



# Disrupting the school-prison nexus in NSW

## Inclusive and evidence-based alternatives

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# Contents

|                                                                                          |           |
|------------------------------------------------------------------------------------------|-----------|
| <b>Executive summary</b>                                                                 | <b>5</b>  |
| <b>Policy opportunities – at a glance</b>                                                | <b>6</b>  |
| <b>Background</b>                                                                        | <b>7</b>  |
| <b>Addressing the school-prison nexus:<br/>case studies</b>                              | <b>14</b> |
| Australia: “making it work” to change the<br>trajectory of justice-involved young people | 15        |
| Chicago, US: changing school discipline cultures                                         | 16        |
| Scotland: keeping kids in school                                                         | 17        |
| Toronto, Canada: reinvesting in school safety                                            | 18        |
| <b>A policy agenda for NSW</b>                                                           | <b>19</b> |
| <b>Conclusion</b>                                                                        | <b>23</b> |
| <b>Annex A: Methodology and participants</b>                                             | <b>24</b> |

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## Executive summary

**In New South Wales (NSW), government schools are suspending students in rising numbers.** NSW schools suspended approximately 1 in 50 primary school students and 1 in 10 secondary school students in 2024.<sup>1</sup> Over 100 students were expelled.<sup>2</sup> School exclusion across Australia disproportionately impacts students from marginalised backgrounds.<sup>3</sup> In 2024, 1 in 4 suspensions were of Aboriginal students and 1 in 4 of disabled students, making them approximately 2.5 times more likely to be suspended.<sup>4</sup>

**There is no evidence that school exclusion addresses student behaviour issues,** according to a 2017 NSW Ombudsman inquiry.<sup>5</sup> Rather than a predictor of improved behaviour, suspension is a predictor of further exclusion. Despite this, exclusion is often presented as a behaviour change strategy for students. Concerningly, there is growing involvement of police in school discipline issues, potentially increasing interactions between vulnerable young people and the criminal justice system.<sup>6</sup>

**Indicators point to a “school-prison nexus” in NSW,** where excluded students are potentially much more likely to be criminalised and imprisoned, and to reenter the justice system as adults.<sup>7</sup> Data on NSW youth prisoners shows over half had been expelled from school, while data on the Australian adult prison population shows two-thirds had an education level of Year 10 or below.<sup>8</sup>

**Schools and teachers require additional support and training to effectively address distress, disengagement and disruption.** In the past decade, schools have been grappling with a student body experiencing significant challenges, including an ongoing teacher shortage.<sup>9</sup> However, research shows low-level distressed, disengaged and disruptive behaviours are the most common and are most challenging for teachers to manage, rather than aggressive/violent behaviours. These are not addressed by exclusion.<sup>10</sup>

“

**There are alternatives to school exclusion that bring better long-term outcomes for schools, teachers and students.**

**There are alternatives to school exclusion that bring better long-term outcomes for schools, teachers and students.** This paper showcases innovative work with justice-involved young people in NSW, policy transformation in Scotland, alternatives to police in schooling in Canada, and restorative justice models addressing disproportionate exclusion in Chicago, USA. Together, these demonstrate that resourcing school inclusion and developing collaborative policymaking models is not only possible, but can provide doable, cost-effective and just alternatives to school exclusion.

This paper **identifies six policy opportunities for inclusive alternatives to school exclusion**, including: reinvesting in inclusive models inside schools; developing a NSW school discipline policy and culture based on keeping all students in school; developing policies, culture and resources based on restorative and relational approaches; drawing on community expertise and knowledge in policy development and decision-making; identifying and supporting alternatives to policing and criminalisation; and improving data collection to strengthen accountability.



## Policy opportunities – at a glance

- 1 Redirect resources from punitive measures to school-based support systems to better support teachers.**  
Reinvesting resources away from punishment and exclusion-centred models and into local and school-based models could provide long-term social and economic benefits. By targeting resourcing inside schools, teachers and schools can draw on more support and expertise in navigating distress, disengagement and disruption.
- 2 Develop a NSW school discipline policy that prioritises keeping students in school.**  
Zero tolerance-style discipline and school exclusion disproportionately impact marginalised students and can set students up for social exclusion and criminalisation. A state-wide school discipline policy could be developed to centre inclusion and youth futures by supporting creative, bottom-up policies. This would aim to enable, empower, incentivise and resource schools and teachers to reduce exclusion.
- 3 Implement restorative approaches in education legislation, policy, and practice.**  
Models drawn from international best practice, including approaches and tools such as restorative justice, trauma-informed care, mutual accountability, and relationship-building, can provide a useful basis for NSW education policy. At the centre of these models, which are place-based and long-term, is a recognition of the contexts that create student distress, building trust and respectful relationships, and enshrining the responsibility of schools to keep students safe.
- 4 Develop a collaborative policymaking framework and involve community in decision-making.**  
Rich expertise and insights of stakeholders, as well as local communities, can provide rich insights in which to develop collaborative policymaking at state level and inform school and place-based strategies. This can support a holistic, informed approach to reducing exclusion and connect schools with resources and communities.
- 5 Develop a flexible framework for alternatives to police involvement in schools across NSW.**  
Schools can be supported in reducing criminalisation of young people by auditing police involvement, addressing implicit bias, and conducting community asset mapping to find alternatives to police intervention. This can enable schools to build tailored resource networks, emphasising community-based solutions.
- 6 Improve NSW education data collection and reporting systems on exclusion.**  
NSW data could more accurately show why students are being suspended and expelled, how students are being disciplined (including the use of seclusion and restraint), when students are being informally excluded, the demographics of exclusion, whether schools are providing alternatives, and how they are providing accessible and culturally safe education.



