 Develop, Implement and Monitor the School Access Policy

The Principal is directed to develop and implement policies and procedures governing access to the school campus and the operations of entry and exit points, subject to the approval of the school board. These policies must be made known to the public through appropriate signage and should be communicated in writing to staff, students and parents. At minimum, the access policy and procedures should address the school operating times (see 2.4), identification, parking, prohibited items, dress code, acceptable behaviour, vending, visitors' access (see 2.6) and search.

2.4 School Access Policy - Operating Times

The Principal is directed to establish the operating times for access to the school, subject to the approval of the school board.³⁰ At minimum, provision should be made for the following operating periods:

- ***The Opening Time.*** This is the time that the school is open to students and marks the start of the school day.

³⁰ For definitions of school day and teaching hours, see Reg. 9 of the Education Regulations, 1980. For provisions on the use of school premises during and after school hours, see Regs. 15 and 16.

- ***The General Entry Period.*** The nature of school traffic dictates that there will be a peak flow at the beginning and ending of the school day. During this period, the school's cameras, remote gates or turnstiles can be used to enhance physical monitoring, where available.

Note: It is strongly recommended that the proper signage displaying the school's opening and closing hours be clearly visible to the general public.

2.6 School Access Policy - Visitors

2.6.1 Gaining Access

Persons seeking access to the school who are not members of the Board of Management, employees or students are considered visitors for the purposes herein. The Principal or his designate has the final authority in granting visitors access to school except for agents of the State in the course of their duties. This authority is subject to any directives from the school board, for example, as it relates to the press.

The access policy at minimum should require visitors to give particulars about themselves and their intended visit and should also stipulate the conditions of entry. For example, visitors should give their name, state the general purpose of their visit, and the name of the person they intend to visit. If the visitor seeking access is in a vehicle, then the particulars of the vehicle and the driver must be noted. Personnel monitoring the gate must enter all information received from visitors into a visitor's log³¹.

2.6.2 Movement

At minimum, procedures governing the movement of visitors should require all visitors to report to the administrative offices of the school from where they will be further assisted. Visitors should not be permitted to move about the school campus without the expressed permission of the Principal or designated staff. Where necessary, visitors

³¹ Reg. 17(1)(p) of the Education Regulations 1980 stipulates that the school shall keep such records as the Ministry may direct.

should be accompanied by a member of staff. If the nature of the visit requires the visitor to move about the campus for an extended period, he/she should be required to wear a badge clearly identifying him or her as a 'Visitor'.

2.6.3 Access and Movement of Press Personnel

Where the visitor is a member of the press, the Principal or his designate should be notified directly and approval given, on such conditions as the Principal deems appropriate, before entry is granted. Press personnel should be directed to the Principal's office for further assistance.

Press personnel should not be permitted to move about, record footage, or conduct interviews without the express permission of the Principal or designated staff. If the nature of the visit requires the press personnel to move about the campus, they should be accompanied by a member of staff and be required to wear a badge clearly identifying them as 'Press'.

2.7 School Security Personnel

All security personnel (school resource officers, security guards, and watchmen) should be trained and certified in established security procedures for operating in schools. The roles, relationships and jurisdiction for each category of security personnel should be clearly defined.

UNIFORMED GROUPS/CLUBS/SOCIETIES

Introduction

Schools across Jamaica have long maintained the tradition of Clubs and Societies on school grounds. It is rare to find one existing without the other. These clubs and societies have proven to be of great benefit to students in many different aspects of life. Over the years, the number of clubs has grown exponentially, ranging from the traditional clubs to more sophisticated groups offering a range of services. While many of these clubs and societies are established within the school, many are introduced by external parties. These parties are sometimes referred to as Uniformed Groups as also other third parties operating clubs.

With the aim to maintain the security and safety in schools, the MoE seeks to introduce this policy as a mandatory step when any third party/ uniformed group shows interest in establishing their club/group in any public school.

As with any external bodies, uniformed groups are now required to submit the necessary documentation to the Permanent Secretary when attempting to integrate their club into a specific school. Most incidents that occur involving external uniformed groups could have been avoided if the necessary steps were taken to disclose the history of the club; as well of the background information on those who are interested in establishing it within the school. The inability to provide the necessary information or to gain clearance from the MoE will result in the immediate rejection of application.

Full support is given to any individual and/or group with a club or society that will be truly beneficial to both student and school, providing that all necessary documents were submitted and clearance gained.

Purpose of the Policy

This policy aims to ensure that, while at school, students are not exposed to any form of harm, danger, or inappropriate behaviour and/or material during interactions with external groups. The policy also seeks to allow the MoE to develop a database of individuals and groups satisfying the criteria for entry into schools for the purpose of interacting with students. This policy seeks to promote groups and other clubs in schools. Existing groups that have been operating over a prescribed period will automatically be approved under a “grandfather clause”.

Documents to be submitted for new groups

- Submit in writing an application stating interest. The application must be addressed to the Permanent Secretary.
- Submit to the MoE an overview of the organization, highlighting the objectives as well as the organization’s structure
- Provide a recent police record for directors
- Complete Fit and Proper criteria form

PART 2B – SCHOOL SECURITY AND SAFETY STANDARDS AND GUIDELINES

3.0 CONTROLLING POSSESSION OF WEAPONS AND OTHER CONTRABAND IN SCHOOLS

Aspiration #3: The Principal has effective control over the items students take to school.

Policy on Firearm in School

Pursuant to the Firearm Act of Jamaica (2010), the following states the circumstances under which a person may be deemed to be in possession of a firearm and ammunition; Section 20 (a) states:-

(1) A person shall not - (a) save as authorized by a licence which continues in force by virtue of any enactment, be in possession of a prohibited weapon.

(5) In any prosecution for an offence under this section –

(a) any person who is in the company of someone who uses or attempts to use a firearm to commit –

(i) any felony; or

(ii) any offence involving either an assault or the resisting of lawful apprehension of any person shall, if the circumstances give rise to a reasonable presumption that he was present to aid or abet the commission of the felony or offence aforesaid, be treated, in the absence of reasonable excuse, as being also in possession of the firearm;

(b) any person who is proved to have in his possession or under his control any vehicle or other thing in or on which is found any firearm shall, in the absence of a reasonable explanation, be deemed to have in his possession such firearm

Definitions

The following are terms stated in accordance with the Firearms Act of Jamaica;

1. Firearm is defined as *“any lethal barrelled weapon from which any shot, bullet or other missile can be discharged, or any restricted weapon or, unless the context otherwise requires, any prohibited weapon, and includes any component part of any such weapon and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon, but does not include any air rifle, air gun, or air pistol of a type prescribed by the Minister and 'of a calibre so prescribed;”*
2. Imitation firearm means *“anything which has the appearance of being a firearm within the meaning of this section whether it is capable of discharging any shot, bullet or missile or not.”*
3. Automatic Firearm means *“any firearm so designed or adapted that if pressure is applied to the trigger missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty;”*
4. Ammunition means *“ammunition for any firearm and includes restricted ammunition;”*
5. Firearm User’s Licence means *“a licence authorizing the holder thereof, subject to section 22 and to the terms and conditions specified in the licence, to be in possession of the firearm or ammunition so specified;”*
6. Prohibited weapon means *“any artillery or automatic firearm; or any grenade, bomb or other like missile;”*

Restricted ammunition means *“any ammunition containing or designed to contain any noxious liquid, gas or other thing;”*

Restricted person means *“any person who- is a habitual criminal within the meaning of section 54 of the Criminal Justice (Administration) Act; or has at any time within five years next before the event in relation to which the term is used- (i) been declared by a court pursuant to Section 3 to be a restricted person; or (ii) been convicted of an offence involving violence and sentenced to a term of imprisonment, whether with or without hard labour, exceeding three months;”*

Restrictions on Possessing a Firearm and/or Ammunition

There are circumstances under which a person may be restricted from possessing any firearm and ammunition if that person falls within a certain specified category. Section (3) of the Act states that a person may be restricted from carrying a firearm if *“a court before which a person is convicted of an offence under this Act (other than an offence against Section (41) or under any law in force before the appointed day in respect of the importation, exportation, possession or use in Jamaica of any firearm or ammunition, may declare that person to be a restricted person for the purposes of this Act.”*

Possession of Firearms in Public Places

Section 21 (1) of the Act states: - *“A person shall not carry any firearm or ammunition General in any public place unless at the time when he carries such firearm or ammunition he has about his person a licence, certificate or permit granted by the Authority, authorizing him to carry such firearm or ammunition in such place and if such place is a place to which section 22 applies, a Firearm User's (Special) Permit authorizing him to carry such firearm or ammunition in such place on such occasion.”*

(2) Every person who contravenes subsection (1) shall be guilty of an offence, and on summary conviction before a Resident Magistrate shall be liable to a fine not exceeding two

hundred thousand dollars or to imprisonment with or without hard labour for a term not exceeding twelve months.

