



This resource is general advice only. Each situation is unique. You should always seek legal advice.

Tip Sheet



What if I'm Arrested?

Understanding and navigating the process of being arrested can be overwhelming. This resource will help you know what to do if you're arrested.

How to know if you're being arrested

1. A police officer must tell you that you're under arrest.
2. They must also tell you the reason for your arrest.
3. If you're unsure, you have the right to ask "Am I under arrest?"

If you are arrested, the police will take you to a police station or watchhouse (a building at or next to a police station).

What to do if you're arrested

Step 1

Stay calm

- Take deep breaths and try to focus on staying composed.
- This can help you think more clearly and make better decisions.

Step 2

Listen to instructions

- Pay attention to what the police officer tells you to do.
- If you're unsure, ask the police officer to explain.

Step 3

Co-operate

- Follow the police officer's instructions.
- Don't resist, even if you don't understand why you're being arrested.

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Step 4

Communicate your needs

- If you need help understanding or have specific needs, you can tell the police officer. **Sharing this is a personal choice.**
- If you are comfortable, you can say *"I want to let you know that I'm autistic. I may communicate or respond differently, and I might need a little extra time to process questions. I use [gestures / typing / AAC / other communication methods] to communicate."*
- You can ask for adjustments (e.g. a quiet space, permission to use self-stimulatory behaviour [stimming], or written instructions).

Your rights and what to say

1. Right to remain silent

- You have the right to remain silent.
- Everything you say will be part of an official record.

2. Questions you must answer

- What is your name?
- What is your address?
- What is your date of birth?

3. For all other questions

- Say these exact words: *"I do not want to answer this question, officer."*

4. Right to contact someone

- You have the right to telephone your support person, your emergency contact, a relative, friend, or lawyer.
- Say this to the police officer: *"I would like to call my support person or lawyer, and I would like to wait until they are here to answer questions or talk to you."*

5. Legal representation

- Ask to speak with a lawyer as soon as you can.
- You can find one through the **Queensland Law Society's The Law & You solicitor directory** or by calling **Legal Aid Queensland on 1300 65 11 88.**



QLD Law Society
The Law & You
Solicitor Directory

Remember: *You do not have to tell the police officer that you are autistic if you don't want to. It is your right to remain silent about this.*

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If you have a support person

If you have a support person (e.g. caregiver, family member, or advocate) they can:

- Help communicate your needs and advocate calmly.
- Ensure you are treated fairly.
- Help you understand what is happening.
- Provide support throughout the process.

It can be helpful to practice role-playing scenarios, so you feel comfortable and confident in advocating for yourself if you are ever stopped, questioned, or arrested.


Remember, understanding these guidelines can help you navigate interactions with police more confidently and safely if you are arrested.



Scan QR code to access more resources from the My Rights, My Voice Toolkit, designed to help navigate QPS interactions.

Autism Queensland is here to help—get in touch to learn more:

 **Email:** communityinclusion@autismqld.com.au

 **Phone:** (07) 3273 0000

 **Website:** autismqld.com.au

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