# Background

## School exclusion – the NSW context

In New South Wales (NSW), government schools are suspending students in rising numbers. NSW schools suspended approximately 1 in 50 primary school students and 1 in 10 secondary school students in 2024, equating to more than 2 students in the average secondary school class.<sup>11</sup> Students can be suspended from Kindergarten to Year 12. Suspensions in Years K–2 were 0.5 per cent of students excluded in 2023 and 2.1% in 2024.<sup>12</sup> International research shows early suspensions are a high-risk event for further suspension, poor learning outcomes and school disengagement.<sup>13</sup> A UK study found that students suspended in primary school were approximately 10 months behind their non-suspended peers in Years 3 to 6.<sup>14</sup>

### School exclusion is **disproportionate**



#### In NSW

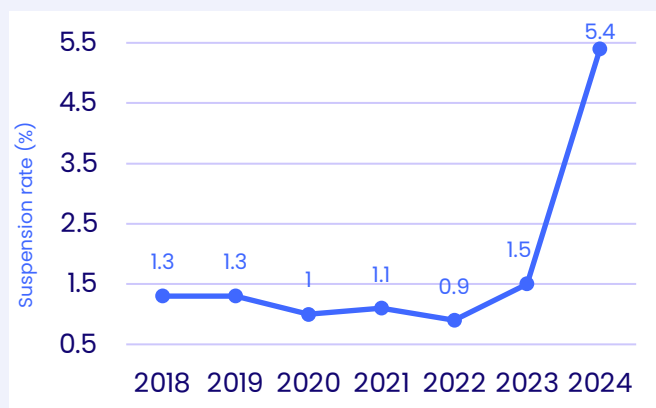
**2.5 x**  
more

Aboriginal and Torres Strait Islander students were **suspended three times more** than other students in 2024.

**2.5 x**  
more

Disabled students – those identified as receiving reasonable adjustments – were **suspended two and a half times more** in 2024.<sup>15</sup>

**Figure 1 | Trend in primary school suspensions 2018 – 2024 (NSW)**



**Figure 2 | Trend in secondary school suspensions 2018 – 2024 (NSW)**



Data limitations in NSW hinder a comprehensive understanding of school exclusion for various student groups, including those with disabilities not receiving adjustments, students in out-of-home care, refugees, migrants, LGBTQIASB+ students and others.<sup>16</sup> However, evidence from other states and territories suggests these groups also face disproportionate exclusion.<sup>17</sup> The Disability Royal Commission report of 2023 documents numerous instances of informal exclusion in NSW, such as schools asking caregivers to remove students or refusing enrolment to disabled students.<sup>18</sup>



NSW does not release data on restrictive practices, seclusion, or physical punishment in schools. However, multiple reports since 2017 from the NSW Ombudsman, Children and Young People with Disability Australia and the Disability Royal Commission have all described the use of these practices in NSW schools.<sup>19</sup> Additionally, the lack of data on repeat suspensions makes it difficult to assess the effectiveness of suspension as a behaviour improvement tool.<sup>20</sup>

The current NSW-wide discipline policy views exclusion as a crucial component of student behaviour management. However, international research has found zero tolerance-style policies do not improve student behaviour. A meta-analysis of 40 US-based studies found these policies led to increased contact with the justice system for the students concerned and were also associated with increased so-called 'anti-social' or 'delinquent' behaviours. Further, schools with zero tolerance-style policies have been shown to have worsening education outcomes overall.<sup>21</sup> In NSW, a wide-ranging 2017 review and investigation from the NSW Ombudsman found "no research evidence that the general use of suspensions reduces disruptive classroom behaviour", and that "suspension may exacerbate challenging behaviour for students with disability or trauma".<sup>22</sup>

## Drivers and consequences of exclusion

International research indicates that harsh discipline practices, along with factors like high student-teacher ratios, lack of support for teachers, and implicit bias, contribute to higher suspension and expulsion rates.<sup>23</sup> In Australia, only 2 per cent of government schools are currently fully-funded to the school resource standard – the amount required to provide adequate support per student.

A new agreement between the Commonwealth and the states commencing in 2025 will aim to significantly increase this number in the next decade.<sup>24</sup>

Experts such as the Australian National Children's Commissioner have called for alternative supports and better training for teachers in behaviour management and child development to address these challenges effectively.<sup>25</sup> NSW Government data shows that greater mental health supports are needed in schools, with schools currently resourced at one counsellor for every 650 students. In 2017, the NSW Ombudsman recommended this be reduced to one counsellor for every 500 students.<sup>26</sup>

NSW suspension and expulsion data reveals that many incidents leading to disciplinary exclusion are not due to physical violence, with 24.4% of suspensions for continued disobedience or disruption in 2024. New categories in 2024 list threatening and carrying out violent behaviour in the same category, but 2023 data showed that actual physical harm was present in 10% of suspensions.<sup>27</sup> This is supported by data on criminal incident reporting in NSW schools, which shows schools as some of the safest environments for everyone.<sup>28</sup>

Nevertheless, there is a trend of increased police involvement in schools, with media reports claiming 860 calls were made to police by NSW public primary and special needs schools in 2024.<sup>29</sup> International research suggests that close police involvement in schools can lead to an increase in criminalisation of student behaviour and reduced academic achievement.<sup>30</sup>



## Youth justice and schooling – the ‘nexus’

In comparative Western contexts, school exclusion has been connected to criminalisation and imprisonment.<sup>31</sup> The school-prison pipeline, or school-prison nexus, is the metaphor for this strong correlation.<sup>32</sup> While extensively researched elsewhere, there is limited Australian data on this phenomenon.<sup>33</sup> However, the connection has been recognised by decision-makers, and NSW data, showcased below, shows a strong connection between school exclusion and imprisonment.<sup>34</sup>

Incarceration drastically reduces the likelihood of school completion.<sup>35</sup> Statistics show that, Australia-wide, only 34 per cent of adult prisoners had attended schooling beyond Year 10, compared to 87 per cent of the general population.<sup>36</sup>

International research highlights that marginalised students are disproportionately impacted by the school-prison nexus, perpetuating cycles of discrimination and inequality.<sup>37</sup> Factors such as racism, ableism, homo/transphobia, poverty, homelessness, food insecurity, lack of safety in the home, exposure to violence and trauma, alcohol and drug addiction and others contribute to higher rates of school exclusion and subsequent criminal justice involvement.<sup>38</sup>

The term school-prison nexus acknowledges the intersectional nature of disadvantage faced by excluded students and the multiple systems that can magnify inequities.<sup>39</sup> For example, in Australia, Aboriginal and Torres Strait Islander students with disabilities and in out-of-home care face a magnified risk of exclusion.