Restrictions to Carrying a Firearm in Public Places

Section 22 of the Act states: - *“The Minister may by order apply this section to any area, parish, district, town or village specified in such order.*

(2) Every order under subsection (1)- (a) shall remain in force for a period of not more than one month (without prejudice to the power to issue a further order at or before the end of such period);(b) shall be published in the Gazette; and (c) may at any time be varied, altered, amended or revoked by the Minister.

(3) A person shall not carry any firearm or ammunition in any public place within any area, parish, district, town or village to which this section applies, except in accordance with the terms of a Firearm User's (Special) Permit.

(4) Every person who contravenes this section shall be guilty of an offence and shall be liable-

(a) on summary conviction before a Resident Magistrate to a fine not exceeding one million dollars or to imprisonment with or without hard labour for a term not exceeding two years;
(b) on conviction before a Circuit Court to a fine or to imprisonment with or without hard labour for a term not exceeding seven years.

Use of Firearms in Public Places

Section 23 states:- *“A person shall not discharge any firearm or ammunition on or within forty yards of any public road or in any public place except-*

- a. in the lawful protection of his person or property or of the person or property of some other person; or*
- b. in the lawful shooting of a trespassing animal; or*
- c. under the direction of some civil or military authority authorized to give such direction; or with the permission of the Minister.”*

Possession of Firearms in Schools

The Ministry of Education is taking a zero tolerance approach to the possession of firearms. It is the general rule that whatever laws apply to the society at large also applies to the school community. Therefore, students are strictly prohibited in all circumstances from possessing firearms and ammunition on school property.

The law, however, as stated above authorizes certain capable adults to possess firearms and ammunition, provided that certain criteria are met. Note the following:

1. Firearms are to be concealed at all times and should not be exposed or in visibility of the student body at large.
2. Firearms should not be used to intimidate students or any member of staff.
3. Firearms and ammunition are strictly prohibited during all teacher-student interactions.
4. Firearms are not to be used by teachers to quell any form of disturbances involving students or any other staff member.
5. The Jamaica Constabulary Force (JCF) has also issued instructions that school resource officers must not be armed for school duties.

Guidance:

3.1 Creating a School Environment Free of Weapons and Contraband

The Ministry of Education is taking a zero tolerance approach to the possession of weapons and other contraband in schools. Principals have a duty to ensure that the laws of the society are observed and enforced in the institutions they lead. As a general principle, and restated here for emphasis; ***whatever is illegal in the society is illegal in the school and must be treated accordingly.***

The law provides that a person under the age of 12 cannot be held criminally responsible for an illegal activity.³² However, such a person may be subject to various orders aimed at intervention under the Child Care and Protection Act, hence the age of the child should not prohibit reporting incidents of concern to the police and the Children’s Registry.

Where breaches of the law occur in the school, the school leadership has a duty to report the matter to the police or other relevant agencies. The MoE encourages Principals to utilize the resources of the police in controlling weapons and contraband.

The school is a special place in society, and must apply a higher standard than the rest of the society with respect to weapons and contraband. Outside of illegal weapons and contraband, there are some unregulated items that may negatively affect the school. Principals are advised to be vigilant and proactive in detecting trends from incidents involving such items and regulating them where necessary.

The possession of weapons and contraband must be treated seriously. The general objective is to create a school environment in which it is known by all stakeholders that weapons and contraband are strictly prohibited and breaches will attract serious sanctions.

³² Section 63 of the Child Care and Protection Act, 2004.

School leaders must strive to make the school domain a weapon and contraband-free zone.

3.2 Setting Rules and Sanctions

The Principal is directed to set clear rules and sanctions governing the items which are prohibited from the campus, subject to approval by the school board. These rules and sanctions must be communicated in writing to all parents, teachers and students.

3.3 Contraband - Definition

For the purposes herein, all items prohibited by the school rules are known as contraband. The following categories of items should be listed as contraband: weapons, drugs, alcohol, tobacco products, smoking paraphernalia and obscene publications in whatever form.

3.4 Contraband - Weapons

Under the Offensive Weapons (Prohibition) Act, 2001, an offensive weapon is defined as:³³

- (a) any article made or adapted for use for causing injury to the person or which is intended by the person having such article with him to cause such injury;
- (b) any dagger³⁴; or
- (c) any swordstick, ballistic knife, butterfly knife, flick knife, knuckleduster, knuckle knife³⁵ or any knife commonly known as a switchblade, ratchet-knife or Rambo knife, or such other knife as may be prescribed by the responsible Minister.

³³ Section 2(1) of the Offensive Weapons (Prohibition) Act 2001.

³⁴ Section 2 (1) of the Offensive Weapons (Prohibition) Act, 2001.

³⁵ Ibid.

The Act prohibits a person from knowingly having with him in any public place an offensive weapon as described in paragraphs (a) and (b) above, without lawful authority or reasonable excuse³⁶.

The Act further prohibits a person from knowingly having with him in any public place an offensive weapon falling within paragraph (c) ³⁷. A “public place” is defined by the Act as including school premises³⁸. An offensive weapon does not include mace or pepper spray that a person may have with him for personal protection.³⁹

3.5 Contraband - Alcohol, Tobacco and Dangerous Drugs

The Dangerous Drugs Act, 1948, prohibits the cultivation, gathering, production, storage, transport, dealing and possession of ganja by any person.⁴⁰ The Act makes provision for the control of cocaine, heroin, morphine etc. and makes it an offence for persons to manufacture, sell, distribute, transport or be in possession of these controlled drugs, without a licence or in contravention of such licence.

Under the Child Care and Protection Act, 2004, it is an offence to sell intoxicating liquor, tobacco and related products to a minor. It is also an offence to give alcohol to a child except upon the order of a duly qualified medical practitioner for the purpose of treating sickness or other urgent case.⁴¹

The MoE is declaring schools absolute non-smoking zones for all persons within the domain of the school, including Principals and teachers. Principals are directed to inform parents, teachers, and students, and vendors of this policy and set clear rules and sanctions for breaches, subject to the approval of the school board.

³⁶ i.e. possession for the purposes of a lawful sport, trade, business or occupation – Section 3(1) and (4), *ibid.*

³⁷ Section 3(2), *ibid.*

³⁸ Section 2(1), *ibid.*

³⁹ Section 2(2) *ibid.*

⁴⁰ Part III of the Dangerous Drugs Act, 1948

⁴¹ Section 40 and 9(4) of the Child Care and Protection Act, 2004.

Principals are directed to strictly prohibit the sale of tobacco, smoking paraphernalia and alcohol related items on the school compound. Where the Principal has knowledge that the prohibited items are being sold to students, on or off the school compound, this should be reported to the police so that violators may be prosecuted to the full extent of the law⁴².

3.6 Contraband – Obscene Publications

Under the Obscene Publications (Suppression of) Act, 1927, any person who, for purposes or by way of a trade, or for distribution or for public exhibition makes or produces or has in his possession an obscene publication (including pictures, cinematograph film, photographs, printed matters) shall be guilty of an offence. It is also an offence under the Act for a person to carry or take part in a business concerned with the said obscene matters⁴³. The Common Law test of whether a matter is obscene is whether it has the tendency to deprave and corrupt those whose minds are open to such immoral influences.

Principals should set clear rules and sanctions, subject to the approval of the school board, for the possession, sale, traffic, distribution, circulation, publication or broadcasting of inappropriate content in electronic or physical form in the domain of the school. Where the breach involves an adult conveying the content to minors, or seems to suggest trafficking, or an attempt at moral endangerment and perversion, then the Principal must report the matter to the police along with evidence of the inappropriate content.

In addition, where the Principal or teacher comes into possession or is aware of the existence of inappropriate content involving a child, they should report the matter to the Children’s Registry in accordance with their statutory duty under the Child Care and Protection Act, 2004.

⁴² Under the Spirit Licensing Act, 1928, only holders of a spirits license may sell intoxicating liquor. See also Section 40 and 9(4) of the Child Care and Protection Act, it is an offence to sell intoxicating liquor, tobacco and related products to a minor. It is also an offence to give alcohol to a child unless under medical supervision – section 9(4) of the Child Care And Protection Act, 2004.

⁴³ Section 2 of the Obscene Publications (Suppression of) Act, 1927.

