

Unless you have legal advice
or are told you have to,
DON'T answer any questions
(except your name and address)

DON'T agree to be recorded

DON'T sign anything

**Contact a lawyer
as soon as possible**

**Police must wait two hours
if you have a lawyer
coming to see you**

Never

be violent, aggressive,
offensive, or swear
at a police officer.

You will only make
things worse.

You might not be guilty
of anything when they
first approach you, but by
overreacting, you could be
charged with an offence.

THE LAW SOCIETY OF NEW SOUTH WALES
youngLAWYERS

An initiative of the Criminal Law Committee of NSW Young Lawyers

**Keep this card in your wallet.
You never know when you might need it.**

CONTACTING A LAWYER

During business hours

Law Society of NSW:

(within Sydney) 9926 0300

(outside Sydney) 1800 422 713

LawAccess NSW: 1300 888 529

If you are under 18

Legal Aid Youth Hotline 1800 10 18 10

Open from 9am-midnight during weekdays
and 24hrs on weekends.

After hours

A list of solicitors who will give advice or
come to the police station after hours is at
www.lawsociety.com.au/afterhours.

Politely ask police to give you the list or a
phone book.

IF YOU ARE APPROACHED BY POLICE

Sometimes, you can be forced to provide your ID to police officers.

Usually, you should identify yourself even if you don't have to; don't lie.

You can ask police whether you have to give them your ID.

If you are arrested, police can take photos and fingerprints to find out who you are.

IF YOU ARE SEARCHED BY POLICE

Police can search you without your consent if they have a good reason to believe you have:

- prohibited drugs
- something stolen or unlawfully obtained (e.g. money from the sale of drugs)
- something that was, or might be, used in a serious crime (e.g. a crowbar to break into a house)
- knives, weapons or other 'dangerous implements'.

Police can also apply for warrants to search houses, and can sometimes search vehicles.

If in doubt, politely say:

'If I have a choice, I don't want to be searched, but I will cooperate if I have to.'

or

'If I have a choice, I don't want you to come into my home, but I will cooperate if I have to.'

If you are searched, **cooperate**.

If police are going to search you, they should:

- tell you **why** they are searching you, and the name and station of the person searching you
- usually get a person of the same sex as you to do the search, and
- they should **not** make you remove any clothing (except outer clothing, like a jacket) unless they have good reason to suspect that it is necessary and urgent, so that they have to strip search you.

They can ask you to shake your hair and open your mouth.

If they do a strip search, you are entitled to as much privacy as police can give you in the circumstances.

Police can search you again at the police station if you are arrested.

IF YOU ARE ARRESTED BY POLICE

If you are being arrested you have a right to silence. This means you don't normally have to answer questions about what you did or where you were at any time, sign anything, or give an interview.

Police should tell you why they are arresting you and if they don't, ask them.

If you are arrested, don't argue or resist.

Do not go with police to a police station unless you are under arrest.

Sometimes, police can force you to answer questions (often about vehicles or accidents), and it might be a crime not to answer. If this is the case, the police should tell you.

If in doubt, politely ask:

'Will I commit an offence if I don't answer?'

Unless they say yes, don't answer.