



Your rights when dealing with police

Community legal education

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First Nations Legal Education Toolkit

Your rights when dealing with police

This toolkit contains legal information only. It is designed to assist in helping Indigenous Australians understand their legal rights in relation to their interactions with police, wills and enduring powers of attorney and discrimination only.

Note that the information is current as of August 2022 and may have changed since release. If you or other users of this guide or the information contained within are concerned about a specific legal problem, YFS recommends that you seek legal advice as soon as possible.

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YFS respectfully acknowledges Aboriginal and Torres Strait Islander people as Australia's first peoples and the original owners/custodians of the land on which we meet and work. We recognise the important role they have within community and country and we pay our respects to the Elders of this land past and present.





This document forms part of the [YFS Legal First Nations Legal Education Toolkit](#) (**Toolkit**).

The toolkit represents a guide on facilitating and delivering community legal education to First Nations people in a culturally appropriate way.

The toolkit is intended to be used by community legal centres and other legal education providers across Queensland. It is also designed to be used by those who work with First Nations peoples in non-legal or education areas.

Although created for legal organisations or education providers, users of the guide do not necessarily have to be lawyers, teachers, social workers or other professionals.

Please note that this information is **not** to be used as legal advice, and facilitators cannot provide legal advice without the necessary qualifications.

Contents

1.1	Background and purpose of this chapter	6
1.2	Development of this chapter	6
1.3	How to use this use chapter	7
1.4	Opening topic: Opening the program and introduction	8
1.5	Topic 1: What information do you have to give to police?	9
1.6	Topic 2: What questions from police do I have to answer?.....	10
1.7	Topic 3: When can police search me or my personal belongings?	12
1.8	Topic 4: When can police search my phone or other electronic device?	14
1.9	Topic 5: When can police enter or search my house?.....	15
1.10	Topic 6: Police have told me to leave a particular area. Do I have to leave?.....	16
1.11	Topic 7: Police want me to go to the station. Do I have to go?	18
1.12	Topic 8: Can police take a photo of me?	19
1.13	Topic 9: When can police pull me over or search my car?	20
1.14	Resources and extra materials	22
1.15	Bibliography	23

1 Your rights when dealing with police

1.1 Background and purpose of this chapter

As noted previously, in 2019-2020 only 6.5% of YFS' clients identified as Aboriginal or Torres Strait Islander. This is inconsistent with data from the Law and Justice Foundation of New South Wales which suggests approximately 13% of those who require legal aid in Logan are First Nations people.¹

This chapter therefore focuses on the interactions of First Nations people with the police. It serves as a guide for community legal centres and other educators on how to help young First Nations people understand their rights when interacting with police. As such, the materials and activities included in the guide are designed to encourage young First Nations people to feel comfortable, learn about the content, and keep them engaged.

By equipping young Indigenous people with information on their actions when dealing with police, it is hoped more that more of them will seek assistance from community legal centres across Queensland.

While targeted at young Indigenous people, facilitators may like to deliver the police rights information to Elders so that they can assist young people in their community who find themselves in the criminal justice system. In that event, facilitators should try and adapt to the content to suit Elders' learning needs.

1.2 Development of this chapter

This chapter was one of the first considered by YFS since development of this Toolkit began in October 2020. Since then, development of this chapter has involved significant evaluation and consultation with numerous stakeholders, including Aboriginal and Torres Strait Islander young people at Mable Park and Loganlea state high schools, the Logan District Aboriginal and Torres Strait Islander Elders, other Aboriginal and Torres Strait Islander groups, and other community legal centres.

As part of the evaluation stage of this project, YFS conducted community legal education sessions with Indigenous students at Mabel Park and Loganlea state high schools. These students were then surveyed on whether they were satisfied with the presentation, and whether the information provided was relevant and appropriate to their needs.

¹ Law and Justice Foundation of New South Wales, *2018 Collaborative Planning Resource* (Report, March 2018) <http://www.lawfoundation.net.au/reports/2018cpr>.