3.7 Zero-Tolerance Approach to the Possession of Contraband

The MoE is taking a zero-tolerance approach to the possession of items or substances in schools which contravene the laws of Jamaica.

The Principal and school board are directed to take a zero-tolerance approach to the possession of weapons, drugs and controlled substances by students.⁴⁴ At minimum, instances of possession of these items must be reported to the police and the parent notified. The Principal is directed to inform all parents in writing of the school's zero-tolerance stance on weapons and contraband possession and encourage them to pay closer attention to the activities of their children.

3.8 Appropriate Use of Information and Communication Technology (ICT)

The Principal is directed to set clear rules and sanctions, subject to the approval of the school board, for all users of school-owned ICT including computers, digital imaging, recording devices and school internet service. The ICT regulations should apply to students, teachers and all staff members. The ICT regulations should also take into account the provisions of the Copyright Act, guidance on which can be obtained from the MoE's website. Where possible, the Principal should ensure that the necessary filters and restrictions are in place on all school computers.

⁴⁴ Reg. 30(7) of the Education Regulations, 1980 provides that except in special cases, a student shall only be suspended or excluded from a public educational institution after other efforts have been made to effect an improvement in the conduct of the student. It is arguable that the possession of weapons falls within the exception provided i.e. 'special cases'. When determining what disciplinary measures should be instituted against a student under Regulation 30, however, the School Board should be mindful to exercise its discretion on a case-by-case basis having regard to all the surrounding circumstances (including any mitigating circumstances) and in accordance with the procedures set down in Regulation 30 in addition to the principles of Natural Justice.

3.9 Inappropriate Use of Mobile Phones

With the increase in the use of technology, the MoE endorses the use of mobile phones which can be used to aid in the learning environment of students. Boards of schools are therefore encouraged to develop clear policies based on their particular situation with the use or lack thereof in this regard.

3.10 Inappropriate Use of Other Electronic Devices

These devices include cameras, MP3 players and Game-Boys®. Similar procedures as applied to mobile phones should be followed for all unauthorized electronic devices. Principals are directed to set clear rules and guidelines for those electronic devices that are allowed in the school. For items prohibited; similar procedures apply as outlined above.

GUIDELINES FOR SOCIAL MEDIA USE IN SCHOOLS

The purpose of this section is to outline the MoE standard guidelines for social media use. These guidelines are as follows:

- The information posted online will follow you into adulthood and sometimes the damages created may affect your career goals.
- Social media venues are public and information can be shared beyond your control. Be conscious of what you post online as you will leave a long-lasting impression on many different audiences.
- Do not post or link anything (photos, videos, web pages, audio files, forums, groups, fan pages, etc.) to your social networking sites that you wouldn't want friends, peers, parents, teachers, school administrators, or future employers to access. What you present on social networking forums represents you forever.
- If a student sees anything of concern on another student social networking page or account, they should immediately contact the dean of discipline, guidance counsellor, or another adult within the school community.
- Think before you post. The MoE asks students to use discretion when posting to the internet.
- The MoE reserves the right to request school-related images or content posted without permission to be removed from the internet.
- Do not misrepresent yourself by using someone else's identity. Remember identity theft is a major crime.
- When responding to others, remember to be respectful and avoid comments that may be hurtful. Do not use profane, obscene, or threatening language.
- On and offline pornography is not appropriate for students. Students shall not participate in materials containing explicit description or display of sexual activities.

- Only accept invitations to share information from people you know. Utilize privacy settings to control access to your network, web pages, profile, posts, blogs, wikis, podcasts, digital media, forums, groups, fan pages, etc.
- Most human trafficking recruiters solicit their victims online. Human trafficking is dangerous as research has shown that only one in every 100 victims is recovered.
- Online stalkers and identity thieves are a real threat. Never share personal information, including, but not limited to, social security numbers, phone numbers, addresses, exact birthdates, and pictures with parties you don't know or on unsecured sites.
- Users should keep their passwords secured and never share passwords with others. If someone tampers with your blog, email, or social networking account without you knowing about it, you could be held accountable.
- Cyber bullying is considered an act of harassment. Avoid using electronic communication to intimidate or threaten others online.
- Use of your schools logos or images on your personal social networking sites is prohibited. If you wish to promote a specific school activity or event, you may do so only by means of a link to the official school Facebook account, Twitter account, or YouTube channel.

Protecting Your Password

How safe is your password?

The first step in protecting your online privacy is creating a safe password - i.e. one that a computer program or persistent individual won't easily be able to guess in a short period of time.

Tips for creating a secure password:

- Include punctuation marks and/or numbers.
- Mix capital and lowercase letters.

- Include similar looking substitutions, such as the number zero for the letter 'O' or '\$' for the letter 'S'.
- Create a unique acronym.

Things to avoid:

- Don't reuse passwords for multiple important accounts, such as Gmail and online banking.
- Don't use a password that is listed as an example of how to pick a good password.
- Don't use a password that contains personal information (name, birth date, etc.)
- Don't use words or acronyms that can be found in a dictionary.
- Don't use keyboard patterns (asdf) or sequential numbers (1234).
- Don't make your password all numbers, uppercase letters or lowercase letters.
- Don't use repeating characters (aa11).

Tips for keeping your password secured:

- Never tell your password to anyone (this includes significant others, roommates, parrots, etc.).
- Never write your password down.
- Never send your password by email.
- Periodically test your current password and change it to a new one.

4.0 Controlling Gangs, Associations and Anti-Social Cliques in Schools

Aspiration #4: The Principal has effective control over formal and informal groupings developed by students in schools.

Guidance:

4.1 Creating a School Environment Free of Gangs and Anti-Social Cliques

The school is not a place where students can associate and behave as they choose. The Principal has the authority to arrange and control the associations of students, for the maintenance of discipline and creating an atmosphere conducive to learning. This authority ranges from separating students in a classroom to having the timetable arranged so that certain groups of students do not interact.

Gangs and cliques have always been a part of school life. It is natural that close circles of friendship will develop, oftentimes revolving around a leader. This is an important part of social bonding and the growth experience necessary to complete the learning process. The MoE is concerned however, that such circles of friendship are evolving into anti-social constructs, which reinforce and promote violence and delinquency and oftentimes cripples the learning process.

Principals are encouraged to pay close attention to the development of associations and groupings in their school and to intervene at the first sign that these associations and groupings are becoming anti-social. The MoE is taking a zero-tolerance stance on anti-social gangs and cliques in schools.

Directives:

4.2 Approving Formal Associations

All groups, clubs, programmes, competitions and associations operating within the school's domain, that are not part of the regular curriculum, must have the approval of the Principal, said approval not to be unreasonably withheld. The Principal is directed to set a formal process for recognizing service clubs, uniformed groups, competitions, and special associations within the school. An appeal may be made to the Board in respect of an adverse decision of the Principal.

Student Councils are established in their own right and are not subject to the approval of the Principal. Under the Education Regulations, 1980, every public educational institution shall have a Student Council consisting of elected student representatives. Students at the secondary level are entitled among other things to hold regular meetings with due regard for the smooth functioning of the institution.⁴⁵

4.3 Defining Gangs and Cliques

For the purpose of these guidelines, all groups, associations, or cliques that, in the judgment of the school leadership, appear to use or promote anti-social, violent, disruptive, or delinquent behaviour may fall in the category of a criminal organization / gang if it involves three or more persons who formally or informally has one its purposes to be the commission of one or more serious offences (Suppression of Criminal Organization Act, 2014). Further, any grouping of students that seeks to identify themselves by a name, dress, emblem, tattoo or particular behaviour and in so doing violates the rules of the school or threatens the general discipline and order of the school, is also considered to be a gang. The Principal is directed to use the above definition in identifying anti-social gangs and cliques.

⁴⁵ Reg. 32 of Education Regulations 1980.

4.4 Anti-Social Gangs and Cliques Prohibited from Schools

The Principal is directed to set clear rules and sanctions, subject to the approval of the school board, specifically prohibiting the formation of and membership in gangs and anti-social cliques within the school.

4.5 Duty to Record and Report Gang Activities

Teachers are encouraged to observe and be alert to the signs of gang operations, such as graffiti, particular styles of dress and grooming, regular gatherings of students, and unusual patterns of behaviour. Teachers have a duty to record and report on the behaviour of students in their charge. Where the Principal or teacher has information that the gang is involved in criminal or dangerous behaviour, then the police or relevant agencies should be notified.

