

The following rights and entitlements are guaranteed to you under the law in England and Wales and comply with the European Convention on Human Rights.

Remember your rights:

- 1. Tell the police if you want a solicitor to help you while you are at the police station. It is free.**
- 2. Tell the police if you want someone to be told that you are at the police station. It is free.**
- 3. Tell the police if you want to look at their rule-book called the Codes of Practice.**

You will find more details about these rights inside

*Criminal
Defence Service*



The Law Society

More information for people arrested by the police

Please keep this information and read it as soon as possible. It will help you to make decisions while you are at the police station.

If you are asked questions about a suspected offence, you do not have to say anything. However, it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.

1. Getting a solicitor to help you

- A solicitor can help and advise you about the law.
- If you want a solicitor, tell the police custody officer. The police will help you get in touch with a solicitor for you.
- The police must let you talk to a solicitor at any time, day or night, when you are at a police station. It is free.
- If you do not know of a solicitor in the area or you cannot get in touch with your own solicitor, you can speak to the duty solicitor. It is free. The police will help you contact him or her for you. The duty solicitor is nothing to do with the police.
- You are entitled to a private consultation with your Solicitor on the telephone or they may decide to come and see you at the Police Station.
- Usually, the police are not allowed to ask you questions until you have had the chance to talk to a solicitor. When the police ask you questions you can ask for a solicitor to be in the room with you.
- If you ask to speak to a solicitor it does not make it look like you have done anything wrong.
- If a solicitor does not turn up, or you need to talk to a solicitor again, ask the police to contact him or her again.
- If you tell the police that you don't want to speak to a solicitor but then you change your mind, tell the police custody officer. The police will then help you contact a solicitor for you.

Please turn over

2. Telling someone that you are at the police station

- You can ask the police to contact someone to inform them that you are at the police station. It is free. They will contact someone for you as soon as they can.

3. Looking at the Codes of Practice

- The Codes of Practice is a book that tells you what the police can and cannot do while you are at the police station.
- The police will let you read the Codes of Practice but you cannot read it for so long that it holds up the police finding out if you have broken the law.
- If you want to read the Codes of Practice, tell the police custody officer.

Getting details of your time at the police station

- Everything that happens to you when you are at the police station is put on paper and is called the custody record.
- When you leave the police station, you, your solicitor or your appropriate adult can ask for a copy of the custody record. The police have to give you a copy of the custody record as soon as they can.
- You can ask the police for a copy of the custody record up to 12 months after you leave the police station.

How you should be cared for

These are short notes about what you can expect while you are kept at the police station. To find out more, ask to see the book called the Codes of Practice. Inside its back cover you will find a list of where to find more information about each of these things. Ask the police custody officer if you have any questions.

Keeping in touch

As well as talking to a solicitor and having a person told about your arrest you will usually be allowed to make one phone call. Ask the police if you would like to make a phone call. You can also ask for a pen and paper. You may be able to have visitors but the custody officer can refuse to allow that.

Your Cell

If possible you should be kept in a cell on your own. It should be clean, warm and lit. Your bedding should be clean and in good order. You must be allowed to use a toilet and have a wash.

Clothes

If your own clothes are taken from you, then the police must provide you with an alternative form of clothing.

Food and drink

You must be offered 3 meals a day with drinks. You can also have drinks between meals.

Exercise

If possible you should be allowed outside each day for fresh air.

If you are unwell

Ask to see a doctor if you feel ill or need medicine. The police will call a doctor for you and it is free. You can ask to see another doctor but you may have to pay for this. You may be allowed to take your own medicine but the police will have to check with a doctor first. A nurse may see you first, but they will send for a doctor if you need one.

How long can you be detained?

You can normally be detained for up to 24 hours without being charged. This can be longer but only if a Police Superintendent allows it to happen. After 36 hours only a court can allow more time without you being charged. Every so often a senior police officer has to look into your case to see if you should still be kept here. This is called a review. You have the right to have your say about this decision, unless you are not in a fit state.

When the police question you

- The room should be clean, warm and lit.
- You should not have to stand up.
- The police officers should tell you their name and their rank.
- You should have a break at normal meal times and a break for a drink after about two hours.
- You should be allowed at least 8 hours rest in any 24 hours you are in custody.

People who need help

- If you are under 17, or you have learning problems or a mental problem then you should have someone with you when the police do certain things. This person is called your “appropriate adult”.
- Your appropriate adult must be with you when the police tell you about your rights and tell you why you are being kept at the police station. He or she must also be with you when the police read the police caution to you. He or she must also be with you if you are interviewed.
- The police might also need to do one of the things listed below while you are at the police station. Your appropriate adult should be with you for the whole time if the police do any of these things:
 - Interview you or ask you to sign a written statement or police notes.
 - Review your case.
 - Remove more than your outer clothes.
 - Carry out anything about an identification parade.
 - Charge you with an offence.

You can speak to your solicitor without your appropriate adult in the room if you want to.

Getting an interpreter to help you

If you do not speak or understand English the police will arrange for someone who speaks your language to help you.

If you are deaf or have difficulty speaking the police will arrange for a British Sign Language / English interpreter to help you.

When the police ask you questions the interpreter will make a record of the questions and your answers in your own language. You will be able to check this before you sign it as an accurate record.

If you make a statement to the police, the interpreter will make a copy of that statement in your own language for you to check and sign as correct.

People who are not British

If you are not British, you can tell the police that you want to contact your High Commission, Embassy or Consulate to tell them where you are and why you are in the police station. They can also visit you in private or arrange for a solicitor to see you.

Special Times

Getting a solicitor to help you

There are some special times when the police can ask you questions before you have talked to a solicitor. Information about these special times is given in the Codes of Practice. This is the book that sets out what the police can and cannot do while you are at the police station. If you want to look up the details, they are in paragraph 6.6 of Code C of the Codes of Practice.

There is one special time when the police will not let you speak to the solicitor that you have chosen. When this happens the police must let you talk to another solicitor. If you want to look up the details, it is in Annex B of Code C of the Codes of Practice.

Telling someone that you are at the police station

There are some special times when the police will not allow you to contact anyone. Information about these special times is given in the Codes of Practice. If you want to look up the details, it is in Annex B of Code C of the Codes of Practice.

Breath tests

If you are under arrest because of a drink drive offence, you have the right to speak to a solicitor. That right does not mean you can refuse to give the police samples of breath, blood or urine even if you have not yet spoken to the solicitor.

Independent Custody Visitors

There are members of the community who are allowed access to police stations unannounced. They are known as independent custody visitors and work on a voluntary basis to make sure that detained people are being treated properly and have access to rights. You do not have a right to see an independent custody Visitor and cannot request that an independent custody visitor visit you. If an independent custody visitor does visit you while you are in custody they will be acting independently of the police to check that your welfare and rights have been protected. However, you do not have to speak to them if you do not wish to.