

GUIDELINES

Police in Schools

Responsibility of: Schools Policy and Operations
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1 INTRODUCTION

These guidelines must be read in conjunction with the Police in Schools Policy.

Schools should liaise with police through the identified key contact persons listed at Item 3 Responsibilities of the Police in Schools Policy. If principals are in any doubt regarding an interaction with police they should seek advice from the relevant schools manager or the Officer in Charge Crime Prevention Unit.

Police will not unnecessarily question a student, in relation to an offence, at school unless exceptional circumstances exist. In such circumstances police are required to ensure a responsible adult is aware the student is being spoken to.

If enquiries are to take place at school, the principal should require the police officer to be as discreet as possible, avoiding any situation where a student could be embarrassed.

When police need to make enquiries within the school in relation to criminal activity, it is usually considered that, where available, the school based police officer (SBPO) will conduct initial enquiries due to their familiarity and understanding of the school community.

2 RECEIVING A COMPLAINT

If a formal complaint of criminal behaviour is received direct to the school, the principal should refer the complainant to the local police station for action unless the incident has occurred within the school during normal operations, then the matter should be referred to the SBPO. In the event that the SBPO is not available the principal should contact the Sergeant SBPU for advice unless there are issues regarding the safety of students and staff, and it is necessary to request immediate police assistance. This should be done by ringing the police complaints line on 131 444.

Principals should be aware that exceptions exist where the complainant should be provided with an immediate response (refer to **exceptional circumstances** section of these Guidelines).

If a formal complaint relating to an incident at a school is received by the SBPO they will advise the appropriate school personnel of the incident, and follow their operational guidelines set out in School Based Police Officers Standard Operating Procedures.

3 WHERE AN OFFENCE IS SUSPECTED

Police are required to contact parents prior to making enquiries of students suspected of being involved in an offence. Should police enquiries establish that an offence has been committed or that a person is in fact implicated in an offence, the schools enquiries will then cease and the SBPO will conduct an investigation in line with normal police procedures. Formal interviews are not to be conducted on DET premises, except in exceptional circumstances.

Police must ensure all Northern Territory legislative requirements are adhered to, and must only apprehend a student at school as a last resort, and then the student cannot be interviewed without the student's support person being present. In these circumstances police are responsible for the student, including notification to the responsible adult or support person.

When determining if police involvement in a school incident is appropriate the principal should liaise with their SBPO or relevant police contact person or schools manager as appropriate.

4 STUDENT'S SUPPORT PERSON

Formal police interviewing of students is not to be conducted at school unless under exceptional circumstances, and the interview may only take place with the approval of the principal.

Where a formal interview of a student suspected of a crime is required, a support person, as per the definition in section 35 of the *Youth Justice Act* must be present. Students may request DET staff or other school staff to act as their support person. DET staff and other school staff are not encouraged to act as support persons unless it considered absolutely necessary, and then only after careful consideration of their professional relationship with the student and approval from the principal. Where the school is the complainant, DET staff and other school staff cannot act as a support person, as this would be inappropriate and constitute a conflict of interest.

5 EXCEPTIONAL CIRCUMSTANCES

Principals should be aware that police may determine that in extreme circumstances, exceptions to the general rules may need to be made, such as in an emergency that necessitates prompt action by police or for child protection matters.

In limited circumstances police can lawfully search a student without warrant or without a support person being present. For example:

- when a bomb threat has been made,
- where the delay of a search would create an unacceptable risk of harm to the student, or another person, or
- to prevent the loss or destruction of evidence.

Police must adhere to the *Youth Justice Act*, and where searches of students and or their property are required to be carried out as a matter of urgency

- the police officer must be of the same gender,
- the student is to be given privacy, and

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- where a police officer of the same gender is not available within a reasonable time, a staff member of the appropriate gender who is not a police officer may carry out the search under the direction of police.