4.6 Proactive Approach and Early Intervention

Principals are encouraged to adopt proactive strategies in preventing the establishment of gangs and cliques. Gangs often grow out of a need for inclusion, identity and recognition. Where no formal structures exist to satisfy these needs, anti-social gangs and cliques will develop. Principals are directed to develop a broad range of programmes, competitions, clubs and teams to cater to diverse sets of talents and special interests in the student population. Very often, students whose skills and talents fall outside conventional co-curricular activities are excluded, their talents go unrecognized and they never really identify with the spirit of success which builds confidence and self-esteem.

Gangs and cliques are easily broken in the formative stage before they take root and a gang culture develops. Principals are expected to act without delay upon suspicion of the existence of a gang. Early intervention has a greater chance of being successful.

The intervention must involve the parents, and where necessary, counselling from the police, particularly if the gang displays violent behaviour. Where it is felt that the gang is

potentially disruptive or a gang culture is developing, Principals are directed to develop a programme of intervention that specifically targets the leaders of the gangs and those members deemed at-risk. The leadership quality is to be encouraged and nurtured in students. Where leadership is misdirected or deviant, it must be harnessed, counselled in the right direction, and challenged to constantly do better.

The intervention for gang leaders must be designed to control their 'free time'. Principals are directed to develop within the school a programme of special duties, tasks and responsibilities that will fully utilize the students 'free time' during and after school. This is not punishment, rather a way of meaningfully channelling the skills of the students. Therefore, an appropriate system of reward and recognition for achievement of set tasks must also be developed.

4.7 School Gangs with Links to Community Gangs

Where the Principal has information that the school gang is associated with a community gang, this must be shared discreetly with the police. The student leaders of the gang must be automatically placed on a watch list and reported to the police for close monitoring and supervision.

4.8 Gangs that Threaten the Operations of the School

Where the effect of the gang is crippling to the teaching and learning environment, or where the gang poses a clear and present danger to the security and safety of the school population, the Principal should report this to the Board and to the MoE for special measures to be effected in support of the school.

4.9 Acts of Violence Committed by Gangs

Acts of violence or delinquency committed in concert by a group of students must be treated more seriously than individual acts within a zero-tolerance approach to gang and anti-social clique activity. Where a gang or association or clique has committed a group act involving,

- violence which amounts to an assault against a person(s) with or without a weapon;
- vandalism against property;
- the transportation or sale of illegal substances or other contraband;
- the moral endangerment of other students; or
- any activity prohibited by the laws of Jamaica

the Principal is directed to report those members identified as being involved in the offence to the police, along with any evidence of the offence.

4.10 Students in Public Places

Students in uniform, outside of school, and in public places, are considered representatives of the school. The school has a right to protect its name, image and reputation. Principals are directed to set clear rules and sanctions regarding the behaviour and associations of students in uniform, outside of school, and in public places. Credible reports of gang and anti-social behaviour in public places by students must be treated as if they occurred within the school.⁴⁶

⁴⁶ *R v. Newport (Salop) Justices and others, ex. parte Wright* [1929] 2 K.B. 416.

5.0 CONTROLLING MOVEMENT AND GATHERING IN THE SCHOOL DOMAIN

Aspiration #5: The Principal has effective control over the movement and gathering of students in the school.

Guidance:

5.1 Understanding Boundaries

The school is not a place where students can move and gather as they choose. The Principal has the authority to control the movement and gathering of students. During general teaching/class period, the Principal must exercise strict control over the movements and gathering of students. The school must provide the students with the experiences to develop a sense of boundary, respect for personal space, the etiquette of manoeuvring public space and proper group behaviour while in public space.

Directives

5.2 Rules for Movement and Gathering

The Principal is directed to set clear rules and sanctions governing the movements and gatherings of students within the school, subject to the approval of the Board.

5.3 Off-limit Areas

Students must have limits on the areas they can freely access within the school. The Principal is directed to set areas that are off-limits to students. Such areas must be clearly marked as 'off-limits' or 'restricted' areas. Generally, areas designated for staff, maintenance and storage areas, remote or unsupervised areas of the campus should be designated off-limits or restricted.

Students must have limits on the areas in which they can gather freely. The Principal is directed to set clear rules and sanctions regarding where, and how students gather, subject to the approval of the Board.

The Principal is encouraged to establish quiet zones, no loitering zones, no assembly zones, no running/playing zones, no sitting zones, or any other limit on gathering that is deemed necessary. Where restrictions on gatherings are established, the zones must be clearly marked.

5.4 Navigating Public Space

Students must be required to develop and follow basic etiquette in navigating public space. The Principal is directed to set clear rules and sanctions, subject to the approval of the Board, regarding how students access facilities within the school and how they behave in gatherings. At minimum, students should be required to:

- form a line if they gather to access a service or a facility
- keep entry, exits, doorways, corridors and walkways clear
- walk in single file on walkways and corridors
- give due consideration and deference to senior persons and persons less physically able than themselves
- give due consideration to others in the school space in terms of the level of noise and physical activity the gathering and movement generate
- pay the appropriate courtesies to officials at formal gatherings and standing at attention for the National Anthem and the National Pledge.

5.5 Movement and Gathering during Class Time

All students must be in class during class time under the supervision of a teacher or assigned personnel, therefore, teacher absenteeism must be kept to a minimum. The Principal is directed that all timetabled classes must be manned by teachers. All movement and gathering of students during class time must be authorized by teachers.⁴⁷

A student who wishes to leave the school compound during general teaching/class period must have the written permission of the Principal or designated personnel.

5.6 Electronic Surveillance of Movement and Gathering

The MoE endorses the use of surveillance cameras to monitor movements and gathering of students. The MoE believes that where appropriately installed, surveillance cameras can be an effective tool in controlling how students behave when they move or gather. Schools wishing to contract service providers should establish clear policies and procedures governing its use among other issues:

School ownership of all rights to recorded material

The school should ensure

- Safe storage and disposal of recorded material
- Protection of student privacy in sensitive areas such as changing rooms and bathrooms. Such areas should be monitored by same-gender staff rather than electronic surveillance. Additionally, the school and/or the service provider may owe a duty of confidence to a student where sensitive material is recorded involving that student, such as a sexual assault and other abuse, or an incident involving self-injury and drug use.

⁴⁷ (Principals) Reg. 44(1) and Schedule D, paragraph 4(1)(b)and(h) of the Education Regulations 1980; (Teachers) Reg. 44(2).

- Restricted access to recorded material to designated school staff or security personnel
- Reporting of conduct tending to show that a child is being abused or otherwise in need of care and protection, to the relevant authorities.

5.7 Supervision of Movement and Gathering

The MoE considers a school to be in session from the opening time, through the duration of general teaching/class period, in addition to any period designated by the Principal as co-curricular period to the closing time. The Principal is required to provide security and supervision for the campus and all persons therein while the school is in session, subject to the resources allocated by the Board for this purpose.⁴⁸ There must be at least one teacher on duty during co-curricular time. At the end of a school session there should be no student or student-related activity on the school campus without the written permission of the Principal or designated personnel. Principals are advised to ensure that all students are off the compound at closing time.

5.8 Shutdown Procedures

The Principal is directed to establish shutdown procedures, such as checking and locking all enclosed areas of the campus. Where students are discovered on campus during shutdown procedures, they must be asked to leave and where they are unable to do so, the teacher on duty or Principal must be notified of their presence. If the teacher on duty or Principal has reasonable grounds to believe that the student's safety may be compromised if the student is asked to leave the school compound, arrangements should be made for the student to be accompanied to a police station and contact made with the parent or guardian for a responsible adult to meet the child there. Where there are repeated incidents of this nature concerning the same student, consideration should be given to reporting the matter to the Children's Registry for investigation.

⁴⁸ Pursuant to Regulation 44(1) and Schedule D, paragraph 4(1)(b) of the Education Regulations 1980.

5.9 Co-curricular Activities After School

The Principal is directed to set clear rules and sanctions, subject to approval by the Board, regarding the movement, gathering, and activities of students during co-curricular period where students are involved in recognized, supervised and structured engagements. At minimum, the Principal should require written parental consent from all students participating in recognized co-curricular activities.

5.10 Students on Campus After School

Students remaining on the school campus after general teaching/class period and are not involved in recognized co-curricular activities, must also be monitored and supervised. Principals are advised to ensure that these students leave the school compound as they remain the responsibility of the school until closing time.

5.11 Sport and Entertainment Events

The Principal is directed to set clear rules and sanctions, subject to approval by the Board, regarding the movement and gathering of students for sporting and entertainment events during school hours within the campus. All sporting and entertainment events must have the approval of the Principal. At minimum, all sporting or entertainment events should be supervised by a teacher or assigned staff.