### NSW youth prisoners – at a glance

55.6%

over half of prisoners under 17 had been **expelled from school**

78.1%

78.1 per cent of prisoners had been **suspended three or more times**

7.6%

7.6 per cent of prisoners had been **expelled more than three times**

67.9%

67.9 per cent had been **absent from school** in the last six months

93.8%

Almost all – 93.8 per cent – of prisoners had been **suspended at least once**

> 80%

One in three prisoners had been a **victim of childhood bullying** with over 80 per cent of these incidents occurring in schools.

In addition to schooling experiences, there are a series of intersecting factors:

**1 in 5** prisoners had been in out-of-home care before age 16

**1 in 10** were homeless before being in custody

**Over half** had parents who had experienced incarceration

**1 in 2** prisoners were Aboriginal.<sup>40</sup>

## The NSW policy context

Nationally, the 2020 Closing the Gap strategy aims to reduce expulsions for Aboriginal and Torres Strait Islander students, while the Disability Royal Commission recommended school discipline reform to reduce formal and informal exclusion.<sup>41</sup>

In NSW, Section 35 of the *NSW Education Act* governs the laws around school exclusion, and state and school-based policy operates within this legislative framework.<sup>42</sup> Recent debate and policymaking on school exclusion has occurred in the context of teacher shortages, concerns about student behaviour post-COVID-19 lockdowns, ongoing issues of underfunding and broader concerns about social exclusion and incarceration.<sup>43</sup> Three inquiries in 2016–2017 raised concerns over the school exclusion process and its impacts in NSW, finding that due process was not followed in up to half of suspension and expulsion cases (such as required warnings to students, counselling, or alternative behaviour plans).<sup>44</sup>

Emerging from this, the 2021 Student Behaviour Strategy, implemented in 2022, aimed to reduce suspensions and their duration. It cited international research linking school exclusion to negative outcomes such as escalated behaviour issues, reduced attendance, poorer health and wellbeing, and increased likelihood of justice system contact.<sup>45</sup> However, in 2024, these changes were reversed with the release of the Student Behaviour Policy. This new policy, responding to concerns about student behaviour, was developed in consultation with the NSW Teachers Federation, NSW Primary Principals' Association and NSW Secondary Principals' Council.

It allows for immediate suspensions, longer suspension periods, and expulsions for “serious behaviours of concern” or lack of participation in learning for students over age 17.<sup>46</sup>

Teacher shortages and associated levels of teacher stress have often been cited as reasons to make school exclusion easier. However, significant progress has been made on NSW teacher shortages, which the NSW Government attributes to significant increases in teacher pay, creating more permanent and secure roles, and localised support and recruitment.<sup>47</sup>

Before students are suspended or expelled, schools are required to follow NSW Government behaviour policies, including embedding “positive behaviour approaches, safe practices and inclusive education”, based on the Positive Behaviour for Learning (PBL) framework and in line with a Behaviour Code for Students.<sup>48</sup> This emphasises establishing clear behaviour expectations, explicit teaching, positive feedback, and intervention and punishment when expectations are not followed. PBL philosophy originates in behaviourism and is influenced by models of therapeutic intervention for violent individuals.<sup>49</sup>

There are 15 professional development modules available to NSW teachers focused on PBL and only one on Restorative Practices. Restorative practices cultivate supportive and respectful behaviour, focusing on relationships rather than punishment.<sup>50</sup>

In NSW, excluded students are sometimes sent to Schools for Specific Purposes (SSPs), often known as Behaviour Schools. These are for students with “Behavioural Disorders (BD), Conduct Disorders (CD) and Emotional Disturbance (ED).”<sup>51</sup>

There are 35 Behaviour Schools in NSW, catering to students from Year 5 to Year 10. There are also 42 tutorial centres and programs attached to schools for behavioural and educational support, and 22 suspension centres for students who are suspended for more than five days. Current policy allows for students to be referred to Behaviour Schools when “all other behaviour support provisions” at mainstream schools have been exhausted, and referral to suspension centres and tutorial centres is at the discretion of school Principals.<sup>52</sup>

Students and young people in NSW can be charged with a crime and detained between ages 10 and 18. If bail is refused, they are held in custody until the matter is finalised; if found guilty, they can be sentenced to imprisonment, known as a “control order” in NSW.<sup>53</sup> School exclusion is a strong predictor of youth criminalisation and incarceration, and in turn that is a very strong predictor of adult incarceration. In June 2025 there were 234 young people in custody across NSW, a 34% increase over two years.<sup>54</sup>

There are six youth justice centres in NSW. Young people can be provided education through Education Training Units within each centre and research suggests the flexible nature of this education is often beneficial.<sup>55</sup>

### **Reinvestment, restorative reforms and lived expertise**

While there is ample evidence that school exclusion does not work for students or provide genuine solutions for stressed schools and teachers, there is strong evidence that reinvestment in inclusion and programs aimed at keeping young people out of jail can be effective. A Justice Reform Initiative (JRI) study in NSW evaluated and summarised 90 examples of “community-led programs, place-based initiatives, services, policy frameworks and alternative justice approaches” that are working to prevent criminalisation or imprisonment in the state. One of these programs, run by the NSW Community Restorative Centre, is detailed below, demonstrating positive results. Many of the programs examined by JRI have been successfully evaluated, and JRI concludes that they overall demonstrate the efficacy of community-based approaches. They are potentially also significantly more cost-effective than imprisonment. Though there is no NSW data comparing the cost of community-based interventions to imprisonment, there is ample international evidence showing that restorative justice and inclusive, community-based interventions have a significant benefit-cost ratio.<sup>56</sup> The case studies featured later in this report include approaches from other jurisdictions that have been successfully utilised inside schools to disrupt the school-prison nexus.



