



## Administrative Procedure 352

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### RCMP Interview Process

#### Background

Langley School District staff work collaboratively with the Royal Canadian Mounted Police (RCMP) to maintain safe, caring and orderly schools. RCMP members are valuable partners in supporting staff, students and parents with safety issues in schools and in the community.

Student involvement in an RCMP interview process can result from a variety of situations. Students may be witnesses and possess information about specific events. At other times, students may be complainants or victims. Lastly, students may themselves be suspects in criminal activity. It should be noted that at times, a witness/complainant may transition to suspect depending on the interview/investigation.

It is the responsibility of school-based Administrators to ensure appropriate procedures are followed consistently. It is equally imperative that the dignity and rights of the student be respected and that the disruption to the school and to students is kept to a minimum. These protocols are intended for principals and vice-principals; other school staff should not assume these roles or responsibilities.

#### General Guidelines

Except in urgent circumstances where it would be impractical for RCMP members to make initial contact with the school administrator, all RCMP contact with students at school should occur with the knowledge and consent of the administrator. Prior notification from the RCMP allows the administrator to contact the parent where possible, in advance of any student interview.

Wherever possible, the administrator should encourage the police to conduct any interviews outside of school hours and in another location, such as the student's home or police detachment. The police do not have a right, unless exigent circumstances exist, to interview a student in a school, without the permission of the administrator.

If an interview is to be held at the school, it should be held in a private location where the student's privacy is protected to the extent possible. Administrators must ensure that complete records are kept of circumstances involving police contact with students, including the name of the student, the name or badge number of the RCMP officer as well as the police file number (if available), the circumstances giving rise to the contact, and all attempts to contact the parents/guardians of the student.

Administrators shall notify the Superintendent or designate of any significant intervention by an RCMP officer.

## Procedures

1. Students who are witnesses, in possession of information or who are complainants in specific incidents:
  - 1.1 Review General Guidelines.
  - 1.2 It is the administrator's responsibility to inform the student's parent/guardian if this type of interview needs to take place prior to its commencement. Parents/guardians should be offered the opportunity to attend the interview, as well as have the right to refuse consent for such interviews taking place.
  - 1.3 If a parent is unavailable to attend the interview, the administrator should request that the interview be delayed until the parent is available.
  - 1.4 In emergency circumstances, an administrator may, with the consent of the student, attend in place of the parent for the purposes of student support only. Administrators must be cautious to ensure students' rights are respected as in certain circumstances, a student who first appears to be a witness or victim may become a suspect.
  - 1.5 Administrators shall notify the Superintendent or designate of any significant intervention by an RCMP officer.
2. Students who are possible suspects in criminal activity:
  - 2.1 Review General Guidelines.
  - 2.2 Ideally, students who are possible suspects involving criminal activity should be interviewed at the RCMP detachment or at the student's residence, not at the school. When this is not possible, it is the responsibility of the RCMP member to inform the parents/guardians of the interview, not the administrator. The administrator should confirm with the RCMP that such contact has been made and if not, should contact the parents/guardians of the child prior to the interview taking place.
  - 2.3 Where parents are not available or are unwilling to attend the interview, the student must be advised they have the right to counsel, to have an adult (which may include the administrator of their choice) present in the interview, and that they need not answer any questions or participate in the interview. It is the RCMP's legal responsibility to inform the youth of these rights. According to the [Youth Criminal Justice Act](#) (YCJA), a youth can decline having an adult present.
  - 2.4 If an administrator is present, they should not participate in the questioning or act, or appear to act, in such a manner that would indicate that they are representing the RCMP, or influencing the evidence being provided.
  - 2.5 The search or arrest of a student may take place if/when the RCMP officer has the legal authority to do so. This may be in the form of a signed judicial authorization (e.g. search warrants, arrest warrants) or having reasonable or probable grounds to do so.

- 2.6 If a student is being arrested, ideally this will take place off the school property out of the view of other staff and or students. When this is not possible, administrators should work collaboratively with the RCMP to help minimize any disruption to the school learning environment and to maintain the privacy of both the suspect and the victim(s).
- 2.7 In the event of an arrest at the school, the administrator should coordinate with the arresting officer about contacting the parents/guardians at the earliest possible opportunity.
- 2.8 Administrators shall notify the Superintendent or designate of any significant intervention by an RCMP officer.

### 3 Students who disclose child abuse:

- 3.1 In alignment with the [Langley School District's Child Abuse Prevention Protocol](#) and the Ministry for Children and Family Development's (MCFD) legislated "[Duty to Report](#)" mandates, students who disclose child abuse may be interviewed at the school by the RCMP where the alleged abuser is a parent.
- 3.2 School Administrators should not inform the parents of this interview prior to the interview commencing. Such interviews and resulting contact with the parents are primarily the responsibility of the RCMP and MCFD. Administrators or school staff should not contact parents without first consulting with the RCMP and MCFD.

### 4 Emergency circumstances:

There will be occasions when the RCMP must conduct interviews at the school site, regardless of whether or not the parent/guardian has been contacted.

- 4.1 In circumstances requiring immediate action, administrators should allow the RCMP to complete their investigative work unimpeded. The RCMP has the responsibility to protect the safety of students, staff and the school community. During high-risk situations, prior parent/guardian contact is not always possible.
- 4.2 Administrators will not be held responsible by the Board for lack of contact with the parents/guardians prior to the interviews taking place during high-risk situations involving the RCMP.

Reference: Sections 6, 7, 20, 22, 26, 65, 85 School Act  
Youth Justice Act  
Canadian Bill of Rights  
Charter of Rights and Freedoms  
Youth Criminal Justice Act (Canada)

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