



Queensland

Criminal Code (Protecting School Students and Members of Staff From Assaults) Amendment Bill 2007



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2007

A Bill

for

An Act to amend the Criminal Code

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The Parliament of Queensland enacts—	1
Clause 1 Short title	2
This Act may be cited as the <i>Criminal Code (Protecting</i>	3
<i>School Students and Members of Staff From Assaults)</i>	4
<i>Amendment Act 2007.</i>	5
Clause 2 Code amended	6
This Act amends the Criminal Code.	7
Clause 3 Insertion of new ch 31	8
After section 346—	9
<i>insert—</i>	10
‘Chapter 31 Assaults, stalking,	11
 harassment or intimidation	12
 at school premises	13
‘346A Definitions for ch 31	14
‘(1) In this chapter—	15
<i>member of staff of a school</i> includes a person who performs	16
voluntary work for the school.	17
<i>school</i> means—	18
(a) an infants school, primary school or secondary school	19
(however described); or	20
(b) a child care facility for children under school age.	21
<i>school premises</i> includes parks and other community	22
premises that are used by a school (but only while they are	23
being used for the purposes of the school).	24
<i>school student</i> includes a child attending a child care facility.	25

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stalk, a person, includes following the person about or watching, or frequenting in the vicinity of, or an approach to, the person's place of residence, business or work or any place that the person frequents for the purpose of social or leisure activity.

‘(2) For this chapter, a school student or member of staff of a school is taken to be attending a school—

(a) while the student or member of staff is on school premises for the purposes of school work or duty (even if not engaged in school work or duty at the time); or

(b) while the student or member of staff is on school premises for the purposes of before school or after school child care; or

(c) while entering or leaving school premises in connection with school work or duty or before school or after school care.

‘346B Assaults, stalking, harassment and intimidation at school premises

‘(1) A person who assaults, stalks, harasses or intimidates a school student or member of staff of a school while the student or member of staff is attending a school, although no actual bodily harm is done, is liable to imprisonment for 5 years.

‘(2) A person who assaults a school student or member of staff of a school while the student or member of staff is attending a school and by the assault does actual bodily harm, is liable to imprisonment for 10 years.

‘(3) A person who unlawfully, and with intent to injure any other person, by any means—

(a) wounds a school student or member of staff of a school; or

(b) does grievous bodily harm to a school student or member of staff of a school;

while the student or member of staff is attending a school, is liable to imprisonment for 14 years.

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| ‘(4) | A person who enters school premises with intent to commit an | 1 |
| | offence under another provision of this section is liable to | 2 |
| | imprisonment for 5 years. | 3 |
| ‘(5) | Nothing in subsection (1) applies to any reasonable | 4 |
| | disciplinary action taken by a member of staff of a school | 5 |
| | against a school student.’. | 6 |