



Disclaimer: the material in this fact sheet is intended as a general guide only. You should not act on the basis of the information in this fact sheet without first getting legal advice about your own particular reason. The information is based on the laws in Victoria as of August 2020.

GIVING THE POLICE YOUR NAME AND ADDRESS

vals.org.au | 1800 064 865 | vals@vals.org.au

WHEN DO POLICE HAVE THE POWER TO ASK ME FOR MY NAME AND ADDRESS?

Police can ask you for your name and address if they have reasonable grounds to believe:

- you have committed a crime;
- you are about to commit a crime;
- you may know something about a serious (indictable) crime which either has been committed or the police suspects has been committed. They have you tell you what they think you can help them investigate; or
- you are driving a vehicle or a boat and they lawfully pull you over.

WHAT IF I REFUSE TO GIVE MY NAME AND/OR ADDRESS OR I GIVE POLICE FALSE DETAILS?

If police have lawful grounds to ask you for your name and address, it is a criminal offence to:

- refuse or fail to state your name and address;
- state a false name; or
- state a false, incorrect or incomplete address.

WHAT ARE MY RIGHTS IF POLICE ASK ME FOR MY NAME AND ADDRESS?

If police ask you for your name and address they must:

- tell you why they are asking you for your name and address so that you understand the nature of the offence or suspected offence;
- tell you their name, rank and station if you ask them; and
- put their details in writing for you if you ask them.
- It is an offence for a police officer who asks you for your name and address to refuse to give you their details either verbally or in writing if you ask them to do so.

GETTING LEGAL HELP

Victorian Aboriginal Legal Service

Phone: 1800 064 865

Website: vals.org.au

Email: vals@vals.org.au

Youthlaw

If you are under 25, you can get free and confidential legal advice.

Phone: (03) 9113 9500 (9am-5pm, Monday-Friday)

Website: www.youthlaw.asn.au

VALS would like to thank Youthlaw for the work they did to bring this information together.