The Principal is directed to set appropriate standards and guidelines for the content and staging of entertainment events within school hours. The Principal must be satisfied that the content of entertainment events is appropriate for the school setting, including the music, themes and expressions.

5.12 Protests

The MoE is taking a zero- tolerance approach to protest actions on the school campus or in the vicinity of the school, involving any teacher or student related to the school, that amount to a breach of the peace, obstruction of a public road, or trespass to school property. The Principal is directed to set clear rules and sanctions, subject to the approval of the school board, regarding students involved in unlawful protests while in the uniform of the school, whether inside or outside the school compound. In keeping with the provisions of the Education Regulations, 1980, regarding disciplinary action against teachers, the school board should review all cases of protests involving teachers and act accordingly if the teachers' behaviour in the course of a protest action;

- morally or physically endangered children
- brought the school into disrepute
- was unbecoming of the teacher and brought the teaching profession into disrepute, or
- threatened the safety, security, discipline and good order of the school.

6.0 CONTROLLING THE PHYSICAL ENVIRONMENT TO ENHANCE SECURITY AND SAFETY

Aspiration #6: The Principal maintains the school infrastructure in a manner so as to enhance security and safety

Guidance:

6.1 Maintenance of Infrastructure for Security and Safety

It is a well-studied phenomenon that poorly maintained facilities attract disorder. Order is as much about appearance and perception as it is about the enforcement of rules. If a school is perceived as run-down and unmaintained (that is, it appears that no authority prevails on a campus or care for the state of the infrastructure), then students and staff will begin to act in a delinquent way and the school will actually become unsafe and insecure. ***This is the essence of the 'Broken Window Theory': "one broken window left unrepaired will encourage additional windows to be broken"***. Seemingly small incidents or issues such as uncontrolled littering on a school campus can provide the groundwork for larger more insidious problems. Issues of vandalism and theft can be almost as harmful to a school as actual violence because they can create a fertile environment for loss of control and community confidence. Principals are encouraged to create an environment of order, cleanliness and uniformity in their school.

The Principal is accountable to the Board for the security and safety of school infrastructure.⁴⁹ The Board is in turn accountable to the Minister and also has an independent duty under common law to students and staff for their safety, as well as under certain statutory provisions, such as the Occupiers Liability Act. The Principal must ensure that school infrastructure is safe and secure for students and staff wherever they may move about or gather.

⁴⁹ For the Principal's duty to inspect and report the need for repairs see Education Regulations 1980 Schedule D paragraph 4(3). For the Principal's duty to ensure safety equipment and drills see Reg. 13(2).

Directives:

6.2 Natural Surveillance

Natural surveillance is an important tool in using the physical environment to enhance security and safety. Natural surveillance refers to the ease of observing movement and gathering without need for electronic aides. Principals are expected to design and maintain their physical environment to improve natural surveillance.⁵⁰ Natural surveillance can be improved by:

- ensuring clear lines of sight by removing unnecessary obstacles, and trimming vegetation,
- limiting hiding places by improving lighting, limiting shadows in secluded areas, and ensuring off-limit areas are locked,
- ensuring general access areas are open and free of obstacles.

6.3 Ownership of Space

Ownership of space is an important tool in using the physical environment to enhance security and safety. Ownership of space refers to the jurisdictional and protective behaviour displayed by occupants of a space when they are given responsibility and authority over the space. Principals should develop a programme of ownership of space which should include the entire school population. Space ownership can be achieved by:

- individualizing areas of the school by name, colour code, special signage, mural or relief

⁵⁰ For the duty of public schools to comply with the requirement that school premises be maintained in a condition which the Minister considers satisfactory for the conduct of an educational institution, See Section 17(1)(a) of the Education Act 1965.

- ensuring that, where possible, the ‘individualizing’ is done by the student in conjunction with an assigned teacher
- charging students, in particular those displaying leadership qualities, and assigning teachers with the task of protecting, caring and maintaining their space
- charging all students with the duty of identifying and reporting unauthorized persons or anti-social behaviour within the space they own

Where possible, the task of space ownership must be generally rewarded and reinforced through competition.

6.4 Securing the School Premises

Target hardening⁵¹ is another important concept in using infrastructure to enhance security and safety. Target hardening refers to measures that reduce the opportunistic motive for crimes against people and property by manifestly protecting and defending the physical structure. By making the physical security of a site stronger, the perceived risk to the perpetrator is increased. It is vitally important that the measures not only strengthen the actual physical security of the site but also send a clear signal that it is a well-defended site.

6.5 Maintenance of School Premises

Orderly maintenance of facilities is often undervalued and overlooked as a security and safety enhancement strategy. This refers to a routine programme of keeping the physical environment clean, orderly and hygienic. Unkempt, disorderly, and run down facilities send a signal of lack of control and no defence of standards. Rule breakers find such an atmosphere welcoming.

⁵¹ The basis of target hardening is to strengthen the defences of a site to deter the attack and/or delay the success of an attack. The longer an offender is required to remain on a site in order to complete the act the greater the chances of apprehension. By making the physical security of a site stronger, the perceived risk to an offender is increased. Within schools the majority of criminal acts are performed by juveniles opportunists. By ensuring that visibly security measures are installed and weak areas of infrastructure are secured, both professional and opportunistic offenders will be less likely to see the school as a vulnerable and derelict potential victim. Opportunists do not come equipped with the ‘tools of the trade’ nor do they carefully plan their acts. It is therefore sensible practice to limit their perception of schools as an easy target through effective use of target hardening measures.

Principals are expected to develop a programme of routine maintenance of the school premises, paying particular attention to littering and garbage disposal, defacing and graffiti and the immediate replacement and restoration of doors, locks, windows, grills and furniture.

Principals are further directed to set clear rules and sanctions, subject to the approval of the Board, governing littering and unhygienic waste disposal, vandalism of school property, theft of school property, graffiti, etchings and other forms of defacing school walls and infrastructure in accordance with the Ministry of Education's maintenance rules.

6.6 Designation of Emergency Points and Procedures

The Principal is expected to designate and clearly mark appropriate assembly points on the campus to be used in emergencies. The Principal is advised to utilize the services of the Jamaica Fire Brigade in establishing emergency assembly points and emergency exit routes and procedures. The benefit of emergency plans are only realized when they are put into practice through regular drills, so that the school population can become familiar with the plans.

6.7 Pedestrian Safety

The Principal is expected to make the necessary arrangements with the National Works Agency or local Parish Council, for pedestrian crossings and signage in the vicinity of the school as part of the schools' safety zone and in keeping with the Road Safety Act. The Principal should also make appropriate arrangements for traffic safety within the school compound.

7.0 POLICIES ON SWIMMING POOL SAFETY IN SCHOOLS

7.1 Purpose

The purpose of this policy is to implement a school swimming pool safety plan. It is to be noted that the school administration is responsible for the management and operation of a swimming pool located on the school site.

School swimming pools are used for a variety of purposes, both in school time and out of school hours. Although the scope of activities undertaken will vary from school to school, this document will aim to provide a useful framework for schools to develop an effective safety plan. Some of the issues that are to be observed are:

7.2 Supervision

A responsible person must be in attendance at all times that the pool is in use and:

1. Must be certified by the appropriate body
2. Must be capable of providing adequate supervision
3. Possess requisite skills suitable for the purpose of the activity, including appropriate first aid skills; and
4. Be at least 18 years of age.

Depending on the size of the group using the pool, the number of supervisors may also be increased. The field trip guidelines should be used in this case.

Emergency Procedures

The procedures to be followed during an emergency must be documented, explained and made available to all persons supervising the usage of the pool.

First Aid

Information on first aid and pool safety must be clearly displayed at the pool. A first aid kit is to be made available at all times when the pool is being used.

Signage

Advisory signs relating to appropriate behaviour (e.g. running, jumping, and diving) must be clearly visible to users.

Pool Markings

All markings, letters and numerals, must be:

- at least 100mm in height;
 - placed at regular intervals around the pool where they can be seen from the water and from the poolside.
- i. Shallow water areas (i.e. less than 1.2m) must be marked as 'Danger Shallow Water' areas.

Chemicals and Pool Equipment:-

- i. Pool chemicals must be locked away from the swimming pool and changing rooms. They must be stored and disposed of according to the manufacturer's instructions. See also the MoE's policy on the Management and Disposal of Hazardous material.
- ii. Pool equipment must be stored when not in use as it can be a potential hazard if left lying around the pool. Pool equipment should not be stored in the same area as pool chemicals, as this may enable unauthorized people to access hazardous and dangerous chemicals.

Water Quality:-

- i. Water quality must be maintained in accordance with the Ministry of Health requirements.