There is some evidence in NSW of school-based interventions working to stem the school-prison nexus. A NSW pilot program funded by the Department of Social Services and led by the YMCA, Alternative Suspension, is providing a place for suspended students to attend during their suspensions, aiming to create a supportive, positive experience for students and keep them safe and engaged during their suspensions. Data reported by the program demonstrates positive results, with 94 per cent of students returning to school at the end of the program and 54 per cent of schools reporting positive change among students who attend.<sup>57</sup>

In addition to program evaluations, the experiences of excluded young people themselves offer valuable insights for policymakers. Aboriginal young people from Mt Druitt, with Just Reinvest NSW, produced a significant report in 2023, *Mounity Yarns*, detailing the lived experiences of approximately 100 young people with the justice system. It provides important details on first-hand experiences within the school system and how exclusion from schooling exacerbates and propels criminalisation. These young people “have experiences of being in foster care, being suspended and excluded from multiple schools, and of being in and out of custody.”<sup>58</sup>

The testimony of one justice-involved student, who had received a court order to attend school as a bail condition, speaks to a culture of school exclusion and how it reinforces student disengagement and distrust:

“

**Student testimony, *Mounity Yarns***

As I left court I was mad. They gave me a bail condition to go to school. I haven't been at school in more than a year. I was kicked out of mostly every school and now when I get suspended I'm happy because I don't have to go to school.

The teachers I've had are racist and called me “stupid”, “ADHD”, “ODD”, “shit”. They said I was a “bad kid”. It made me feel dumb as hell. Teachers also targeted me and my friends and jumped to conclusions about us because of our last names.

I wish instead of just suspending me all the time, they could have helped me, because the more they suspended me the more I didn't care.

The teachers didn't really know what to do with us, because a lot of the time we didn't even want to be there. But they didn't really try to find out why we didn't want to be there. Instead of sitting down and actually talking to us and trying to understand where we were coming from, they would try to get us out of the school and out of the way. We know things about surviving systems that they'll never know. We knew then that if teachers didn't care enough to try with us, then no one else would.<sup>59</sup>



## The cost of the school-prison nexus

### US data

Cost of implementing restorative practices in a large US public school district, adjusted to AUD: \$91,548.82 per school, \$221.50 per student for the first year.

### UK data

Research on the social return on investment of restorative justice interventions for offenders found a social benefit-cost ratio of approximately AUD \$26.60 per AUD \$1 invested, with a direct return to the criminal justice system of around AUD \$7.60 as a result of substantial reductions in reoffending.<sup>60</sup>

### Australian data

The 2025 Report on Government Services data showed that in 2024, the cost per student of education in a NSW Government school was \$3929 per year, or \$10.70 per day.<sup>61</sup> The average daily cost to detain a young person in a Youth Justice centre was \$2,748.96 in 2021-2. That makes a day in youth custody around 257 times more expensive than a day in school.<sup>62</sup>





# Addressing the school-prison nexus: case studies

While research and advocacy on the school-prison nexus in Australia is only emerging, international research includes a wealth of material on discipline, policy and other solutions.

Key findings include:

- **restorative justice programs and practices** help improve school culture and reduce exclusions.<sup>63</sup>
- **investing in initiatives that reduce youth incarceration** provide significant cost-benefits.<sup>64</sup>
- **local and collaborative involvement** in policymaking is essential for effective reform.<sup>65</sup>
- **targeted efforts** are required to address the overrepresentation of marginalised students.<sup>66</sup>
- **establishing alternatives to police involvement** in schools is critical.<sup>67</sup>

Drawing on this knowledge base, this project developed a qualitative, comparative interview-based case study research methodology, informed by Indigenist and intersectional research (see Annex A for more detail). In addition to a review of publicly available data, semi-structured interviews were conducted with policy experts, campaigners and advocates in four different countries and contexts, all working to address the school-prison nexus.

The research focused on organisations in Sydney, Australia, and Chicago, USA, and national groups in Canada and Scotland. These groups are all working at different 'ends' of the nexus – supporting criminalised young people, addressing school discipline cultures, addressing police and criminalisation, and addressing inclusive policymaking, respectively. Interviews were conducted online and face-to-face, audio-recorded, transcribed using AI, and analysed thematically through document analysis and iterative consultation.

To test key insights from the project and gather feedback, work-in-progress sessions were hosted with community organisations, advocates and experts in NSW.

Taken together, the research demonstrates that resourcing school inclusion and developing collaborative policymaking models focused on keeping students in school is not only possible, but can be doable, cost-effective and just.