1.3 How to use this use chapter

This chapter is separated into eleven individual sections. The first section titled *Opening topic: Opening the program and introduction* is in an introductory topic that outlines how the facilitator should prepare and begin a community legal education session. Facilitators should also consult the *Preparing to give community legal education* section prior to this chapter.

Each section thereafter focusses on a particular interaction a First Nations person may have with police. They are:

Topic 1: What information do you have to give to police?

Topic 2: What questions from police do I have to answer?

Topic 3: When can police search me or my personal belongings?

Topic 4: When can police search my phone or other electronic device?

Topic 5: When can police enter or search my house?

Topic 7: Police want me to go to the station. Do I have to go?

Topic 8: Can police take a photo of me?

Topic 9: When can police pull me over or search my car?

The topics each have the following structure:

❖ **Introduction**

This section provides a brief overview of the topic for the facilitator. It introduces basic concepts and can mention key takeaways from the topic.

❖ **Objectives**

The objectives section discusses why it is important that First Nations young people are aware of the information contained in the topic. It can include evidence of need, context, and the overall goal behind providing this information (e.g. ensure Indigenous Australians are not getting charged with unnecessary offences).

❖ **Key legal messages**

These sections are the crux of each topic, and the facilitator's guide overall. They provide the legal information that must be passed on to the target audience. They are ordered in the sequence in which they should be delivered and should be used as talking points rather than a script.

The final topic, *Resources and extra materials*, provides other resources that may be incorporated into the presentation. This includes a PowerPoint presentation and videos that may be incorporated into the community legal education presentation.

1.4 Opening topic: Opening the program and introduction

A core part of a community legal education session is its introduction. It should include an Acknowledgement of Country (or preferably a Welcome to Country), introduce the facilitators, and assure the audience that they are in a culturally safe space.

The introduction should take the following structure:

1. **Acknowledgement of Country/Welcome to Country:** if possible, organisers or facilitators should invite local Elders to perform a Welcome to Country. Otherwise, facilitators (and other speakers) should perform an Acknowledgement of Country prior to formal event proceedings. Technology permitting, the [Acknowledgment of Country video](#) accompanying the video materials should also be played.² Further information on Acknowledgements and Welcomes can be found in the *Preparing to give community legal education* section.
2. **Introductions:** facilitators or presenters should now properly introduce themselves. Mention who you are, where you grew up, where your family come from, and briefly your story to where you are today. Some speakers may also like to mention that they have children, or briefly mention their partners.
3. **Presentation overview:** briefly outline the presentation and mention what will be discussed. While encouraging audience participation, also emphasise that they should not be too specific if discussing their own personal circumstances, and to seek legal advice if they have certain questions.
4. **Legal advice disclaimer:** facilitators **must** underscore that this presentation is **not** legal advice. Stress that this presentation is only to help them better understand their rights when interacting with police and recommend that they seek proper legal advice about their personal situation. Note also that this information is current as of August 2022 and may have changed since release.
5. **Invite the audience to participate:** invite the audience to introduce themselves if they are comfortable, particularly if presenting to small groups, but do not force them to do so. Let them know that today's presentation is meant to be relaxed, and that they are free to ask questions at any time.
6. **Information warning:** although the audience is invited to participate, warn them against asking questions that may divulge too much information about others or themselves. If asking a question about their present situation or recent interaction with police, encourage the audience member to seek legal advice.

² The [Acknowledgement of Country](#) video is located in the *Your rights when dealing with police* section.

1.5 Topic 1: What information do you have to give to police?

Introduction

This topic is focused on raising awareness about what information you must tell police if asked. Unless you have a reasonable excuse not to, under Queensland law, people must tell police their name, date of birth and address if asked. A person can be charged for failing to provide those details or a more serious offence if they give false or misleading information. It is therefore best practice to tell the police those details.

Objectives

A charge resulting from failure to provide your name, address and date of birth is easily mitigated. It is hoped that by educating young First Nations people on this requirement that they will not be charged with unnecessary offences.

