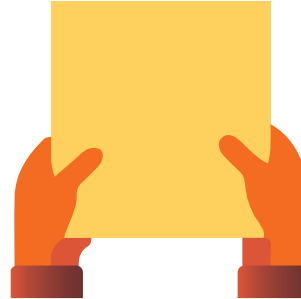


# When the Police become involved



**When an allegation of abuse against a caregiver meets the criteria of the Child Protection Protocol (CPP), Oranga Tamariki will have a consultation with the Police. This is a requirement through the CPP and part of the investigation process.**

The CPP is the joint process that is followed when Oranga Tamariki and the Police are responding to actions or behaviour that may constitute a criminal offence.

These actions or types of behaviour fall into three categories:

- Physical abuse
- Sexual abuse
- Neglect.

You can contact Caring Families Aotearoa if you would like a copy of the CPP. Email [criticalsupport@caringfamilies.org.nz](mailto:criticalsupport@caringfamilies.org.nz) or **0800 693 278**.

## ORANGA TAMARIKI POLICY

*If the matter has been referred to Police:*

The caregiver must be advised that the matter has been referred to Police.

The Oranga Tamariki supervisor and their Police counterpart will discuss:

- The level of detail to give the caregiver
- When to tell the caregiver [the full details of the allegation] – the Police may request that full details of the allegation are not disclosed immediately if this may jeopardise their criminal investigation
- How to tell the caregiver about the allegation.

The supervisor must ensure that the Police know there is a 20-working-day timeframe for Oranga Tamariki to complete their investigation or assessment.

For more information go to the [Oranga Tamariki Practice Centre](#).

... two pages follow

## ROLE OF THE POLICE

After Oranga Tamariki have consulted with Police, the Police will decide whether or not to conduct an investigation. This is separate to the Oranga Tamariki investigation - however under the CPP, the Police and Oranga Tamariki will have regular conversations about their investigations.

The role of the Police is to gather information to see if they have enough evidence for a charge to be made.

## COMMUNICATION WITH POLICE

When a caregiver is informed the Police are going to be involved, the team at **Caring Families Aotearoa** can support the caregiver to obtain legal advice before speaking with the Police. It is important to contact us as soon as possible on **0800 693 278**.

We will help the caregiver navigate any barriers to obtaining legal advice.

Sometimes lawyers will advise caregivers to make a statement with the Police. At other times, lawyers will advise caregivers to exercise their right to silence and not to speak with Police, as they may inadvertently divulge information that could have unintended consequences.

The Police do not have investigation timeframes and it can sometimes take a long time before the caregiver hears from them. How soon a person gets interviewed is dependent upon the Police caseload at the time. This could happen within days, or months - depending

## IF THE POLICE CONTACT YOU

If you are contacted by the Police regarding an allegation, our advice is to say:

***“I do want to cooperate with the Police, but I need to seek legal advice first.”***

The next step is to contact our Critical Support Team on 0800 693 278 so we can help you to contact a lawyer.

## A SUPPORT PERSON

A caregiver may be allowed a support person with them when interviewed by the Police. We advise that legal advice still needs to be sought.

Depending on the type of interview, the Police may tell the caregiver that they are not allowed a support person. **Caring Families Aotearoa** will advocate for you to have a support person for both formal and informal interviews.

## WHEN A CAREGIVER IS ARRESTED OR DETAINED

If the Police arrest or detain a caregiver, they will be read their rights:

- They are not obliged to speak with the Police.
- They have the right to consult and instruct a lawyer, in private and without delay.

**Caring Families Aotearoa will advise the caregiver to tell the Police they want to consult with a lawyer.** The Police will provide the caregiver with access to the Police Detention Legal Assistance (PDLA) roster. This is a list of lawyers who are available in the caregiver's region, who are rostered to provide free legal advice to those who have been read their rights by Police. They are independent from the Police.

**There are other matters that need to be considered when the Police are involved, so please do not hesitate to contact us if you have any further questions.**

Call our Critical Support team on **0800 693 278**. If you don't get through, please leave your name, number and a brief message and someone will get back to you. We clear our voicemail daily. Alternatively, you can email [criticalsupport@caringfamilies.org.nz](mailto:criticalsupport@caringfamilies.org.nz)

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Caring Families Aotearoa (formerly Fostering Kids New Zealand) supports the thousands of children in care in Aotearoa, by supporting their caregivers.

Phone 0800 693 323 Email [enquiries@caringfamilies.org.nz](mailto:enquiries@caringfamilies.org.nz) Website [www.caringfamilies.org.nz](http://www.caringfamilies.org.nz)