## CASE STUDY #1

### Australia: “making it work” to change the trajectory of justice-involved young people

Australia faces significant challenges with youth justice, including in NSW where the number of young people in custody is increasing and Aboriginal and Torres Strait Islander youth remain starkly overrepresented. As of December 2024, 57.3 per cent of youth in custody in NSW identified as Aboriginal and Torres Strait Islander, and the rate of youth detention increased by 31.6 per cent from the previous year.<sup>68</sup> Research demonstrates that early contact with the criminal justice system is a strong predictor of further involvement and adult incarceration, with Aboriginal males who first encounter the system between ages 10 and 14 averaging 19 court appearances by age 39.<sup>69</sup>

Recognising these patterns, policy and community attention have increased focus on alternatives to punitive responses, instead emphasising prevention, diversion and reintegration. The Community Restorative Centre (CRC) in NSW exemplifies this shift through its Pathways program, which provides holistic, wraparound support for young people involved with the criminal justice system.<sup>70</sup> The program offers intensive case management and counselling that addresses housing, education, employment, addiction, disability and family needs, with a strong emphasis on building trust and long-term relationships. Pathways staff report that most young people they support have experienced exclusion from mainstream schooling and that reoffending often occurs during periods of educational disengagement.<sup>71</sup> Reintegration into school post-custody is a major challenge, as students face inflexible systems, stigma, and a lack of coordinated support. The Pathways team reported, “young people going back to school [feel] judged from the second they walk in.”<sup>72</sup> However, some schools demonstrate success through close collaboration with community organisations.

The CRC’s approach is strengths-based and restorative, seeking to address the underlying social drivers of offending.<sup>73</sup> The program’s staff highlight the importance of flexible, trauma-informed schooling (as sometimes seen in youth justice education settings) and the need for schools to adapt to the complex needs of returning students. However, systemic barriers remain, including fragmented service provision, limited access to therapeutic supports within schools, and persistent stigma attached to justice-involved youth. The Pathways program works to bridge this gap by helping students reintegrate into schools, connect them to resources and help them and their families navigate systems.<sup>74</sup> The team provides targeted support for Aboriginal and Torres Strait Islander young people, young people with drug and alcohol use challenges, and with disability and mental health support.<sup>75</sup>

The Pathways program has not yet been singularly evaluated, an independent review of CRC’s community transition programs and their alcohol and drugs programs for NSW Health found their impact ‘extraordinarily positive.’<sup>76</sup> Moreover, JRI’s broader evidence from community-led, post-release and diversionary programs in NSW indicates substantial reductions in recidivism: between 62 per cent and 66 per cent in some cases.<sup>77</sup>

The evidence highlights the need for sustained investment in community-based, holistic supports that prioritise rehabilitation and reintegration over punishment. Effective models centre the voices and experiences of young people, address the structural drivers of disadvantage, and build strong partnerships across education, justice, health, and social services. By scaling such approaches, NSW may be able to disrupt cycles of exclusion and incarceration, improve outcomes for marginalised youth, and ultimately reduce the long-term social and economic costs of youth justice involvement.



## CASE STUDY #2

### Chicago, US: changing school discipline cultures

Restorative justice has been embedded in Chicago Public Schools (CPS) since the late 1990s, in response to high rates of exclusionary discipline and stark racial disparities – Black students, who comprise 36 per cent of CPS, represent 60 per cent of suspensions.<sup>78</sup> In 2024, after several years of campaigning, the CPS Board removed all police officers from schools and adopted Whole School Safety Plans (WSSPs) that prioritise physical, emotional, and relational safety.<sup>79</sup> This shift comes amid a broader US context where some states are reintroducing zero tolerance policies post-COVID-19, but Chicago has moved in the opposite direction, instead focusing on inclusion and prevention.<sup>80</sup>

A key driver of this shift has been Alternatives, a Chicago-based nonprofit organisation leading the implementation of restorative justice in schools. Over 10,000 CPS students and teachers have participated in their programs, which advocate for police-free schools and broader policy reform.<sup>81</sup> Alternatives provides free, grant-funded services to schools, including intensive coaching, curriculum development, and training for both students and adults in restorative practices. Their model emphasises multiyear partnerships, school-wide assessments, and tailored professional development, with a focus on building relationships between teachers and students.

The results of these efforts have been significant, though gradual. Schools working with Alternatives have reported reductions in disciplinary incidents, suspensions and expulsions, alongside increased graduation rates, student engagement and improved teacher-student and peer relationships.<sup>82</sup> These outcomes are attributed to long-term, whole-school buy-in, with leadership and staff committed to shifting school culture. **Alternatives staff explained, “if we are able to change the mindsets of the adults that are in the building that are very influential in the lives of young people, then we can begin to see some of those changes we want to see within the culture of the school”.**<sup>83</sup> Alternatives’ approach recognises the impact of external factors such as trauma, violence, and food insecurity on student behaviour and positions schools as critical sites for disrupting cycles of youth criminalisation. Day-to-day strategies include teacher and student education in restorative practices, emotional regulation and conflict resolution, as well as youth advocacy, which is supported by on-site staff who provide one-on-one support, peace rooms, restorative meetings, and access to counselling and assessment for disability and neurodiversity.<sup>84</sup>

In contextualising this work, it is important to distinguish between restorative programs (which provide training and tools) and restorative practices (which are embedded in daily school life). Research shows that while programs alone may not always lead to sustained change, consistent exposure to restorative practices, particularly conflict resolution practices, improves academic performance and reduces school suspensions, with particularly strong effects for racialised students.<sup>85</sup> This highlights the potential of restorative practices to address both disciplinary disparities and broader educational inequalities. The Chicago experience indicates that meaningful change requires sustained investment, comprehensive training for both staff and students, and a commitment to transforming the mindsets of adults within schools.



### CASE STUDY #3

## Scotland: keeping kids in school

Scotland provides a compelling example of how a systemic, collaborative approach can provide alternatives to school exclusion.<sup>86</sup> Unlike England, where exclusion rates have risen post-COVID-19, especially among marginalised student groups, Scotland has reduced permanent exclusions to almost zero, with just one case recorded in 2022/2023 compared to 21 in 2012/2013.<sup>87</sup> This reduction is the result of a national commitment to the right to education for all and to end the exclusion of public care-experienced children, with government policy requiring schools to exhaust every possible alternative before excluding a student.<sup>88</sup> For this project, Professor Gillean McCluskey, an advisor to the Scottish Government's Department of Education who has worked on policies to reduce school exclusion there for two decades, was interviewed.