Key legal messages

1. Police can stop and ask questions at any time. They may ask you what your name is, where you live, or your date of birth.
2. Police have a right to ask for those details in many situations. They usually ask for them if they find you doing something bad – that is, committing an offence – or 'reasonably suspect' that you have done something bad. Although, they can also ask you if:
 - ❖ they think you could help them with an investigation into a crime or domestic violence situation
 - ❖ they've pulled you over while you were driving a car or other vehicle
 - ❖ they're trying to enforce a particular law.

There are many other situations where police have a right to ask for your name, date of birth or address.

3. Police have to tell you it is an offence not to tell them those details and that you could be charged for failing to. You can also get in more trouble if you give them a made-up name, address or date of birth.
4. Even if you think you've done nothing wrong or are just going about your normal day, it is best practice to tell the police those details. If you're under 17, you should also mention this to police.
5. Failing to tell your name, address or date of birth can have serious consequences. If you have committed an offence, police may arrest you to find out who you are. In 2022, you could get fined up to \$5,750. You could be fined even more if the details you have given are wrong or fake.

1.6 Topic 2: What questions from police do I have to answer?

Introduction

This topic concerns police questioning and the right to remain silent. It is a broad topic that includes discussion on what questions people must answer if arrested by police, rights when being formally questioned by police, strategies when being interviewed by police, the obligations of police when questioning someone, and the rights of Aboriginal or Torres Strait Islander people when being questioned.

Objectives

While this is a large topic, it is centred on ensuring that young Indigenous people are aware that they do not have to answer any police questions, unless they are requesting their name, date of birth or address. It also emphasises that their answers to police questioning may not necessarily help them if they have been arrested or are in trouble.

Key legal messages

1. If you are arrested, you do not have to answer questions from the police. This is called the right to remain silent. Besides telling police your name, address or date of birth, you do not have to tell the police anything else or answer any of their questions.
2. Police can decide to interview you if they suspect you have committed a crime. They can hold this interview formally at a police station, or informally. An informal interview could take place at your house.
3. Before an interview, the police officer must tell you why they are interviewing you and tell you their name, rank, and the police station they work at. They must also let you know that you can contact a family member, friend or lawyer.
4. Police may ask you questions about places you have been, situations you have been in or your relationship with another person.
5. While you may think that answering questions in an interview might not hurt, it won't really help you either. Even if you are innocent and tell your story or think your answers might help your case, police rarely drop a charge based on your answers.
6. Your answers during an interview could actually lead to you being charged with a more serious offence.
7. Given your answers could get you in further trouble, it's best to seek legal advice before doing an interview. The Youth Legal Advice Hotline (1800 LAQ LAQ) can provide you free and confidential advice.³
8. There may be times when you should give an interview, such as caution. You should get legal advice about this.
9. While you think not giving an interview may make you look bad, judges, magistrates and juries are not allowed to think you've done something wrong based on the fact you didn't answer questions from the police.

³ Legal Aid Queensland, *Young People and the Justice System* (Web Page, 27 April 2022)
<https://www.legalaid.qld.gov.au/Find-legal-information/Criminal-justice/Young-people-and-the-justice-system>.

10. If you are drunk or under the influence of drugs, police should wait until you've sobered up before asking questions.
11. If you can't understand English or are deaf, the police may provide you access to an interpreter. They must also give you a warning or caution in a language that you can understand.

Police must tell a legal aid organisation that they have taken you into custody if they suspect you are Aboriginal or Torres Strait Islander and think you haven't already contacted a lawyer. They must also tell you they have or will notify a legal aid organisation that you are in custody.

Note that if police reasonably suspect that you are not at a disadvantage compared to the wider community, they do not have to contact a lawyer.

12. If you're under 17, police must allow you to speak with a support person before they question you. This could be a lawyer, parent or friend. Police are not allowed to question you if that person is not present.

