

WHAT ARE MY LEGAL RIGHTS AND ENTITLEMENTS?

The Police and Criminal Evidence Act 1984 is the main law which says what rights someone has in police custody and how they should be looked after at the police station. You have several rights which the police officers must respect in law. There are also other entitlements which you have in police custody that are subject to the decisions of police officers.



SOLICITOR

- A solicitor is a person qualified to give you advice on the law and your rights as a suspect of a criminal offence. You have a right to free legal advice from a solicitor while in police custody.
- You are entitled to talk to a solicitor about your arrest and the offence in private. They will offer you advice about what has happened and advise you how to answer questions in the police interview.
- You should not just refuse a solicitor because there may be a delay before they can come to the station. A solicitor can also help you even if you think you are innocent.



APPROPRIATE ADULT

- An Appropriate Adult is an independent person who must come to the police station to help support vulnerable detainees. You can suggest a family member, social worker or volunteer to be your AA. If it is not possible for them to act as the AA, the custody sergeant may choose instead.
- They will observe what is happening, help with communication and any concerns you have and ensure you are being treated fairly. They must be present while certain processes are carried out. If they cannot be there when these are carried out, they will be repeated when they arrive.



TELLING SOMEONE OF YOUR ARREST

- You can have someone told that you have been arrested and brought to police custody. You can choose to call a family member, friend, partner or someone else who has an interest in your welfare.
- You can also make a phone call while you are in police custody unless the custody staff decide that there are reasons which prevent this. This will be explained to you.
- It is important to remember that anything you say during this phone call may be listened to by someone else and may be used as evidence. You will not have to pay for the phone call you make.



YOUR WELFARE IN POLICE CUSTODY

- You must be held in a cell which is adequately heated, cleaned and ventilated. The cell must also be adequately lit. It may be possible to adjust the lighting but the cell must be light enough so you can be seen by the custody staff.
- You must be offered three meals during any 24 hour period. You should tell the custody staff if you have any specific dietary needs. You can also ask for something to drink such as water, tea, coffee or hot chocolate.
- You must be given a clean blanket and have access to a toilet and washing facilities. You can also ask for toiletries such as toilet paper, a toothbrush and toothpaste, soap and sanitary products.
- You can also ask for outdoor exercise for a small amount of time. You can also ask for something to read if this does not create a risk to yourself or others.
- You may also ask to see a healthcare professional if you are injured, ill, have a medical condition or need medical attention.