Central to Scotland's strategy is a shift from punitive discipline to "relationship-based policies" that focus on understanding student behaviour as a response to distress, not simply as misconduct. The national policy, *Included, Engaged and Involved*, frames behaviour management around building positive relationships and addressing underlying needs rather than enforcing compliance.<sup>89</sup> Informal or unofficial exclusions, such as sending students home "to cool off", are considered unlawful, regardless of parental agreement. This approach is supported by a staged intervention model, emphasising early identification of issues and proactive support, rather than waiting for problems to escalate.<sup>90</sup>

Scotland's model is highly collaborative. Schools work closely with health professionals, social workers, and community organisations, often bringing these services into the school to ensure students can access support without bureaucratic obstacles.<sup>91</sup> As McCluskey notes, "multi-professional working that's based around schools has a really long tradition in Scotland".<sup>92</sup> Policymaking is also collaborative: the Scottish Advisory Group on Relationships and Behaviour in Schools (SAGRABIS) brings together government, local authorities, teachers, psychologists, academics, parents, and antibullying groups to guide policy and practice.<sup>93</sup> As McCluskey explains, this provides a balance of expertise, experience and interest groups, avoiding reactive policy changes.<sup>94</sup> It also mitigates against one-size-fits-all policies and instead supports contextual, needs-based responses.<sup>95</sup>

Despite these successes, challenges remain. Research shows that students with public care experience, disabilities, additional support needs, or from the most deprived areas are still at higher risk of exclusion, and significant variation exists between schools and council areas, often reflecting broader demographic and socioeconomic inequalities.<sup>96</sup> Temporary exclusions still occur in the third year of secondary school and are influenced by local practice as well as student background.<sup>97</sup>

**However, the Scottish model's focus on inclusion, early intervention, and multiagency support has proven effective in reducing overall exclusion rates and mitigating the school-prison pipeline.**

Scotland's experience suggests that a national commitment to inclusion, relationship-based support, and collaborative, adaptive policymaking – grounded in the right to education and shaped by sustained engagement with diverse stakeholders – can significantly reduce school exclusion and improve outcomes.



#### CASE STUDY #4

### Toronto, Canada: reinvesting in school safety

In Canada, education policy is determined at the provincial, territorial and local school board level, with some federal responsibility in Indigenous education, leading to varied approaches to school safety and discipline. In recent decades, advocates have raised issues of police involvement in criminalising students and challenged the use of police-in-schools programs, such as School Resource Officer (SRO) programs.<sup>98</sup> Several Canadian school boards, including in Winnipeg and Toronto, have ended SRO programs after evidence showed these programs disproportionately harm racialised students and fail to improve school safety or student wellbeing.<sup>99</sup>

Policing-Free Schools (Canada) (PFS-C) is a community-based organisation that advocates for the removal of police from all educational settings as a first step towards building safer, more inclusive schools. As Director and Principal Consultant of PFS-C, Andrea Vásquez Jiménez, notes, “we’re pro-education, pro-youth, pro-evidence-based measures as to what will actually create healthy, thriving learning environments for all.” An important aspect of this involves training and establishing processes for the deprioritization of police involvement. Vásquez Jiménez cited an example of a US school district that has developed a police-free response quick guide for school administrators on who to contact in different scenarios. She also emphasised the importance of developing wider awareness across schools about community-based partners and non-policing resources, including creating resource maps of external organisations and supports.<sup>100</sup>

PFS-C emphasises the need for divesting and redirecting funds previously spent on policing towards hiring more counsellors, social workers, educational assistants, and nurses. These professionals can provide critical mental health support, address bullying and addiction issues, support disabled students, and offer health education, tackling the root causes of distress and conflict rather than relying on punitive or exclusionary discipline. PFS-C advocates for implementing restorative and transformative justice practices, which focus on transformative accountability, conflict transformation, repairing harm and addressing the systemic issues that created the conditions for the harm, rather than simply punishing individual students. For this reason, Vásquez Jiménez emphasises the need for broader systemic changes, including adequate school funding, smaller class sizes, and attention to social conditions like poverty that impact student wellbeing and behaviour.<sup>101</sup>

**In 2017, Canada’s largest school board, the Toronto District School Board (TDSB), ended its SRO program following efforts by community organisations. Comparing data from before and after this decision, the TDSB’s annual report revealed significant reductions in disciplinary actions, with suspensions decreasing by 24 per cent and expulsions by 53 per cent.**<sup>102</sup> These statistics suggest that removing police officers from schools contributes to a decrease in punitive measures and student criminalisation. Although disparities in exclusion persist, TDSB continues to work with schools to embed principles of anti-racism and anti-oppression and to provide learning opportunities for more staff to be trained in restorative and transformative practices.

Although recent reports of increased school violence across Ontario have led to renewed calls for police presence in schools, there is no evidence that placing police in schools reduces violence.<sup>103</sup> In fact, a Campbell Systematic review of police-in-school programs found no evidence that there is a safety-promoting component of such programs, and that such programs contribute to the criminalisation of students.<sup>104</sup>



# A policy agenda for NSW

Insights from the above research and case studies indicate that there is an opportunity for NSW to develop an alternative approach to supporting students to remain engaged in school. Disrupting the school-prison nexus in NSW requires a holistic and coordinated, evidence-based strategy that prioritises inclusion, support, and community partnership. There are various pathways that can be taken to achieve this.

