

Youthlaw lawyer advice: Do I need to give a PSO my DOB? What personal info do I need to give?

[June 4, 2013 at 12:10am](#)

Thanks everyone for sharing your experiences with PSOs on this Facebook page– it's important to remember that there are limits on PSOs' powers, and you only have to provide your personal information in certain limited situations.

*You **do not** have to provide your date of birth to PSOs.*

*You **do** have to provide your name and address to PSOs if:*

1. *They have reasonable grounds to suspect you have or are about to commit an offence;*
2. *You are the driver of a car or motorbike in, entering or exiting a railway carpark (PSOs can also ask you for your driver's licence without giving you a reason why); or*
3. *They arrest you.*

You can be charged or fined if you fail to provide your name and address or provide a false name and address. When you ask a PSO why they want your name and address, they must give you a valid reason (eg. You haven't been able to produce a valid ticket). PSOs must also give you their name, rank and place of duty if you ask them.

While you do not have to give your date of birth to PSOs, in the situations above PSOs can ask to see your ID to confirm your name and address. You can be charged or fined if you refuse to provide your ID without a reasonable excuse. When you show your ID to a PSO, they may be able to see your date of birth if it's on that I.D.

The same laws apply for police officers – you have to give your name and address to police officers in the situations I outlined above, but you do not have to give your date of birth. There may be situations where it is in your best interests to tell a police officer your date of birth in the above situations (eg. if you under 18 years of age or you are under arrest and do not have a criminal record).

You can make a complaint against a PSO online at: http://www.police.vic.gov.au/content.asp?Document_ID=11933 but it's a good idea to get free legal advice first-call 9652 1500 for a referral to a community legal centre.

For more information about the powers and responsibilities of PSOs, please see the Smart Justice For Young People fact sheet: http://www.smartjustice.org.au/cb_pages/files/SJFYP_Protective_Services_Officers.pdf.



Youthlaw lawyer advice: Why you should give name and address even if you think grounds not reasonable

[July 3, 2013 at 6:59pm](#)

This is a follow up answer to a great question from Scott on his wall post at:

<https://www.facebook.com/PSO.YourRightsOnTrack/posts/504337546305255>

Hi Scott-Even if you believe that the grounds a PSO has given you for requesting your name and address are not reasonable, you can still be charged with an offence if you refuse to provide your name and address. This is because it is the PSO's assessment of whether the grounds are reasonable or not that are relevant for the decision to request your name and address.

If this happens to you, we would recommend that you ask for the PSO's name, rank and place of duty so that you can make a complaint about the PSO. If you ask for these details to be written down, the PSO must provide them for you in writing. If the PSO is not in uniform, they must also show you their ID. It is an offence for a PSO to refuse to provide these details or to provide false details. Should a PSO refuse to provide these details, you can ask to speak to the PSO in charge and/or take a photo of their badge. Keep in mind that PSOs can fine you for using offensive language as well – so try and remember not to swear at the PSOs if you can.

*You can make a complaint about PSOs at:
http://www.police.vic.gov.au/content.asp?Document_ID=11933. Good idea to get some free legal advice first and you can get a referral from Your Rights on Track for this.*

We hope that clarifies the issue for you.

Lee at Youthlaw

