



COMPLAINTS ABOUT THE POLICE

Complaints about Police

Police have to follow the law. Although police officers may have the power to do certain things (like arrest somebody), there are rules that they have to follow. For example, police officers are not allowed to use unreasonable force or violence while carrying out an arrest.

If you think that a police officer has treated you or someone else unfairly, has broken police rules, or has committed a criminal offence then you are able to make a complaint about the police officer.

It's very important to lodge your complaint as soon as possible after the incident has occurred.

What kind of things can I complain about?

You might want to complain about a police officer if they:

- intimidated you
- were unreasonable or unfair
- hurt you
- damaged your stuff
- asked for a bribe
- made inappropriate comments about your race
- made sexual comments about you
- did something else that was inappropriate or improper
- did any of these things to another person
- broke the law

If you think a police officer is behaving badly, it is important to remain calm. Your safety is the number one priority.

Make a mental note of details like the officer's name, where you are and any witnesses present so that you can make a complaint later. Fighting back, becoming argumentative or resisting can get you in more trouble.

How do I make a complaint?

Complaints about the police are handled by the Office for Public Integrity (OPI).

It can be a good idea to get legal advice before making a complaint. You can call the Legal Help Line on 1300 366 424 for free legal advice on the complaints process.

It is against the law for somebody to prevent, hinder or obstruct you (or another person) from making a complaint.

For more information and to access the online complaint form, visit:

www.icac.sa.gov.au.

You can also call the OPI on 1300 782 489 to talk about your complaint.



What should I include in my complaint?

If you want to make a complaint about the police, it's a good idea to give as much information as possible so that the person looking at your complaint can look into what has happened.

Things you should put in your complaint include:

- your name and contact details
- where the incident happened
- what time it was
- the name of the officer who was involved and any other details about the officer that you can remember
- the station the officer was from (if you know it)
- names and details of any witnesses
- what happened
- any documents or photos to back you up
- what you want from the complaint (like an apology, compensation etc.)

Handling difficult situations with police

If you believe that the police have acted wrongly, you should say so politely. It is unwise to struggle or argue the point. If you do you could be charged with further offences.

If a person has been injured while in police custody, they should arrange an immediate medical examination and have some photographs taken. It is best to write down what happened while it is still fresh in the mind, including who did it (such as the police officer's ID number, name or nickname) and when and where the incident took place.



Any complaint should be made as soon as possible after contact with police.



If you have been charged with an offence, get legal advice. Call the Legal Help Line on 1300 366 424.

Police and Discrimination

What if a police officer has discriminated against me?

Remember, it is not OK for a police officer to treat you negatively because of opinions they have about your age, sexuality, race, gender identity, disability or religion.

If you feel that the police have discriminated against you, you can make a complaint to the Equal Opportunity Commission of SA or the Australian Human Rights Commission.

Contact us!

Would you like more information, resources, or a free visit to your school, organisation or group?

Email: cle@lsc.sa.gov.au

To apply for legal aid online, visit: www.lsc.sa.gov.au

Acknowledgments:

The Legal Services Commission gratefully acknowledges the assistance of Victoria Legal Aid and the National Children's and Youth Legal Centre in allowing the Legal Services Commission of South Australia to use and adapt existing content.



Call our free Legal Help Line:

1300 366 424

Disclaimer: The material in this factsheet is a general guide only. It is not legal advice. For legal advice about your own particular situation we encourage you to call the Free Legal Helpline on 1300 366 424. The legal information was correct at the time of publishing, however may change without notice.