

Answering police questions

Can police ask me questions when they pull me over?

Police can ask you questions at any time.

If you are driving, the only information you have to give police is your name and address.

You can be required to show them your licence to verify those details.

Police can't force you to answer questions and they can't stop or detain you just to ask questions.

What can I do if police ask me questions I don't want to answer?

You don't need to answer any questions police ask you about your history, where you're going or why you are out.

Most of the time it's up to you whether you want to answer the questions the police are asking.

It is recommended that you are always polite and respectful when dealing with police officers.

This may include answering some basic questions. If you feel that the questions are accusative you may decide not to answer, however this may make you look guilty, which may lead the officer to take actions against you, if they suspect criminal activity.

You can ask police whether you have to answer their questions or if you have to do what they ask.

If you are under 18, police should not question you without a responsible parent or adult present.

So, overall, you do not need to answer questions asked by police but it may be helpful to do so, especially if you are not involved in any illegal activity.

What do I do if police start questioning my passengers?

If police have reasonable grounds to suspect that your car was used (or will be used) to commit a serious crime and they ask for the name of your passengers, you must tell them your passenger's names.

If this happens, your passengers have to give their names and addresses, but they don't need have to show a licence or other identification.

Passengers don't need to answer any questions asked by police other than telling them their name and address.

Produced by Redfern Legal Centre.

This factsheet is not a substitute for legal advice. If you have a problem, please contact Redfern Legal Centre at www.rlc.org.au/contact or phone 02 9698 7277.