Changing Rooms:-

- i. The school administration should provide changing room with properly closing doors, adequate lighting, and places to store clothing.
- ii. Showers are recommended but are not mandatory.

In School Use:-

- i. Schools must ensure that in-school use of their swimming pool conforms to the requirements outlined in this policy.
- ii. Out of class activities during school time (e.g., lunchtime and fun activities) should not be encouraged and should be strictly prohibited unless all guidelines relating to supervision are met.

8.0 EMPLOYERS' LIABILITY

The liability of an employer for negligence in respect of injury suffered by his employee during the course of the employee's work is two-fold: an employer owes a personal, non-delegable duty of care to each employee; and may be vicariously liable for breach of the duty of care which an employee owes his fellow employees.

At Common Law, Lord Wright in *Wilson and Clyde Coal v. English*⁵², employs a three-fold division of the employer's duty – the provision of a competent staff of men, adequate plant and equipment, and a safe system of working with effective supervision. However, according to Winfield & Jolowicz of Tort, there is but one duty, a duty to take reasonable care so to carry on operations as not to subject the persons employed to unnecessary risk.

8.1 Competent staff

An employer will be in breach of his duty if he engages a workman with insufficient experience or training for a particular job, and as a result a worker is injured. An employer will be similarly liable where he continues to employ a man who is known to be a bully, addicted to practical jokes and skylarking, habitually tardy or drunkenness, or is in other respects a danger to his fellow workmen and another employee is harmed by the man. A classic example of this duty was illustrated in the case of *Jfill v. Rayside Concrete Works Ltd*⁵³, where the plaintiff and another were employed by the defendants as labourers. They were both known by the defendants to be sky larkers and had been warned on at least two occasions not to engage in such behaviour. One day, J picked up the plaintiff and cradled him in his arms, singing a nursery rhyme. As J carried the plaintiff forward, he tripped over a pipeline and they both fell into a cement mixer, which was partly covered, both of them sustaining injuries. The plaintiff brought an action for negligence. The defendants were in breach of their common law duty not to expose the plaintiff to risk of danger emanating from indiscipline fellow employees and were liable in negligence.

⁵² [1949] AC 462

⁵³ (1981) 16 B'dos LR 193, High Court

8.2 Adequate plant and equipment

An employer must take reasonable care to provide his workers with the necessary plant and equipment, and is therefore liable if an accident is caused through the absence of equipment which was obviously necessary or which a reasonable employer would recognize to be needed. For example, the employer should ensure that dangerous machinery is fitted with the necessary safety devices, including fencing, and that goggles are provided for those types of work in which there is risk of eye injuries. The employer must take reasonable care to maintain the plant and equipment in proper condition, and the more complex and dangerous the machinery the more frequent must be the inspection.

In the case of *United Estates v. Durrant*⁵⁴ the Jamaican Court of Appeal held that the appellants, who were cane farmers, were liable to a sideman employed by them for injuries suffered when a chain dog broke suddenly and caused the sideman to be thrown off the truck to the ground. Chain dogs had been supplied by a third party, and the appellants had no proper system for examining them to ensure that they were in good working order. It was not reasonable to rely on the sideman to carry out checks on the chains and to replace defective ones.

8.3 Safe system of working and effective supervision

This is the most frequently invoked branch of the employer's duty, and it is also the most difficult to define. It includes, however, per Lord Greene MR in *Speed v. Thomas Swift & Co.*⁵⁵, "*the physical lay-out of the job; the setting of the stage; the sequence in which the work is to be carried out; the provision of proper warning signs and notices, and the issue of special instructions...*"

Another example of failure to provide a safe system of work is the Jamaican case of *Bish v. Leathercraft Ltd.* where the plaintiff was operating a button-pressing machine in the defendant's factory, when a button became stuck in the piston.

⁵⁴ (1992) 29 JLR 468,

⁵⁵ [1943] KB 557

While attempting to dislodge the button with her right index finger, the plaintiff's elbow came into contact with the unguarded lever, which caused the piston to descend and crush her finger. The Jamaican Court of Appeal held that the defendants were in breach of their Common Law duties to provide adequate equipment and a safe system of work, in that: (a) the button had not been preheated, which caused it to become stuck; (b) no 3 inch nail to dislodge the button was provided for the plaintiff's use, which resulted in her having to use her finger; and (c) the lever was not provided with a guard, which would have probably prevented the accident.

(4) Safe place of work

An employer has a duty to ensure that the premises where his employees work are reasonably safe. Thus, the employer is not obliged to take unreasonable precautions even against foreseeable risks.

Note the case of *Latimer v. AEC [1953] AC 643*, where heavy rainstorm caused the floor of a factory to be flooded with water. Where the water left an oily film on the floor, the defendants did their best to reduce the danger by covering the area with sawdust. The plaintiff, in the course of his duty, slipped and fell. On appeal it was held that the employer had taken reasonable steps to ensure the safety of the workmen, so they were not liable for negligence at Common Law.

Occupiers Liability

Occupiers Liability is concerned with the liability of an occupier for injury sustained by visitors while on his premises because of dangers due to the ***state of the premises*** or ***to things done or to be done on them***. The tort therefore focuses on liability for injury caused to visitors as a result of dangers due:

- a) To the state of the premises
- b) To things done on the premises
- c) To things that should be done on the premises

Who is an Occupier?

The first pre-condition of a Defendant's liability under the Occupier's Liability Act is that he be the occupier of the premises on which the plaintiff's loss occurs.

The Act supplies no statutory definition of an occupier however states at Section 2(2) that the Act "***...shall not alter the rules of common law as to the persons on whom a duty is so imposed or to whom it is owed; and accordingly, for the purpose of the rules so enacted, the persons who are to be treated as an occupier and as his visitors are the same persons who would at common law be treated as an occupier and as his invitees or licensees.***"

One therefore has to look to the common law for the definition of an occupier. The leading definition of an occupier is that of the House of Lords in ***Wheat v. E. Lacon & Co Limited*** [1966] AC 552:

"The defendants owned a public house of which Mr. R was their manager. Mr R and his wife were allowed by agreement to live in the upper floor, access to which was by a door separate from the licensed premises. Mrs. R was allowed to take paying guests to the upper floor. An accident was sustained by a paying guest on the staircase leading to the upper floor. It was held that although the plaintiff was injured in the private area of the premises, the Defendants along with Mr and Mrs R were liable. They had retained enough residuary control over that part of the premises to be treated as occupiers."

The Meaning of Premises under the Act

The scope of the term “premises” is set out in Section 2(3)(a) of the Occupiers Liability Act to include not only land and buildings thereon but also any fixed or movable structure, including any vessel, vehicle or aircraft.

Section 2(3)(a) “ *The rules so enacted in relation to an occupier and his invitees shall also apply, in like manner and to the same extent as the principles at common law to an occupier of premises and his invitees or licensees would apply, to regulate –*

- a) *The obligations of a person occupying or having control over **any fixed or moveable structure, including any vessel, vehicle or aircraft**; and*
- b) *The obligations of a person occupying or having control over any premises or structure in respect of damage to property, including property of persons who are not themselves his visitors.”*

Who are the Visitors under the Act?

The term “visitors” are not expressly defined under the Act. However section 2(2) of the Act states that “*...the persons who are to be treated as an occupier and as his visitors are the same persons who would at common law be treated as an occupier and as his invitees or licensees.*”

One must therefore look to the common law to determine who is a visitor.

*A visitor is generally a person to whom the occupier has given **express or implied permission** to enter.*

Express Permission

At common law where the plaintiff enters under the express permission or invitation of the occupier, there is difficulty in holding that he is a visitor.

Implied Permission

Permission Implied by Legislation

Section 3(8) of the Occupiers Liability Act states:

“ For the purposes of this section, persons who enter premises for any purpose in the exercise of a right conferred by law are to be treated as permitted by the occupier to be there for that purpose, whether they in fact have his permission or not.”

Under Section 3(8) the occupier therefore owes a common law duty of care to firemen attending a fire, JPS, NWC, to policemen executing a search warrant etc.

Persons in the Exercise of their Skill and Calling

- Under Section 3(b) of the Act, ***an occupier may expect that a person, in the exercise of his calling, will appreciate and guard against any special risks ordinarily incident to it, so far as the occupier leaves him free to do so.***⁵⁶
- Under Section 3(b) the occupier is entitled to assume that a skilled, professional worker doing a job on the premises such as a carpenter, electrician or window cleaner will exercise sufficient care for his own safety when carrying out his work and will guard against the dangers normally associated with the work of that kind.

