Melbourne Archdiocese
Catholic Schools

Police or Child Protection Interviews at School

PROTECT Procedure

1. Introduction

Melbourne Archdiocese Catholic Schools Ltd (MACS) is committed to supporting schools to take a proactive role in the care, wellbeing and protection of children and young people.

As law enforcement officers, Victoria Police (VicPol) have broad powers to investigate, question, search and detain. In most cases, VicPol will interview witnesses and suspects at a police station, however, there may be rare and urgent circumstances where VicPol seeks to interview a student under the age of 18 at school. The appropriate response in these situations will depend on whether the student is considered to be:

- a victim
- a witness
- a suspect.

Similarly, Victorian Department of Families, Fairness and Housing (DFFH) Child Protection workers have broad powers to investigate and obtain information relevant to the protection or development of a child. While interviews are typically conducted in the family home with parents or carers present, there may be occasions where DFFH Child Protection workers need to interview a student at school as a matter of urgency or necessity.

When deciding whether to facilitate an interview at school by VicPol or DFFH Child Protection, principals and staff must consider the human rights set out in the Charter of Human Rights and Responsibilities Act 2006 (Vic.). This includes considering:

- how the decision will assist the protection of families as the fundamental group unit of society and the child's rights to protection as is in their best interests and needed by them by reason of being a child; and
- whether or not there is any less restrictive arrangement that would not unreasonably compromise the child's safety and wellbeing in making sure the law is upheld and also engaging with their family.

Following this procedure will assist schools to consider these obligations, noting that there may be other specific circumstances that may require additional considerations of human rights, including:

- the right to protection against discrimination and to enjoy human rights without discrimination
- the right to enjoy their cultural, religious, racial or linguistic background in community with other persons of that background;
- the right of Aboriginal and/or Torres Strait Islander people to hold, enjoy and maintain their distinct cultural rights with other members of their community.

2. Purpose

The purpose of these procedures is to assist principals to:

- respond to a request by VicPol or DFFH Child Protection workers to interview a student(s) at school
- understand and comply with their legal requirements when a request is made by VicPol or DFFH Child Protection workers to interview students regarding child protection incidents and
- manage situations which can be stressful and sensitive.

3. Scope

These procedures apply in all MACS schools.

4. Principal responsibilities

The principal (or nominated staff) **must**:

- only facilitate interviews at the school requested by VicPol or DFFH Child Protection if the following apply:
  - it is a matter of urgency or necessity
  - the school is the only appropriate location for the interview
  - the only time the interview can occur is during school hours and
  - there are reasonable grounds for seeking to exclude the parents or carers from the interview and have the interview conducted at school with a school staff member supporting the student during the interview
- inform the student of their right to have an independent supportive adult, parent or carer present during the interview.
  - **Note that** VicPol and DFFH Child Protection **are not permitted** to interview a student who is **under 18 years of age at school** unless an independent supportive adult is present for that student. If VicPol, DFFH Child Protection or an independent Children's Lawyer insists that no adult be present during the interview, contact the Legal Services team for advice.
- ensure an independent supportive adult is present by:
  - supporting the student to choose an independent supportive adult
  - arranging for a staff member to act in this role where the student is not mature enough to make this decision
- ensure any staff member acting as an independent supportive adult has no conflict of interest (for example, where they are related to the child or the alleged perpetrator, or are the alleged perpetrator)
- balance their obligation to protect the rights of students with their obligation to assist VicPol and DFFH Child Protection in their exercise of duty
- verify official identification of VicPol or DFFH Child Protection officers before allowing access to any child
- request VicPol or DFFH Child Protection put their request for the interview in writing
- maintain confidentiality in the management of all mandatory reporting or criminal cases
- create a record of the interview, including key information and
- maintain records of the interview in accordance with the *Public Records Act 1973* (Vic.).

5. Contacting parents or carers prior to interviews

There may be circumstances where contacting the student's parents or carers could place the student at greater risk. In these situations, the principal must seek advice from VicPol or DFFH Child Protection (depending on who made the interview request) before contacting parents or carers to determine whether they should be present at the VicPol or DFFH interview. The school must document details of this consultation and subsequent decision making.

In many cases where it is suspected that a student has been or is at risk of being abused, it is extremely important to notify their parents or carers as soon as practicable. This enables them to:

- take steps to prevent or limit their child's exposure to further abuse and
- ensure their child receives the support they require.

6. Student as victim or witness

When the principal allows interviews to take place involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible and
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents or carers as soon as possible, unless doing so will put the student in danger of breaching laws.

If VicPol asks to speak to a student who has allegedly been abused by another student, this should preferably be done in the presence of the student's parents or carers or another independent supportive adult who is not a school staff member.

If the matter is urgent and the school is unable to find an independent adult, or if the school is unsure about who an independent adult may be in a particular context, the school should contact the Legal Services team for advice.

The following table describes how principals should determine when to grant an interview request with a student who may be a victim or witness.

