

## What will happen at the police station?

- The Police must warn you and tell you of your rights before they ask any questions.
- You do not have to answer the questions.
- However, if you choose to do so, your answers will be recorded by the Interviewing Officer and maybe used against you in Court.
- Make sure you check your statement and only sign it if you agree with what is written.
- You, the Interviewing Officer, and anyone else present will sign the interview statement.
- If the Police think that you have committed an offence, they will charge you.
- If you are charged, your fingerprints and photograph will be taken for the Police records.
- If you are charged with a serious offence you may be placed in a cell to wait to be taken to Court.
- If the offence is not so serious, the Police may release you on bail (see Pamphlet on Bail for more information).
- The Police have no right to assault or threaten you in any way.
- If you are hurt by the Police, take photographs of any injuries, see a doctor and get the doctor to write a medical report.
- If you feel that your rights have been breached, or you have been assaulted in any way, you should make a complaint to the Senior Officer at the Police Station immediately.
- You should ask to speak with a lawyer before going to court.
- You may make a written complaint against the Police by writing to:

### The Commissioner of Police

P.O. Box G1723, Honiara or

### The Ombudsman's Office

P.O. Box G1, Honiara

## About the Public Solicitor's Office

The Public Solicitor's Office is an independent public office established under the Constitution to provide legal aid, advice and assistance to persons in need. Please ask at our offices for the circumstances and conditions of how we can assist you with your legal problems.

### Honiara Office

Placemakers Building,  
P.O. Box 553  
Honiara, Solomon Islands.  
☎ 22348/28404/28405/28406

### Auki Office

(within the precincts of the Auki  
Magistrate's Court)  
PO BOX Auki 44  
☎ 40008/40006

### Gizo Office

(next to the Gizo Magistrate's Court)  
PO BOX Gizo 84  
☎ 60682

### Lata Office

☎ 53004

### Kirakira Office

☎ 50153

### Munda Office

☎ 6204

✉ [pubsol@pso.gov.sb](mailto:pubsol@pso.gov.sb)