⁵⁶ Occupiers Liability Act

- *Section 3 (b) preserves such decisions such as **Bates v. Parker**⁵⁷ to the general effect that per Lord Goddard CJ “ where a householder employs an independent contractor to do work, be it of cleaning or repairing on his premises, the contractor must satisfy himself as to the safety or condition of that part of the premises on which he is to work”*

Warnings

Section 3(5) of the Act states:

“Where danger is caused to a visitor by a danger of which he had been warned by the occupier, the warning is not to be treated without more of absolving the occupier from liability, unless in all the circumstances it was enough to enable the visitor to be reasonably safe.”⁵⁸

In **Roles v. Nathan** two industrial chimney sweepers had been warned by an engineer that they should not work on certain boiler flues if the fire in the boiler was lit. They ignored these instructions and were overcome by carbon monoxide fumes which were a danger to which they had been alerted. It was held by the Court of Appeal that the warning was sufficient to discharge the occupiers’ duty of care.

See Weekes v. AG (1986)⁵⁹ High Court of Barbados. In this case the plaintiff slipped and fell on a wet floor while walking towards the check-in counter at the Grantly Adams International Airport. At the trial the plaintiff admitted to seeing two “Caution – Wet Floor” signs.

⁵⁷ [1953] 2 Q.B. 231

⁵⁸

⁵⁹ Occupiers Liability Act S 5

The warning was not a verbal warning and was placed in suitable places and in a position where they could be seen. The plaintiff at the trial admitted that she saw the janitors and the scrubbing machines and she saw the floor being scrubbed. It was held that she ought to have seen the warnings signs. The question - "Was the warning given to the Plaintiff enough in all the circumstances to enable the Plaintiff to be reasonable safe" was answered in the affirmative. The Defendant had done all that a reasonable occupier was expected to do. He had thereby discharged the duty imposed on him by the Act. The sole cause of the accident was a failure on the part of the plaintiff to do what was reasonable to safeguard herself.

9.0 BULLYING IN SCHOOLS

9.1 FINDINGS FROM SURVEY conducted by the Child development Agency in 2015 revealed the following information:

Findings indicated that 64.9% of students reported having “ever” been bullied; further, 70% of these said they were bullied within the school-year just ending. More females than males made these reports, for “ever been bullied” (66.9% and 62.9% respectively) as well as for “bullied this year” (71.4% and 67.9% respectively). The highest reports of bullying were mainly found amongst the lowest grade levels. When school staff was asked whether they knew about children being bullied in their schools, an even higher proportion responded in the affirmative: 79.9% said “yes”, while 92.6% of those said such incidents had taken place during the school year. In similar vein to what was reported by the students, school staff from secondary/high school levels were least likely to make such reports.

Students who had been bullied mainly reported the bullying frequencies as having taken place “once or twice” (56.3%); however, one-fifth of those bullied (20.2%) said such incidents took place with some regularity i.e. “more than 3 times per week”. Overall, just over a third of the bullied students (33.7%) had related encounters on at least a weekly basis. Incidents mainly involved *inter alia*, (a) only 1 boy (36.3% reporting this); (b) being teased and called mean names (57.6% reported); (c) bullying taking place in classrooms (62.1%); (d) many victims not knowing why (41.2%) they were being bullied. Yet, despite the encounters and experiences, most of these students still reported liking school (58.8% said yes) as well as going to other spaces (53.6% said yes), in spite of the bullying.

9.2 Who is involved in bullying?

Experts on bullying have identified three actors that are involved in a bullying incident: the bully or bully-victim, the victim and the bystander, each with particular characteristics. (Stopbullying.gov; Storey *et al.*, 2013; Dewar, 2008; Smokowski and Kopaz, 2005; Olweus Bullying Prevention Programme, n.d.)

According to Stopbullying.gov (n.d.), children who are at risk of being bullied are:

- perceived as different from their peers, such as being overweight or underweight, wearing glasses or different clothing, being new to a school, or being unable to afford what kids consider “cool”
- perceived as weak or unable to defend themselves
- depressed, anxious, or have low self esteem
- less popular than others and have few friends
- seen as annoying or provoking, or antagonize others for attention and generally do not get along well with others

Those children who are likely to bully others are:

- well-connected to their peers, have social power, are overly concerned about their popularity, and like to dominate or be in charge of others.
- more isolated from their peers and may be depressed or anxious, less involved in school, easily pressured by peers, and unable to identify with the emotions or feelings of others.

9.3 Types of Bullying

Bullying is characterized by a number of harmful behaviours that have categorized in four ways (CDC, 2014, Stopbullying.gov; Storey *et al.*, 2013; Olweus Bullying Prevention Programme, n.d.):

- verbal (e.g. name-calling, mocking, threatening)

- physical (e.g. kicking, spitting on, damaging or stealing another person's property)
- social (e.g. ignoring, spreading gossip or rumours, making others feel foolish)
- electronic – this involves using technology (email, text messaging, social media) to threaten or hurt someone's feelings, single out, embarrass or make someone look bad, spread rumours or reveal secrets about someone

9.4 Cyber-bullying – The New Frontier

The rapid advance in technology has meant that bullies have found other spaces to intimidate and abuse their victims that do not involve physical contact but that are equally as effective in its impact. The internet via social networking websites, text messaging and emailing are three of the channels used in cyber bullying.

According to the Olweus Bullying Prevention Program (n.d.), cyber bullying has a number of features, which distinguishes it from traditional bullying:

- Anonymity – Unlike bullies in schools, who are seen and can possibly be avoided, cyber bullies often times are anonymous. Victims are therefore likely to be stressed as they wonder who the bully is.
- Accessibility – Cyber bullies have access to their target 24/7, unlike bullies who engage with victims face to face before, during, and/or after school.
- Punitive Fears – Reporting, by victims of cyber bullying, tend to be low because of:
 - fear of retribution from bullies and;
 - fear of the removal of phone or internet privileges since adults' tend to believe that the removal of access to technology is the best way to resolve the issue.

9.5 Response of Schools to Bullying

School administrators should provide guidelines for creating awareness about bullying in schools as well as identify sanctions to be applied where there are breaches.

All reports of bullying must be documented and data kept on same. Steps must be taken to treat with both victims and offenders where cases have been reported.

Where the bullying involves matters of a criminal nature such as extortion and any activity likely to be developed into a criminal activity, the school resource officer or the local police must be notified forthwith for their attention.

10.0 HUMAN TRAFFICKING

10.1 What is Human Trafficking?

Human trafficking or Trafficking in Persons is defined as the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them. There are three main ingredients for the commission of this offence:

- **Activity-** (What is done) - recruitment, transportation, harbouring, transfer of a person
- **Means-** (How is it done) - abduction, deception of fraud, abuse of power
- **Purpose** (Why it is done) - exploitation of another

10.2 What are the types of Human Trafficking?

- **Servitude**-labour or service provided or obtained through threat or harm, creating dependency.
- **Forced Labour** – work or service exacted from a person by threat, where person did not offer service voluntarily.
- **Sexual Exploitation**- compelling participation of person in prostitution, production of child pornography, sexual activity through threat, coercion or other means.
- **Illicit removal of organs**- unlawful removal of organs, tissues of body parts, irrespective of victim's consent.

10.3 Does human trafficking exist in Jamaica?

Yes. Human trafficking has been identified in Jamaica with cases of sexual exploitation and domestic servitude in both men and women. Jamaicans have also been victims of trafficking in other counties in the Caribbean and around the world. A Trafficking in Persons Study in 2007 revealed that 79.3% were predominantly female. The most prevalent age group was 18-24 years and 86.2% of victims were from working class/poor background.

10.4 Is there domestic legislation relating to human trafficking?

Yes, the Trafficking in Persons (Prevention, Suppression, and Punishment) Act was enacted in 2007. The Act was further amended and strengthened in 2013 which increased the time for imprisonment to 20 years, broadened the definition of human trafficking and included provisions for restitution to victims in the same hearing, among other things.

10.5 How does the Government respond to human trafficking?

The National Task Force Against Trafficking in Persons was established in 2005 as part of the Government's effort to strengthen Jamaica's legislative, institutional and operational capacity to combat trafficking. Additionally, there is a specialized Unit in the Police Force to investigate all identified and reported incidents of human trafficking and a special unit was established in the Office of Director of Public Prosecutions to prosecute all human trafficking matters.

10.6 What are some of the preventative measures in fighting human trafficking?

Public education campaigns-particularly the vulnerable groups; training of various stakeholder groups such as the police, victim support groups, judges and prosecutors, immigration, customs and coast guard personnel and introducing trafficking in persons in secondary school curriculum.