1.7 Topic 3: When can police search me or my personal belongings?

Introduction

The focus of this topic is when police can physically search a person. It discusses the two different types of police search, when either search can or should be performed, why a police officer might want to perform a search, and the restrictions placed on police when performing a search.

Objectives

This topic aims to help First Nations people understand police powers when searching them or their belongings. It also seeks to help First Nations people identify when police may be doing something they are not authorised to do when performing a search. The topic hopes to educate people on their rights when they are the target of a police search and give them tips on how to deal with police who want to search them.

Key legal messages

1. In Queensland, police can search you if they think you have a weapon, knife or dangerous item, they think you're carrying drugs or something you might use to take drugs, you've got stolen property, you have something used to graffiti something, you have something that could be used as evidence in court, or they think you have something used to break into houses or cars.
2. If they reasonably suspect you have one of those items, police may conduct a frisk search without your consent. A frisk search is where they pat you down over the top of your clothes. When doing this, police may ask you to take off your jacket, check your pockets or anything you are carrying – like a bag or backpack.
3. Police could also conduct a strip search without your consent if they reasonably suspect you have one of those items. This is where you remove all your clothes. They generally don't occur as often as frisk searches. Strip searches only tend to be performed where police reasonably suspect you possess an illegal weapon or knife, illegal drug, stolen property, or evidence of a crime.
4. When performing a strip search, the officer performing it should be the same sex as you. The search should also be conducted away from public view and away from security cameras if possible. It should also be done as quickly as reasonably possible, and police must allow you to remain partially clothed throughout the search. For example, police must allow you to keep your pants on while your top is off.
5. Before performing a search, the officer must tell you that you are required to remove all clothing during the search, tell you why that is necessary, and ask for your cooperation.
6. In public areas, police must only perform a frisk search unless a strip search is immediately required.
7. Regardless of whether the police want to perform a strip search or frisk search, police must respect your dignity and conduct more thorough searches away from public view.

8. Police can perform any of the searches discussed above if they have 'reasonable suspicion' you have one of those items. For example, they would be allowed to frisk search you if they have reasonable suspicion that you are carrying a knife.
9. Reasonable suspicion can be:
 - (a) Appearing to have bloodshot eyes or slurring your speech
 - (b) Matching the description of someone who was recently seen committing an offence
 - (c) Actively hiding something when you see police coming.
10. Reasonable suspicion is not:
 - (a) Because you are a young person who is out at night
 - (b) A person hanging around a particular group or person
 - (c) Police finding you in a different area from where you live.
11. If you believe you are being unfairly searched, it is important you still comply as you may get in trouble. Prior to the search, ask the attending officers whether their body camera is turned on. If it is not turned on, ask them to turn it on. After you are sure it is on, ask the officers why they are searching you. Then say, 'I do not consent, but I will comply.' After the search has been completed, make a note of the time and the officers' names, and contact a lawyer.
12. Regardless of whether the police have a reasonable suspicion that you're carrying something you shouldn't, if you consent to a search, it is usually lawful. It's therefore better to say that you don't consent if you think you are being unfairly searched.

1.8 Topic 4: When can police search my phone or other electronic device?

Introduction

While performing a search of a person or their bag, police may find an electronic device they would like to search. This topic covers police powers when searching a person's phone, laptop, tablet, or other electronic device.

Objectives

Like the previous topic, the critical objective in this instance is to help First Nations people understand their rights when police request to search their phone or other electronic device. It intends to ensure that First Nations people don't unnecessarily give police access to their electronic devices.

Key legal messages

1. Police may ask for your pin code to unlock your phone, look at images taken on it or ask to see some of your messages. However, you do not have to give police access unless you want to.
2. If you do not consent to police going through your phone, they cannot go through it. You do not need to give your password to the police if they ask you.
3. Police can only go through your phone if they have a warrant.
4. However, they may still be able to take or confiscate your phone if it, or things on it, could be used as evidence in court.
5. If the police take your phone and you are charged, you will need to ask for it back. Sometimes you may need to wait until after your court proceedings and the appeal period afterwards have finished to get your phone back.
6. This also applies to your laptop, iPad or any other device.

