



NEW PLYMOUTH BOYS' HIGH SCHOOL
TE KURA TAMATĀNE O NGĀMOTU

Title	POLICE INTERVIEW OF STUDENTS
Reference Number	F607
Section	Students
Written By	NPBHS Headmaster
Checked By	NPBHS Policy Committee
Approved By	NPBHS Board of Trustees
Issue Date	May 2014
Review Date	November 2027
Associated Policies	
Associated Procedures	
Associated References	<u>New Zealand Bill of Rights Act 1990</u> <u>Oranga Tamariki Act 1989</u> <u>Misuse of Drugs Act 1975</u> <u>NZ Bill of Rights Act 1990</u> <u>Vulnerable Children Act 2014</u>

RATIONALE :

The Board of Trustees undertakes to ensure the safety and rights of students while respecting the role and function of the Police.

PURPOSE :

1. This Policy is designed to provide a guideline for staff, students and parents/caregivers on the process that the school will follow when Police wish to interview students at school or during the school day.
2. The school enjoys a strong and positive relationship with the New Plymouth Police and sees it as beneficial to the school to continue to have such a relationship.
3. The school wishes to ensure student rights are respected and protected.
4. In general, it is the school's wish to have parents/caregivers present if Police wish to interview students. However, that is not always possible and given this situation, the following Policy will come into effect.



GUIDELINES :

1. BEFORE AN INTERVIEW TAKES PLACE:

- a. The Headmaster (or delegated staff member) should be informed of the nature of the complaint, the names of students involved and why there is a desire to interview the student at school.
- b. The Headmaster (or delegated staff member) should consider:
 - The time when the offence was committed.
 - The type of offence.
 - The number of students involved and their ages.

2. BEFORE THE HEADMASTER ALLOWS AN INTERVIEW TO GO AHEAD:

- a. The student should be asked, in the absence of the Police, whether or not they wish to be interviewed by the Police.
- b. The student should be informed of the fact that they do not have to speak with the Police, nor provide any oral or written statement to the Police.
- c. Every effort should be made to contact the student's parents/caregiver before any interview takes place and, if contacted, their view obtained and respected.
- d. The Police should be asked to ensure that they comply with all relevant provisions of the New Zealand Bill of Rights Act 1990 and the Oranga Tamariki Act 1989 , particularly the rights of students who are children (under 14 years of age) and young persons (over 14 years of age and under 18 years of age).
- e. The student's nominated adult will be present throughout the interview or the delegated staff member.
- f. Throughout the interview, the staff member should keep in mind their responsibility to support both students and parents/caregivers and their rights.
- g. The staff member's approach in an interview will be that of "a parent".
- h. The staff member retains the right to terminate the interview at any stage it is considered desirable to do so, and/or if the student requests that the interview ceases. The time and reasons for the termination should be recorded by the staff member.
- i. The staff member will ensure that the student is offered a short break, at least once every teaching period.
- j. Should any doubt exist in the mind of the staff member at any stage, he/she should not allow or stop the interview, record the time and reasons and immediately consult the Headmaster (or designated staff member), who will consult with the Board's Solicitors or the local office of the Ministry of Education if appropriate
- k. The student should not accompany the Police Officer to the Police Station for questioning without the parents/caregivers consent.



3. POLICE POWERS AND RESPONSIBILITIES

It is noted that Police have certain powers under the Misuse of Drugs Act 1975 and certain responsibilities under the Oranga Tamariki Act 1989 and the NZ Bill of Rights Act 1990.