1

## **Redirect resources from punitive measures to school-based support systems to better support teachers.**

Reinvestment takes resources away from punishment and exclusion-centred models, such as police in schools and into resourcing community and place-based support initiatives in mental health, restorative justice models, alternative and therapeutic programs, and social services. Research demonstrates long-term social and economic benefits, though largely reinvestment models have been focused outside schools.<sup>105</sup> The potential of reinvestment *in* schooling could provide focused resources to navigate student distress and support inclusive education. This approach sees school as a crucial site for diversion and reintegration into school for justice-involved young people.

To achieve this, NSW could:

- Expand the existing commitment to increase school counsellors to a minimum of 1 per 500 students, as recommended by the NSW Ombudsman, as a minimum standard, to ensure students receive appropriate support for trauma and behavioural issues.
- Redirect resources from youth custody programs to expand evidence-based, school-based preventative and post-justice involvement programs.
- Establish a voluntary school-based grant program, based on the current model of justice reinvestment, enabling schools to apply for resources to:
  - Review and reform discipline policies to reduce exclusion.
  - Provide staff training in restorative practices and trauma-informed practices.
  - Support reintegration of justice-involved young people in schools.
  - Map community assets and foster school-community partnerships.
  - Enhance support for disabled students.
  - Develop creative and therapeutic programs as alternatives to suspension
  - Recruit key support staff (e.g. social workers, school counsellors, trauma-informed care personnel, creative therapists) for tailored student support.<sup>106</sup>
- Commission independent research to evaluate the long-term economic and social impacts of these measures, including scaled, projected economic cost and benefit in the long term.



## **2 Develop a NSW school discipline policy that prioritises keeping students in school.**

Rather than improving student behaviour, school exclusion can set students up for disrupted education and criminalisation. But schools can also be a powerful social force for social inclusion and preventing incarceration. A NSW discipline policy can be future-focused, starting with the aim of ending school exclusion and keeping kids in school.

NSW could:

- Make ending school exclusion the goal of policy.
- End zero tolerance-style policies that assume exclusion changes behaviour.
- Amend Section 35 of the *NSW Education Act* to restrict exclusionary practices, prohibiting suspension and exclusion for non-violent behaviours.
- Develop creative, place-based policies to empower and resource schools and teachers to reduce exclusion, by incentivising schools that want to end or reduce exclusion and by engaging with communities.
- Strengthen appeals processes for exclusion by developing and supporting independent appeals.

## **3 Implement restorative, trauma-informed and relational approaches in education legislation, policy and practice.**

Restorative programs and practices embed emotional regulation, conflict resolution, inclusive practices and forms of mutual accountability across school curriculum, cultures, policies and practices. These models are based on recognising the contexts and situations that create student distress, building trust and respectful relationships, and developing forms of accountability that emphasise repair, healing and safety for all.

NSW could:

- Reframe school discipline policy on principles of inclusion, restoration, mutual accountability and holistic wellbeing, rather than student behaviour change and punishment.
- Develop school-level safety plans that enshrine the responsibility of schools to keep students safe, and account for students' safety when physically removing them from school grounds.
- Resource school-based intensive training and practice in restorative justice in selected interested schools or locations with integrated long-term support (minimum twelve months) from professionals in addition to existing school staff.
- Support research alongside these initiatives to investigate and evaluate the potential of school-based restorative practices.
- Extend available professional development in conflict resolution using restorative practices for all teachers and principals in NSW.



#### **4 Develop a collaborative policymaking framework and involve community in decision-making.**

Students, their families, local communities, and expert representatives often have valuable insights and knowledge that can provide solutions to exclusion and help schools and teachers identify and understand the context of distressed behaviour.

NSW could:

- Establish a collaborative policy development framework at both the state-wide and local school community level, bringing together a range of stakeholders including teachers' unions, principals' associations, disability advocates, Aboriginal and Torres Strait Islander advocates, multicultural community organisations, mental health services and experts, researchers, educational psychologists, curriculum professionals, justice reinvestment specialists, social workers, and those working in programs aimed at reducing youth incarceration.
- Develop place-based programs that bring together community and service organisations that can assist students and families to support their children's education.
- Promote youth-led initiatives by supporting policies that empower youth to lead advocacy efforts for change within their schools. This can include funding for youth advocacy groups, youth creative projects, youth engagement in community and service organisations.
- Ensure all students and families receive clear, accessible information about their rights in relation to school exclusion, including available supports and avenues for appeal.

#### **5 Develop a flexible framework for alternatives to police involvement in schools across NSW.**

International research shows that police presence in school can increase rates of criminalisation and incarceration and negatively impact student outcomes, particularly for marginalised students.

NSW could:

- Implement a regular review of police involvement in schools, including School Liaison Police, the experiences of students from different backgrounds, patterns of exclusion and rates of student achievement.
- Resource a customisable school-level quick reference guide for schools and teachers outlining appropriate responses to distressed student behaviours and situations of violence, with attention to addressing implicit bias and its impact on threat perception.



- Through community asset mapping, schools can identify local support services that serve as alternatives to police intervention or involvement.
- Support schools, communities and service providers to work together to form local justice reinvestment partnerships that:
  - Identify and address the root causes of student exclusion and youth incarceration through data-driven, community-led planning;
  - Redirect funding and other resources to implement evidence-based, community-based alternatives such as restorative practices, mental health and disability supports, and reintegration programs for justice-involved youth;
  - Establish regular joint planning and case coordination meetings between schools, community organisations, and service agencies to ensure integrated support for at-risk students.

## **6 Improve NSW education data collection and reporting systems.**

In order to prevent exclusion, better data is required in NSW to assess why students are being suspended and expelled, how students are being disciplined (including the use of seclusion and restraint), when students are being informally excluded such as through the denial of enrolment, which students are facing exclusion more often, and whether schools are providing alternatives, involving families, and providing accessible and culturally safe education.