1.9 Topic 5: When can police enter or search my house?

Introduction

This topic details when police have the authority to enter or search a premises and provides practical steps a person should take if police ask to enter their home. The topic covers search warrants and what procedures police must take if they search a property under a search warrant. Other instances where a police officer can enter a property are discussed.

Objectives

The circumstances in which police can enter someone's house can vary greatly. The objective of this topic is to ensure that First Nations people are aware of those circumstances and are aware that in most instances police require a warrant to enter or search their property. It also discusses how to refuse entry to police, and what to do if a warrant is issued to search their property.

Key legal messages

1. Police do not have an automatic right to enter your home or search your property.
2. If police come to your house and request to enter or search it, they cannot enter or search the property if you do not provide consent. Note that only the homeowner or person on the lease is authorised to give or deny this consent.
3. You can refuse entry by clearly and politely stating that:
 - (a) you are not inviting the officer(s) into your house; and
 - (b) you do not consent to the officer remaining on your property.
4. If you have not provided consent, police then require a warrant to enter your home.
5. Warrants are issued by a judge and give police the authority to do a particular task. In this instance, police may get a warrant to search your property.

If police come to your house stating they have a warrant, it is vital that you ask to see the warrant, and the police must give you a copy. If you are not at home when police perform the search, they must leave a copy of the warrant in an obvious spot.

6. Police must also give you a statement of their powers under the warrant. This could range from digging up your yard to taking photos of things that may be evidence.
7. You must check the details on the warrant – for example, the address on it – are correct. If the address on the warrant isn't your home or another detail is incorrect, you should make a note and call a lawyer immediately.
8. There are some instances where police can enter your property without consent or a warrant. They can enter if they have received a noise complaint – for example if you're playing loud music, having a party or running a noisy motorbike or car for too long.
9. Police can also enter your property without your consent or a warrant, to stop someone from being hurt or stop someone from damaging property. They can also enter if domestic violence is occurring or has happened before their arrival.
10. In all cases, the police usually only have the power to stay on your property for as long as reasonably required to complete their task. If searching for evidence under a warrant, they can only stay there for as long as that would reasonably take.

1.10 Topic 6: Police have told me to leave a particular area. Do I have to leave?

Introduction

Police may tell someone or a group of people to leave or move from a particular area or premises ('move on orders'). This topic considers when police can issue these orders and provides examples. It discusses the restrictions placed on these orders and the consequences of contravening or failing to comply with a move on order.

Objectives

Anecdotal evidence suggests that move on orders have been overly used by police against young First Nations people.⁴ Therefore, this topic seeks to educate young First Nations people on when police have the authority to issue move on orders and the risks associated with failing to comply with or contravening an order.

Although failing to comply with an order is an offence that may not necessarily lead to imprisonment, it can still lead to a significant fine. This topic seeks to ensure that First Nations people do not get charged with easily mitigated offences.

Key legal messages

1. Police can tell you, or you and your friends, to leave an area in some circumstances. These directions from police are called 'move on' orders.
2. These orders can be issued if the police reasonably suspect that you or your friends' *behaviour or presence* is:
 - (a) causing anxiety to someone entering or leaving a place
 - (b) disrupting a business by obstructing or impeding others from entering or leaving the business
 - (c) disorderly, indecent, offensive or threatening to someone entering or leaving a place
 - (d) disrupting the peaceful and orderly running of any event, entertainment or gathering at a place.
3. Officers will typically issue orders where the person is in a public area. This can include shops, schools, childcare centres, pubs and clubs, ATM's or railway stations.
4. The order can include a direction not to return to that place or area within a stated reasonable time. Police cannot order you to stay away from a place for longer than 24 hours.
5. The direction must also be reasonable. Police are not allowed to order someone standing in a shop's doorway to move 100 metres away as this would be unreasonable. However, they could order them to move away from the entrance.
6. Police must tell the person or group of people the reason for giving them a direction to move on.

