

At the Police Station

Do I have to go to the Police Station if the Police ask me?

Sometimes, the Police will ask you to come to the Police Station to assist them with their enquiries.

If you are unsure whether you are being arrested, you should ask. If you are not under arrest, you may choose to go to the Police Station voluntarily. If you choose not to go to the Police Station, the Police may end up coming to your home and arresting you at a later date.

If a crime has been committed and the Police believe you are responsible, you may be arrested and charged while at the Police station.

What happens when I get to the Police Station?

The Police have certain procedures that are followed when an arrested person is brought into custody.

- a) you will have to empty the contents of your pockets, remove all jewellery and sign a form confirming the contents of your pockets, the articles will be kept safe until you are released.
- b) a copy of your fingerprints and palm prints will be taken. On some occasions, a copy of your footprints and ear prints may also be taken.
- c) a photograph of your face will be taken. If you have any identifying features, such as a tattoo or scar, a photograph of this may also be taken.
- d) you may have to wait in a holding cell until your parent or responsible adult arrives so that you can be interviewed. If this is the case, then you will have to remove your shoe laces and belt and may have a body search. Remember not to misbehave while you are waiting in the cell. If you shout and swear and carry on, you may find yourself on a charge of disorderly conduct.
- e) if you have been picked up and breathalysed while driving you will be required to give another sample on a larger and more accurate breathalyser machine.
- f) A DNA sample may be required, (this is a cotton bud swab wiped on the inside of your mouth and a sample of your hair including root).

Do I have to answer questions?

There are questions that you must answer, these are:

- a) Your name and address
- b) Your date of birth

At the Police Station, the Police Officer must try to contact your parent or responsible adult and advise him/her that it is the police intention to question you.

If for any reason your parent or responsible adult cannot come to the Police Station then before you are interviewed, an Independent Adult must be present. The Independent Adult must have no connection with the offence and no interest in the outcome of the investigation.



At the Police Station (continued)

What happens in the interview?

Usually two Police Officers will be present. Both will ask you the questions and will write notes.

The interview will be videotaped. This is to protect you and the Police from any claims that you have been "verballed" (made to say things that you wished not to or were untrue) or maltreated. In some remote police stations, there is no video tape interview set up in which case the police may tape record the interview or will make a written statement and ask you to sign it. Do not sign the statement if you are unhappy about the contents, or cannot read it.

At the start of the interview the Police will say:

"You have the right to remain silent. You are not obliged to say anything unless you wish to do so, but anything you do say may be recorded and may be given in evidence"

The Police will explain to you that your speaking to them is voluntary. If you do not wish to say anything, then that is your right. If you do decide to answer them, then what you say on the video will be played to the court if you plead not guilty to the charge and go to a trial on the matter.

If you decide not to speak, this does not imply a "guilty conscience".

How long can the Police keep the copy of my fingerprints, photographs and DNA sample?

If you are found guilty of an offence or plead guilty to an offence, then the Police will keep your identifying information on their records indefinitely.

You can ask the Police to destroy the samples if the following happens:

- a) you are not charged with an offence, or
- b) you are found not guilty of the offence, or
- c) if the charges are withdrawn or dismissed against you, and
- d) there is no appeal against the court's decision.

If you wish to be present for the destruction of your photograph and fingerprints, then the Police will destroy the samples in your presence.

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Important: This general information is not the same as legal advice. You should speak with a lawyer about your situation.



YOUTH LEGAL SERVICE inc
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For assistance contact:

Kids Helpline

1800 551 800

Crisis Care

9223 1111 or 1800 199 008

For help with this and other issues contact:

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