## Honiara Legal Clinics Timetable

### Family Legal Clinic

Tuesdays  
9.00am to 12.00noon

### Civil Legal Clinic

Wednesdays  
2.00pm to 4.00pm

### Criminal Legal Clinic

Thursdays Wednesdays  
2.00pm to 4.00pm

### Land Legal Clinic

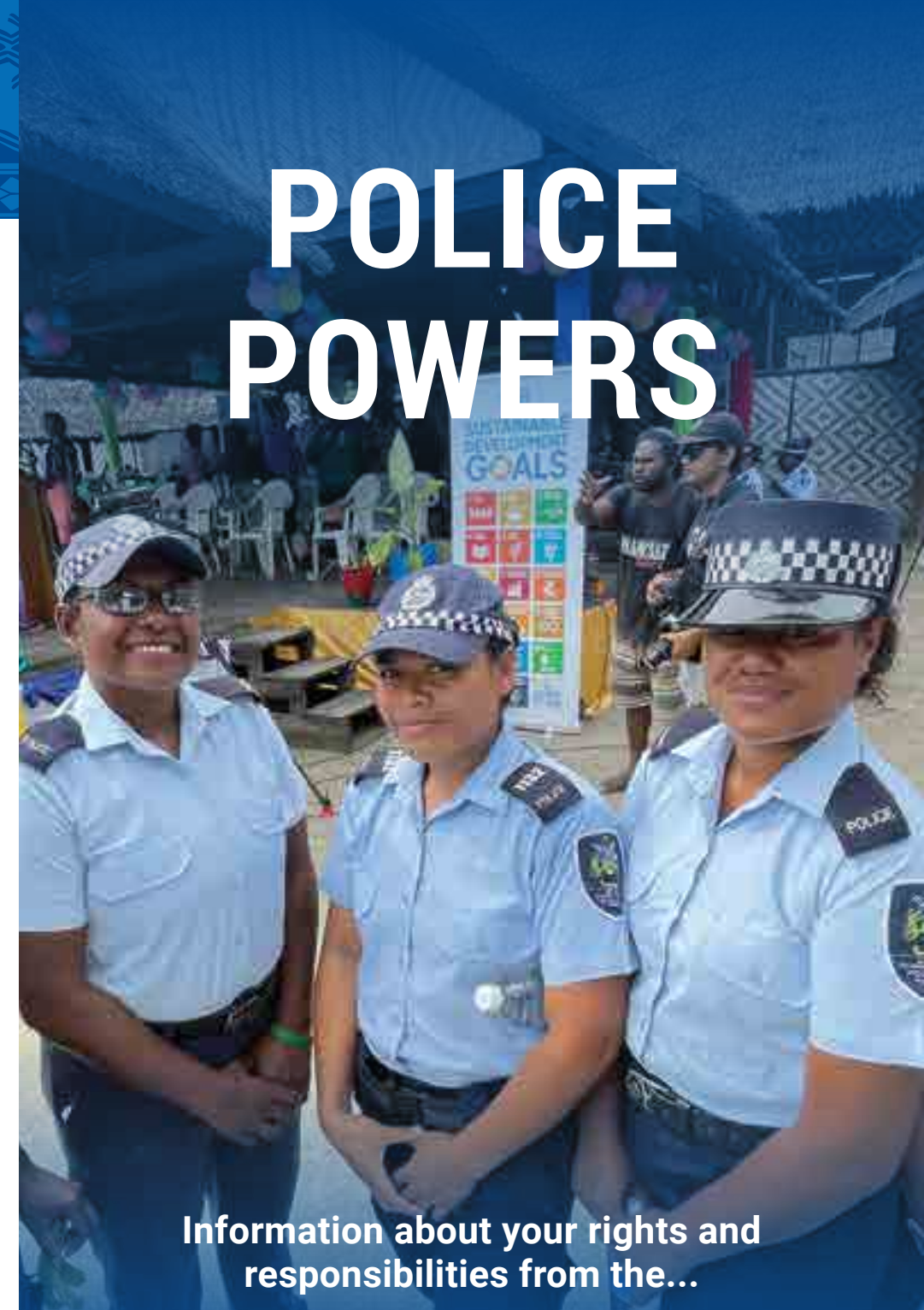
Fridays  
9.00am to 12.00noon

**DISCLAIMER:** The information displayed on this page is provided for information purposes only and does not constitute legal advice. If you have a legal problem, you should see a lawyer.

**Australian  
Aid** 



# POLICE POWERS



Information about your rights and responsibilities from the...

**PSO** PUBLIC  
SOLICITOR'S  
OFFICE



## Police Powers

The role of the Police is to prevent and detect crime and protect communities and individuals. They have an important role within society, but must respect individuals' rights and carry out investigations in a fair manner.

This brochure will:

- Outline your rights and responsibilities when dealing with police.
- Explain what will happen if you are arrested or detained by police.
- Explain how you may make a complaint if you feel your rights have been breached.

## Legal terms explained

Legal or technical words/phrases written in bold in the text of this brochure are defined in this section.

- **Charge** – a formal allegation or notice that a person has committed an offence.
- **Commit an offence** – a breach of the criminal law; an illegal act.
- **Interviewing Officer** – a police officer who interviews a person suspected of having committed an offence.
- **Magistrate** – a judicial officer or person who administers the law or decides cases in the Magistrate's Court which mostly deals with less serious offences.
- **Search warrant** – a legal document authorising a Police officer or other official to enter and search premises.
- **Summons** – an official notice that your attendance is required at court at a specific time and date.
- **Warrant of arrest** – a document issued by a court official authorizing the police to make an arrest.

## When can the police arrest you?

- If you commit an offence in their presence.
- If they suspect that you have committed an offence.
- If they suspect that you are going to commit an offence.
- If they have a warrant to arrest you.

## Can the police search your body?

- If the police suspect that you have any property connected to an offence, they have the power to search you, your motor vehicle or any items in your possession.
- Only a female officer is allowed to search you if you are a female.
- The police do not have the right to examine your private parts, although they may require a doctor to do so if they think it is necessary.

## Can the police search your home?

- The police can search your home once they have been issued with a search warrant by a court.
- A search warrant is a legal document signed by a Magistrate to allow the Police to enter and search your home.
- You must be shown the search warrant before the Police enter your home.



## When can the police question you?

- The Police will only question you about an offence committed by a different person if they know you have information that will help them with their investigation.
- Apart from your name and address you do not have to give any information to the Police if you do not want to.
- If the police write down what you say, you should read it and check it and only sign it if you agree with what is written.
- You may be issued with a summons to appear as a witness in Court at a later date.
- You should always speak to a lawyer before answering any questions

## What are your rights when you are detained or arrested by the police?

- The Police have to explain to you the reason for your arrest and what they might charge you with.
- If you are placed in custody you should be taken to court without unnecessary delay.
- The Police must explain to you that you can contact your lawyer or a lawyer from the Public Solicitor's Office.
- The Police must allow you to speak to your lawyer in private.
- The Police should allow you to see or talk to your spouse/partner or relative.
- The Police should allow you to see or talk to a person from your religion or a social worker.
- The Police should provide you with meals and drinks and allow you to see a doctor if it is needed.
- The Police should treat you with respect and humanity at all times.