When the principal	The principal should
Is asked to allow a student to be interviewed at school	• request the reason for the interview and why it must be conducted at school • ensure that the student's parent or carer is present, where it is practical and appropriate to make these arrangements • ensure that if a parent or carer cannot be present, the student has been informed of their right to have an independent supportive adult present during the interview • ensure that if the student is under 18 years of age, an independent supportive adult is present during the interview • ensure appropriate records are kept. The template provided may assist and • ensure that all appropriate care has been offered to the child including counselling services and pastoral care.
Is asked to allow a student to be interviewed at school without the parent's or carer's present	• request the reason for the interview and why it must be conducted at school • allow the interview if there are reasonable grounds to exclude the parents or carers from the interview ***Example:*** *The interview relates to an allegation of abuse involving parents, carers, siblings or other members of the student's family, or a person with some relationship to the family, and the student is supported by an independent adult* • inform the student of their right to have an independent supportive adult present during the interview • ensure that if the student is under the age of 18 years of age, an independent supportive adult is present during the interview • ensure appropriate records are kept. The template provided may assist.
Is satisfied that immediate action is necessary and cannot contact the parents or carers or the parents or carers do not agree	• allow the interview, with the principal or suitable delegate authorised by the parents or carers, so long as a conflict of interest does not exist

When the principal	The principal should
	• ensure that if a conflict exists, an independent supportive adult is present – this may be a senior staff member at the school and • ensure appropriate records are kept. The template provided may assist.
Is not satisfied that immediate action is required	• only allow the interview when a parent or carer or their nominee is present, or the parents or carers authorise the principal to act as their representative and • ensure appropriate records are kept. The template provided may assist.
Is informed that a number of students need to be interviewed in order to identify potential witnesses	• only allow the interviews to: – identify witnesses for further interviews and – take place with a parent or carer or suitable delegate authorised by the parents or carers (such as the principal) to act as their representative and • ensure appropriate records are kept. The template provided may assist.

7. Recordkeeping

Principals are to ensure that all child safety and wellbeing records are maintained and stored in accordance with the Child Safety and Wellbeing Recordkeeping Procedures.

8. Definitions

Definitions related to child safety can be found at: Child Safe Standards: definitions.

Definitions of standard terms used in this Policy can be found in the Glossary of Terms.

9. Support

Legal Services team seeks to provide schools with support and advice on legal matters.
Phone: 9267 0228
Email: legal@macs.vic.edu.au

Student Wellbeing Information and Support Service (SWISS) seeks to address matters that impact the wellbeing and educational outcomes of young people arising from using a solution-focused framework, and empower and enhance the capacity, competence and confidence of staff to address matters related to the wellbeing of young people.
Phone: 9267 0228
Email: swb@macs.vic.edu.au

Child Safety team supports schools with child safety and wellbeing matters and complaints handling.
Phone: 9267 0288

Reportable Conduct team supports schools with implementation of the Reportable Conduct Scheme and related matters.
Phone: 9267 0288

10. Related policies and documents

Supporting documents

Police or DFFH Child Protection interviews at school – Student Interview Template
Responding to Victoria Police and Child Protection Requests: PROTECT Procedure

Related MACS policies and documents

Child Abuse Identification and Response Policy
Child Safety and Wellbeing Policy
Child Safety and Wellbeing Recordkeeping Procedures
Child Safety Recruitment Procedures
Code of Conduct for MACS Staff
Reportable Conduct Policy

Resources

Charter of Human Rights and Responsibilities Act 2006 (Vic)
Child Information Sharing Scheme
Child Information Sharing and Family Violence Reforms on the CEVN website DET Mature Minors and Decision Making (2020)
Family Violence Information Sharing Scheme
PROTECT | vic.gov.au
- Adult engaged by a Catholic school – PROTECT 4 Critical Actions reference sheet (PDF)
- Student-to-student – PROTECT 4 Critical Actions reference sheet (PDF)
- Family – PROTECT 4 Critical Actions reference sheet (PDF)
- Community – PROTECT 4 Critical Actions reference sheet (PDF)

PROTECT on the CEVN Website (schools only, log in required)

11. Legislation and standards

Child Wellbeing and Safety Act 2005 (Vic)
Children, Youth and Families Act 2005 (Vic)
Crimes Act 1958 (Vic)
Education and Training Reform Act 2006 (Vic)
Education and Training Reform Regulations 2017 (Vic)
Family Violence Protection Act 2008 (Vic)
Information Privacy Act 2000 (Vic)
Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises
Victorian Institute of Teaching Act 2001 (Vic)
Worker Screening Act 2020 (Vic)
Wrongs Act 1958 (Vic)

Policy information table

Approving executive	Director, Education Excellence
Document owner	General Manager, Child Safety
Approval date	7 July 2026
Next Review by	July 2028
Publication	CEVN, Gabriel, School website
Related policy	Child Abuse Identification and Response Policy – PROTECT - 2026
Superseded documents	PROTECT Procedure: Responding to Student Sexual Offending – v1.0 – 2023 PROTECT Procedure: Responding to Student Sexual Offending – v2.0 – 2024 PROTECT Procedure: Police or Child Protection Interviews at Schools – v3 – 2025