⁴ Police "Move On" Powers, Caxton Legal Centre (Web Page, 29 August 2016)
<https://queenslandlawhandbook.org.au/the-queensland-law-handbook/offenders-and-victims/street-offences/police-move-on-powers/>.

7. Examples of move on orders:

- ❖ If a group of people have been fighting in a nightclub car park, a police officer may tell those involved in the fight to leave the area in opposite directions to separate them.
- ❖ If a person sitting or standing in the entrance to a shop stops people from entering or leaving, a police officer may order them to move away from the entrance. The police will usually do this if the shop owner or manager complains.
- ❖ Police may order a person near a school to move away if they think that person is making students or others feel uncomfortable.

8. Failing to follow an order could lead to being arrested. Breaking the order (i.e. going back to the area police told you to move away from) without a reasonable excuse is an offence and could lead to a fine of up to \$5,338.

1.11 Topic 7: Police want me to go to the station. Do I have to go?

Introduction

Topic seven is a small and straightforward topic focussed on when police can force you to go to a police station. It reinforces that a person does not have to attend a police station unless they are arrested or charged with an offence.

Objectives

It is commonly thought a person must attend a police station or go somewhere if asked by a police officer. This topic seeks to dispel that misconception and encourage First Nations people to clarify whether they are under arrest or are being charged before proceeding to a police station. This topic reiterates the rights of people who are not charged or arrested.

Key legal messages

1. Police may ask you to come to the police station to make a statement about something you witnessed, to question you or take a photo of you.
2. However, you do not have to go to the station simply because the police ask you. Police cannot force you to go to the station unless you are under arrest.
3. If police request you come with them to the station, it is essential you ask whether you are under arrest or are being detained. If you are not, it is up to you whether you go.

1.12 Topic 8: Can police take a photo of me?

Introduction

This topic considers the powers of the police when taking photos of someone. It discusses when police have the authority to take a picture of you; namely if you have been charged with an offence or are under arrest. It mentions that you may consent to being photographed by police and considers how police may use that photo.

It also briefly mentions that police may take samples of other 'identifying particulars'.

Objectives

Images taken of First Nations people, or indeed anybody, can be used by police to help identify the perpetrator of a crime. These images are usually uploaded to a central database that allows police to match descriptions given by witnesses to an image on the database. This topic intends to help educators and young First Nations people to understand the protocol surrounding when police may take these photos.

The topic emphasises that police cannot take a photo of someone without their consent unless they have been arrested or charged with an offence. This topic intends to ensure that First Nations people understand that if they consent to a photo, that this photo will likely be uploaded to the police database and could lead to them being identified as a potential suspect for a crime (regardless of whether they are the perpetrator of that crime). This topic therefore seeks to ensure that young First Nations people do not unnecessarily get involved with police.

Key legal messages

1. Police are allowed to take photos of you if you have been arrested or charged with an offence. These photos are sometimes referred to as a 'mugshot'. They may also take photos of any tattoos or scars.
2. If you have not been arrested or charged, police cannot take a photo of you without your consent. If the police ask to take a picture of you, you should ask whether you are being charged or are under arrest. Police may enter this photo into a database. This database assists police to identify suspects and could lead to you getting in unnecessary trouble if your photo matches a description given to police by a witness to a crime.
3. Any photos taken by police may be used to create a photo board. A photo board is where your photo will appear alongside at least 11 other similar looking people. This board will then be shown to a witness, and the witness can identify who they think committed the offence. When creating a photo board, police must avoid drawing attention to a certain photo.
4. A photo of someone is considered an 'identifying particular'. Other identifying particulars include palm and handprints, handwriting, voiceprints, footprints, and body measurements. Police may take a photo of you and other identifying particulars if you have been arrested.

