

## What you must tell police

- > There is no such thing as 'off the record'. Everything you say can be used in court. Don't assume something you say is not relevant, you can't know what is relevant to the police file.
- > If you decide not to make a statement, it is important to say **'no comment' to every question**, apart from your name and address. Call a lawyer as soon as possible.
- > If you decide you will make a statement, you must be ready to speak in court. If you don't turn up at court you can be arrested.
- > **Don't sign a statement if you don't agree with anything it says.**

## Name and address

You only need to tell police your name and address if:

- > You are arrested.
- > Police think you have committed or are going to commit a crime .
- > Police think you have information that helps them with a serious crime – they must tell you what the crime is.
- > You are driving a vehicle, including a motorbike.

**The same rules are for PSOs (Protective Services Officers) on trains and trams.**

## When another person has used or is using your vehicle

- > **You must tell police** the name, address or any other identifying information about anyone using, or who has used your vehicle.
- > Refusing to tell police the details of anyone using your vehicle can mean a harsh penalty. A magistrate must cancel your driver's licence for 2 years. You can be fined about \$2888 (in 2013) and go to jail for up to 4 months.

## Police must show you respect

- > Police can question you, arrest you without you a warrant or summons, pick you up on a warrant, or talk to you anywhere.
- > **Police can't treat you in an inhuman or degrading way.** This includes humiliating you in front of others. If you feel humiliated, talk to a lawyer about making a complaint.
- > **Police should act with decency,** especially if you tell them you are worried other people will hear.
- > You have a right to see a doctor if you need to, and you can ask for prescribed medicine, including methadone and other drugs.

## What police must tell you

- > Why they think you can help them investigate a crime or **what law they think you have broken.**
- > The officer's **name, rank and station** if you ask.
- > If you are arrested, police must tell you and that **you have the right to say no**.
- > You have the right to call a lawyer and a support person if you are arrested.
- > If you are not arrested, you can say no to attending a police station.
- > If you are reporting a rape, the police must call the SOCIT (Sexual Offence and Child Abuse Investigation Team).
- > You have the right to a **free interpreter**.

# Talking to police\*

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