

Trespass on school grounds – information for visitors

Schools are responsible for the safety of all students, staff and visitors. While visitors are welcome at schools, all visitors to school premises must be granted permission by the principal or nominated staff member. There may be instances where a school is faced with a person or people who are trespassing. In such instances, a Trespass Notice may be issued by the principal or their delegate.

Meaning of trespass

Trespass is defined in common law as the act of knowingly entering another person's property without permission. As defined by the *Trespass Act 2023*¹ (the Act), a person is trespassing if their presence on the school premises is unlawful, unwanted or without reasonable excuse.

Permission to enter school premises

In line with the Act, the principal of the school or their delegate is the legal occupier of the school and is entitled to grant permission for people to enter the school premises and also direct them to leave.

People who might seek to enter school grounds

Parents, family, contractors or other people on official business may seek to enter the school premises during normal operating hours. All visitors to a school must ensure that they present at the school reception or office and register as an authorised visitor.

Frequently asked questions

I have been issued with a Trespass Notice, what does this mean

If you are believed to be trespassing, the principal or their delegate are legally allowed to issue you with a Trespass Notice.

You need to stay off the school premises for which the Trespass Notice was issued for 12 months or until such time as the notice is withdrawn.

If you are found on the premises during the active period of the notice, you will be committing an offence under the Act and may incur a fine.

How do I appeal a Trespass Notice

If you believe that you have been wrongfully issued with a Trespass Notice, please contact the principal, as per the Department of Education's Complaints management in schools policy.² You can also contact the Department of Education by email at schoolops@education.nt.gov.au.

¹ <https://legislation.nt.gov.au/Bills/Trespass-Bill-2023-S79>

² https://education.nt.gov.au/policies/conduct#complaints_management