1.13 Topic 9: When can police pull me over or search my car?

Introduction

The final topic in this toolkit outlines under what circumstances police may pull you over. This could range from checking that you are displaying your P plates correctly, enforcing a traffic law, or to search your car. It also highlights when police can conduct a search of your car, their powers over the vehicle while searching it, and what to do if you think your car is being searched unlawfully. This topic also details how you should communicate with police if they have pulled you over, and notes that the right to remain silent still applies even if you are driving a car.

Objectives

First Nations people, P platers and younger Australians are more likely to be pulled over by police than other people in Australia. This topic therefore intends to ensure younger First Nations people understand when police may pull them over, what they can do once they have pulled someone over, and what other rights they have.

It also aims to help young First Nations people understand when police can perform a vehicle search, and ensure they are aware of steps they should take if they believe they have been unfairly subjected to a vehicle search.

Key legal messages

1. Police can stop you while driving to perform a random breath or drug test, check your licence and registration, or enforce another traffic law. This could be to issue you a fine for speeding, using your phone while driving, failing to wear a seatbelt, or for failing to indicate correctly.
2. As a P plater, you could also be pulled over so police can confirm that you are displaying your P plates correctly, and that you are carrying your licence.
3. You may also be stopped to confirm that you are not driving a high-powered vehicle. Depending on when your car was manufactured, P platers are generally not permitted to legally drive high-powered vehicles. You can check whether your vehicle is high-powered by searching its number plate on the Queensland Department of Transport website.⁵
4. Police can also pull you over:
 - ❖ to arrest someone in your car
 - ❖ if they think your car is being used unlawfully
 - ❖ if they think your car is being used by a criminal organisation
 - ❖ to search your car.

⁵ 'Check high-powered vehicle status', *Queensland Government* (Web Page) <https://www.service.transport.qld.gov.au/hpv/application/TermAndConditions.xhtml?dswid=4059>. See also: 'Provisional Licence Restrictions', *Queensland Government* (Web Page, 2 September 2021) <https://www.qld.gov.au/transport/licensing/driver-licensing/applying/provisional/restrictions#high>.

5. The rules for searching your car are similar to searching you or your bag. Police may search your car (or the people in it, including you and your passengers) if they think you have:
 - ❖ a weapon, knife, or dangerous item
 - ❖ drugs or something you might use to take drugs
 - ❖ stolen property
 - ❖ something used to break into houses or cars
 - ❖ something that could be used as evidence in court.
6. Police could also search your car if they:
 - ❖ have pulled you over to arrest someone in it
 - ❖ think it is being used unlawfully
 - ❖ think it is being used by a criminal organisation.
7. Police may detain your car in order to search it. If it is not practical to search your car where they have pulled you over, police can ask you to take it somewhere else for them to perform the search.
8. If you think police are unfairly searching your car, clearly state to police that you will cooperate with the search, but do not consent. Be sure to also:
 - (a) ask the police officers to turn on their body worn cameras
 - (b) ask and make note of the police officers' names and identification numbers
 - (c) note the time and location of the search
 - (d) contact a lawyer as soon as possible.
9. Police may charge you if you are a passenger in the vehicle. This could happen if you are a passenger in a stolen vehicle. Before entering a car, it is important to consider whether the actions of the driver could get you into trouble.
10. It's also important to note that the rules when answering police questions also apply while driving. Other than providing your licence, your name, date of birth and address if asked, you do not have to answer any other questions from police.

1.14 Resources and extra materials

Presentation

[Your rights when dealing with police presentation](#)

Videos

[Acknowledgement of Country](#)

[What information do you have to give police?](#)

[When can police search me or my personal belongings?](#)

[When can police search my phone or other electronic devices?](#)

[When can police enter or search my house?](#)

[Police have asked me to leave a particular area. Do I have to leave?](#)

[Police want me to go to the station. Do I have to go?](#)

[Can police take a photo of me?](#)

[When can police pull me over?](#)

[When can police search my car?](#)

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