

USE OF FORCE IN THE CORRECTION OF STUDENTS

Background

The Division supports staff members or contractors in the proper application of section 43 of the Canadian Criminal Code.

Guidelines to be considered should staff members find it necessary to use force for the benefit of education of a student in keeping with the above include the following judicial quotes from recent school court cases:

- *The manner of the infliction of the physical punishment.
- *The part of the body where force is applied.
- *Conduct of the child must merit punishment.
- *Forces must be reasonable and not excessive.
- *Ensuring respect for authority is part of the duty of the teacher as an educator.
- *The student must be capable of appreciating correcting.
- *From both an objective and subjective standpoint, such matters as the nature of offense calling for correction, the age and character of the child, the likely effect of the punishment on the child, the degree and gravity of the punishment, the circumstances under which it was inflicted, and the injuries, if any, inflicted.
- *Whether punishment was motivated by arbitrariness, caprice, anger, or bad temper.

The Division prohibits staff members or contractors from using the strap or other like instruments for the correction of a student.

Reference: Section 60, 61, School Act
Section 43, Canadian Criminal Code