

POLICE INTERVIEWS WITH YOUNG PEOPLE

information for parents

english

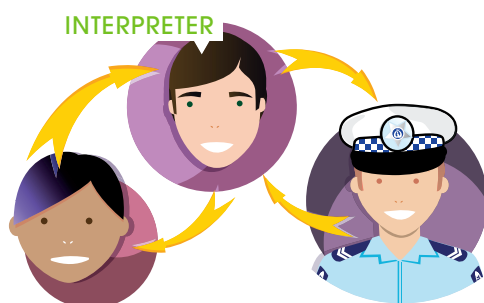
You have been called to the police station because police believe your child was involved in a crime. Police are going to interview your child to ask them questions about this.

The law says that a parent or guardian should be there if police want to interview someone under 18 years of age. However if you can't attend the interview, police are able to organise a trained person who is not a police officer to be there instead.

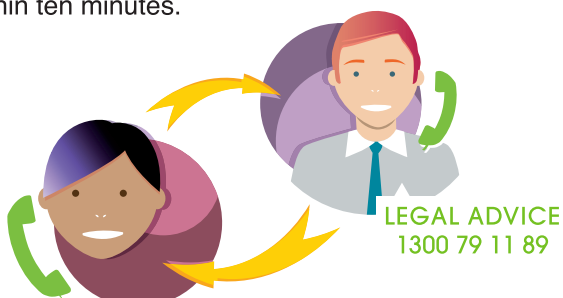
1.

What should you do?

- You are at the police station to support your child.
- Make sure that they are ok and check whether they need anything to eat or drink, to see a doctor or to go to the toilet. If they need these things, ask police to arrange this.
- If you feel that your child does not understand something or is unwell, tell the police this.
- **You and your child have the right to an Interpreter.** Ask police to arrange this if needed.



- Encourage your child to contact a lawyer if they want advice. They can get **free legal advice** on the telephone at the police station by calling **1300 79 11 89**. **Ask police to call this number** and a lawyer will call your child back, at the station, within ten minutes.



2.

What is going to happen?

- Before the interview, you should be given a private space to talk with your child.
- After this, police will interview your child. The interview will generally be tape-recorded.



3.

During the interview remember that:

- Your child must tell the police their name and address.
- **Your child has the right not to answer any other questions.** They can say 'no comment' to all police questions. This should not stop them from receiving bail (that is, being allowed to leave the station). What your child says to the police may be used against them in court. However, the law does **not** assume that someone is guilty because they answered 'no comment' to police questions.
- Your child can ask the police to explain the questions if they do not understand.
- **They should never just agree with what is being said because they don't understand or because they think it would be rude not to.**

4.

After the interview

- You need to be there if the police want to take your child's fingerprints.



- A police officer will ask if you and your child were satisfied with the police treatment. If you were not happy with the way that you or your child were treated, it is important that you say this to the police.
- Your child may receive a formal 'Caution' – this is a serious warning from the police. This means that your child has admitted to breaking the law but does not have to go to court and will not receive a criminal record.

- If your child does not receive a 'Caution', one of the following may happen:

- Your child is charged and receives 'bail'. This means that they are allowed to leave the station. They will be asked to sign a document in which they promise to go to court on a certain day. Police may want to add other conditions to this 'bail'; or
- Your child leaves the police station without being charged. However, they may later receive a letter explaining that they have been charged. The letter will provide a time and date that they will have to go to court. This letter is called a 'summons'; or
- In some very serious cases, the police may want to keep your child in detention until the next court day when they can appear at the Children's Court. This is called being 'remanded in custody'. If this happens you should get legal advice. Also ask the police where your child will be taken and how you can contact them.

- If your child has to attend court, it is important that you go with them.

"If a young person is well supervised at home and has a supportive family, they are less likely to re-offend. It is therefore important you attend court with your child to demonstrate your support. This may help your child receive a lighter sentence".

Judge Jennifer Coate,
Former President, Children's Court of Victoria