

At the police station

At the Police station you have a right:

- To know why you have been arrested/detained, so ask.
- To have a solicitor informed free of charge,
- To let someone know you have been arrested,
- To remain silent. There is NO requirement to talk the police.

You will be taken in front of the custody sergeant, who is the officer who authorises your detention and is responsible for you whilst you remain in custody. Your arresting officer will give brief details of the offence for which you were arrested, and you will be asked a number of questions including your name and address, date and place of birth, height, and occupation. It's not a criminal offence to refuse to give this information, so don't feel pressurised into doing so. But if you do refuse to give your name and address it's likely to delay your release. If you give false details you could be charged with obstructing a police officer/perverting the course of justice.

- You may be subject to a pat-down search on arrival.
- Your possessions will be taken from you and you will be asked to sign for them, make sure that you sign directly under the list so the police cannot add any other incriminating items.
- If you are injured or need medication tell the police that you want to see a doctor
- Fingerprints, saliva/hair samples for DNA and your photograph, can be taken without your consent. They can use force if necessary.
- You may be asked personal questions - you don't have to answer. You have the right to have a person informed of your arrest.
- You also have a right to speak to a solicitor free of charge at any point - the duty solicitor or your own but the rules around the duty solicitor have recently changed to a "call centre" arrangement (see below).
- You have the right to a pencil and paper but may not get it.
- You have a right to inspect the police codes of practice (PACE).
- You have the right to remain silent, there is NO requirement to talk to the police. It is advisable to answer '**NO COMMENT**' to all police questions and not sign any statement written by the police or sign any police notebook, until you have taken legal advice. If you do wish to make a statement do not mention anyone else but yourself.

If you are not charged you may receive a caution but you do not have to accept it. A caution means that you will not go to court or receive a penalty but it is admittance to the offence and will go on your record.

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 or your solicitor 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.

Young people

If you are under 17 years of age and are detained by the police, an appropriate adult - usually your parent or guardian - should be informed as soon as possible. The police

should not interview you until your parent is present, unless a delay would mean an immediate risk of harm to someone or serious loss of or damage to property.

Medication and dietary requirements

If you have particular dietary requirements or you need to have medication tell the duty officer, or other officer, you have the right to have these particular needs met whilst in custody.

People with learning difficulties

If you have learning difficulties the police should only interview you when a responsible person is present, unless delay would result in a risk of injury or harm to property or people. You should be accompanied at interview by:-

- a relative or other person responsible for your care; or
- a person who is not employed by the police, and who is experienced in dealing with people with learning difficulties; or
- some other responsible adult who is not employed by the police.

People from abroad

If you are from abroad, you have the right to tell your High Commission, embassy or consulate your whereabouts. If you are from certain countries where the UK has a special agreement, the High Commission, embassy or consulate will be told about your arrest automatically.

If your first language is not English

If you have difficulty understanding English and the interviewing officer cannot speak your language, you should be provided with an interpreter. The police must not interview you until the interpreter is present unless a delay would mean an immediate risk of harm to someone or serious loss of or damage to property.

Deaf people and people with hearing/speech difficulties

If you have hearing or speech difficulties the police should offer you an interpreter. They should not question you until the interpreter is present unless a delay would mean an immediate risk of harm to someone or serious loss of or damage to property, or unless you agree in writing to be interviewed without one

Your right to Legal Advice at the police station – the “Call Centre”

The rules around the right to a solicitor have recently changed. The rules now state that a detainee who asks for legal advice to be paid for by himself should be given an opportunity to consult a specific solicitor or another solicitor from that solicitor's firm. If this solicitor is unavailable by these means, they may choose up to two alternatives. If these attempts are unsuccessful, the custody officer has discretion to allow further attempts until a solicitor has been contacted and agrees to provide legal advice. Otherwise, publicly funded legal advice shall in the first instance be accessed by telephoning a call centre authorised by the Legal Services Commission to deal with calls from the police station. The Defence Solicitor Call Centre will determine whether legal advice should be limited to telephone advice or whether a solicitor should attend.

Legal advice will be by telephone if a detainee is:

- detained for a non-imprisonable offence,
- arrested on a bench warrant for failing to appear and being held for production before the court (except where the solicitor has clear documentary evidence available that would result in the client being released from custody),