NSW could:

- Collect data and publicly report on reasons for suspension and expulsion as well as seclusion and restraint.
- Collect data and publicly report on which students are being suspended and expelled, with deeper demographic information including, but not limited to, students in out-of-home care, students who are disabled but not receiving adjustment, students who are LGBTIQASB+, socioeconomic status, refugee and asylum seeker backgrounds, and students from migrant and culturally and linguistically diverse backgrounds.
- Collect data and publicly report on repeat suspensions and expulsions.
- Develop mechanisms to gather and publicly report data on informal exclusion, such as denial of enrolment and repeated calls to remove children.
- Develop and implement a mechanism to audit and publicly report on school suspension and exclusion data, requiring schools to document and report the specific supports and interventions provided to students prior to exclusion, to ensure accountability and drive improvements in inclusive practice.



## Conclusion

The school-prison nexus in NSW public schools represents a critical challenge for policymakers, educators and communities. Exclusionary discipline practices disproportionately impact Aboriginal and Torres Strait Islander students and students from other marginalised groups, compounding existing inequalities and increasing the likelihood of contact with the criminal justice system. Around the world and at home, punitive approaches have not improved student behaviour or educational outcomes and instead have been shown to perpetuate cycles of disadvantage and incarceration.

Research and policy developments in NSW, alongside international evidence, highlight the need to shift from exclusionary models to evidence-based, community-led alternatives. Approaches such as restorative practices, holistic support systems, and programs that address the underlying social drivers of disengagement and challenging student behaviour – such as poverty, trauma, and discrimination – have demonstrated greater effectiveness in supporting at-risk students and improving school climates in ways that reduce stress on teachers and schools.

While there is growing recognition of the harms of current approaches, there is also evidence from existing reinvestment and restorative-focused programs working in NSW, and in comparable education systems globally. There is an opportunity for NSW to invest in scalable, best-practice alternatives that prioritise prevention, early intervention, and support. Redirecting resources from punitive discipline to community-based solutions can break entrenched cycles of disadvantage and deliver substantial cost savings and broader benefits for community safety and wellbeing. Addressing school exclusion and, in turn, youth incarceration can have positive effects on crime and incarceration for a lifetime.

Achieving these outcomes requires a substantial policy shift that centres the voices of those most affected, particularly Aboriginal and Torres Strait Islander communities and disabled communities, and addresses the structural inequities underpinning the school-prison nexus in NSW. By embracing inclusive, evidence-based alternatives, NSW can disrupt the pathways from school exclusion to incarceration and ensure thriving learning environments in which every student is known, valued and cared for.

## Annex A: Methodology and participants

The project adopted a qualitative, comparative case study methodology informed by Indigenist and intersectional research. It involved four key components: (1) a review of publicly available NSW data and policy on school exclusions and prison populations to identify patterns and gaps; (2) a rolling literature review of alternative discipline and restorative justice programs across Australia, the USA, UK, Canada, and Aotearoa/New Zealand; (3) semi-structured interviews with 4 to 32 adult policy experts, campaigners, and advocates across 4–8 organisations in up to five countries; and (4) a work-in-progress session where initial findings were presented to key community organisations, advocates and experts in NSW for feedback. Interviews were conducted online and face-to-face, audio-recorded, transcribed using AI, and analysed thematically through document analysis and iterative consultation.

### Overview of people interviewed

- Professor Tracey McIntosh, Ngāi Tūhoe and Professor of Indigenous Studies in Te Wānanga Waipapa (School of Māori Studies and Pacific Studies) at the University of Auckland
- Youth Pathways Team, at Community Restorative Centre
- Alexis Hardy, Restorative Justice Director and Shaharazad Johnson, Behavioural Health Program Director, at Alternatives Youth Inc
- Professor Gillean McCluskey, Professor of Education in Moray House of Education and Sport at the University of Edinburgh
- Andrea Vásquez Jiménez, Director and Principal Consultant, at Policing Free Schools Canada

### Overview of type of people/organisation invited to work-in-progress session

- Youth advocacy organisations; education focused organisations; Indigenous research organisations; academic experts; criminal justice system advocacy groups; teachers and their representative organisations; disability advocacy groups; LGBTIQASB+ advocacy groups.

Approximately 25 individuals attended the session, which was held online on 25 January 2025. The case studies were presented, and participants were then asked to consider the following questions:

1. Long-term impact: What long-term effects do you anticipate this policy/approach having on school culture, student outcomes, and community relations?
2. Feasibility: How realistic is it to implement this policy/approach in the NSW educational and political context?
3. Effectiveness: To what extent do you believe this policy/approach would reduce school exclusions and improve outcomes for First Nations students in NSW?
4. Potential challenges: What are the main obstacles or resistance points we might face in implementing this policy/approach?



5. Equity considerations: How does this policy/approach specifically address the needs of students facing intersecting disadvantages? E.g. racism, sexism, homophobia, transphobia, ableism, xenophobia, urban vs rural/remote.
6. Resource requirements: What additional resources (financial, human, training) would be needed to implement this policy/approach effectively?
7. Stakeholder support: Which key stakeholders would likely support or oppose this policy/approach, and why?
8. Unintended consequences: Are there any potential negative outcomes or unintended consequences we should consider?
9. Measurability: How can we measure the success or impact of this policy/approach over time?
10. Scalability: Can this policy/approach be effectively scaled across different school regions or in other states/territories?
11. Integration: How does this policy/approach complement or conflict with existing educational policies and practices?
12. Community engagement: How does this policy/approach involve or empower students, families, and community members in decision-making processes?

Feedback from participants in response to these questions was transcribed and analysed using thematic analysis. The feedback helped refine the policy opportunities presented above.

# Endnotes

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