10.7 What can you do to help fight this crime?

Be alert. Report suspected cases to the police or contact the Office of the Children's Registry at 1888-PROTECT (776-8328); exercise care in *using the internet* and do not give out personal information; say No to keeping *special secrets*. Tell your parents or teacher if asked to do so.

School administrators are to ensure that where there are cases of child labour, missing children or any form of exploitation of children that the police be immediately notified. Formal reporting where children are abused must be made to the Office of the Children's Registry (OCR).

10.8 Duty to Report

Under the Child Care and Protection Act

6.-(1) In this section for care and "prescribed person" means:

- a. physician, nurse, dentist or other health or mental health professional;
- b. an administrator of a hospital facility;
- c. a school Principal, teacher or other teaching professional;
- d. a social worker or other social service professional;
- e. an owner, operator or employee of a child day care centre or other child care institution;
- f. a guidance counsellor; or
- g. any other person who by virtue of his employment or occupation has a responsibility to discharge a duty of care towards a child; "relevant regulatory entity" means the entity authorized by law to regulate the professional activities of a prescribed person.

(2) Any person who has information which causes that person to suspect that a child-

- a. has been, is being or is likely to be, abandoned, neglected or, physically or sexually ill-treated; or
- b. is otherwise in need of care and protection, shall make a report to the Registry.

(3) A prescribed person who, in the discharge of that person's duties, acquires information that ought reasonably to cause that person to suspect that a child-

- a. has been, is being or is likely to be, abandoned, neglected or, physically or sexually ill-treated; or
- b. is otherwise in need of care and protection, shall make a report to the Registry in accordance with the provisions of this section.

(4) A person who contravenes subsection (2) or (3) commits an offence and shall be liable upon summary conviction before a Resident Magistrate to a fine not exceeding five hundred thousand dollars or to imprisonment to a term not exceeding six months or to both such fine and imprisonment

9.-(1) A person commits an offence if that person, being an adult and having the custody, charge or care of any child wilfully- (a) assaults, physically or mentally ill-treats, neglects, abandons or exposes such child; or (b) causes or procures the child to be assaulted, physically or mentally ill-treated, neglected, abandoned or exposed, in a manner likely to cause that child unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, organ of the body, or any mental derangement).

10.9 Ananda Alert



A total of **44,782** reports were made to the OCR during the period 2007 – 2013. Statistics on the number of *reports* represent children who were **alleged** victims of physical abuse, sexual abuse, emotional abuse, neglect, trafficking **or** child labour. They also include children who were reported to exhibit behavioural problems or who were otherwise in need of care and protection. Unless otherwise stated, figures shown below reflect original reports made about a particular child and do not include subsequent reports made to the OCR regarding the same, or any other incident of abuse pertaining to the same child.

The period also saw an increase in the number of children who were reported dead. This group increased from two (2) in 2014 to five (5) in 2015. *See Tables 1a to 4b for details. Table 1a. Change in Missing Children's Statistics (Jan-Jun 2015/2014)*

Month	Reported Missing 2015			Reported Missing 2014			% Change 2015/2014			# Change 2015/2014		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
Jan	153	32	121	156	31	125	-2%	3%	-3%	-3	1	-4
Feb	184	38	146	211	53	158	-13%	-28%	-8%	-27	-15	-12
Mar	203	42	161	192	50	142	6%	-16%	13%	11	-8	19
April	156	31	125	166	33	133	-6%	-6%	-6%	-10	-2	-8
May	192	39	153	197	38	159	-3%	3%	-4%	-5	1	-6
June	189	37	152	185	44	141	2%	-16%	8%	4	-7	11
1077	219	858	1107	249	858	-3%	-12%	0%	-30	-30	0	

Source: Missing Person Monitoring Unit

Note: Statistics presented are as reported by the Missing Person Monitoring Unit

When should a missing child report be made?

A report should be made immediately after it is discovered that a child cannot be accounted for. Therefore, there is **NO** prescribed time that must elapse before a report can be made.

Where must a missing child report be made?

Reports of missing children are made at the nearest police station or by calling the police at 119 or the Office of the Children's Registry at 1-888-PROTECT (1-888-776-8328), 908-2132, 754-9133, 822-7031, 618-5888, 878-2882, 631-8933 or 631-8908. You may also submit a photograph of the child to anandaalert@ocr.gov.jm.

What do you need to provide when making a report?

- Name, age, sex and address of child
- Clothes that the child was last seen wearing
- A recent photograph of missing child. The photograph should ideally be of good quality.
- Location where the child was last seen
- Identification marks (scars, disabilities etc.)
- Date and time the child went missing
- Other details that may assist in the swift and safe recovery of the child

How can you help if you see a missing child?

If you know the whereabouts of a missing child, it is your duty to inform the Police or the Registry. News releases regarding missing children may be accessed by any of the means below:

- i. Alerts can be emailed directly to you by the Secretariat if you indicate an interest in this option.
- ii. Alerts are published weekly in the Monday edition of the Jamaica Observer.
- iii. Alerts are posted in all library networks within St. James, Trelawny, Westmoreland, St. Ann, St. Catherine and St. Thomas.

- iv. Alerts are posted on our Facebook page (Children’s Registry) and on our website (www.ocr.gov.jm)
- v. Alerts are shared on Global Media Services digital screens at select bill payment and remittance service locations islandwide.
- vi. Alerts are displayed nightly during the Missing Person Feature on Television Jamaica

OCR/ Ananda Alert Tips for Parents

1. Parents/caregivers must find positive ways to deal with disagreements with their children. This has been noted to be among the reasons children leave home without the knowledge of their caregivers.
2. Parents must know the names and contact information for friends or other close associates of the child in the event the child goes missing and may be able to provide useful information that can assist recovery efforts
3. Recent photographs of children should be of good quality, not blurred or taken in a way that may hamper the public’s ability to readily identify the child. Some glamour shots in which excessive make-up is sometimes applied and the child wears costumes would not be ideal to be used in an Ananda alert bulletin.
4. Parents/caregivers must know the clothes that children leave their homes wearing. Alerts sometimes state that the child leaves home and no one is able to give an account of what the child was last seen wearing which is important in easy identification of the child
5. Monitor your child’s use of the internet. Children are prey to sexual predators who try to obtain personal information about them or their family and who may also seek to establish rendezvous with the children which may result in them not returning home.
6. Parents should contact the child’s school administration and provide updates for days when the child will be absent due to ill health of other reasons. This will assist in greater monitoring of children.
7. For children who are responsible for their own travel to and from school, parents should ensure that they call the child and the school (teacher or main office) to confirm the child’s safe arrival to school.

8. Keep abreast of school events that may cause children to return home later than usual to prevent undue concern.
9. Ensure that updates, concerning the child's safe return home, are given to the police and/or the OCR. This is necessary so that counselling and other support can be given to the child and family as needed. This will also be necessary so that the AA stakeholders will be alerted to the child's return and can update the various platforms used to publish the alerts. This can also hamper travel plans if the child's name is not removed from the watch list that is prepared by Passport Immigration and Citizenship Agency (PICA) to prevent the child from being trafficked out of the country.
10. Express your joy in the child's return home and let your child feel safe and loved even when they make mistakes. Having a positive attitude to parenting makes the world of a difference.

DISCLAIMER

This manual, so far as it relates to legal matters, is published for the general information of school boards, Principals and teachers. Matters are dealt with only in a summary form and it is not intended that readers will act on the information without further consulting an independent legal advisor. The Ministry of Education makes no expressed or implied warranty regarding any information of a legal character contained in this manual.

APPENDIX

CHECKLIST

Use of the following checklist will provide a basis for schools to audit their facility and develop an initial School Swimming Pool Safety Plan.

- A clear line of management and responsibility for the swimming pool has been established.
- Appropriate standards of supervision have been established.
- Safety equipment is accessible on site (e.g. throw rope, reach pole).
- Emergency Procedures are established and displayed within the pool area.
- The Emergency Procedure is consistent with the School Crisis Management Plan.
- Pool equipment and features are maintained in safe operating condition (e.g. starting blocks, springboards, pool depth markings, concourse/pool surrounds).
- A first aid kit is available and accessible on site.
- A means of communicating with emergency support services is available, accessible and can be used by the responsible person.
- Insurance responsibility for the activity has been established.
- Chemicals are stored and handled in a safe manner and strictly in accordance with the requirements

Procedures are established to ensure water quality will be maintained in accordance with the Ministry of Health requirements.

In the event of the facility being available for hire, a suitable agreement has been drafted which clearly establishes the responsibility of management and hirer?

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