

AMBER VALLEY & DERBY CAMPAIGNS AGAINST RACISM & FASCISM; NOTTS STOP THE BNP

LEGAL RIGHTS ON ARREST

MARK IN THE NUMBERS ON YOUR ARM, PAPER GETS LOST

Ask for a solicitor at the Police station; police will ring a call centre - we advise you to insist on a solicitor from:

[KieranClarkesGreen] (Chesterfield) 07896 084 124

[Champions] (Nottm) 07976 842 513

[Smiths] (Derby) 07531 365 521

If you are arrested – try to ensure people are aware, shout out your name, and then get the arresting officer's no.

While in custody -

- ◆ You must give your name and address. Giving date of birth might speed up release, they will be checked.
- ◆ **DON'T SAY ANYTHING ELSE TILL YOU SPEAK TO A SOLICITOR - ESPECIALLY 'OFF RECORD'**. WE RECOMMEND NOT PROVIDING A STATEMENT/ ANSWER QUESTIONS (apart from name/address/date of birth) IT WILL BE USED TO GATHER EVIDENCE AGAINST YOU AND OTHERS, NOT TO HELP YOU (no matter what the police say)
- ◆ You will be searched & your possessions temporarily taken away.
- ◆ You have the right to have a friend or relative contacted.
- ◆ If you are under 16 the police **should**/ probably will contact your parents or an appropriate adult
- ◆ You have the **right** to see a doctor if you are sick or hurt.
- ◆ The police **CAN** photograph and fingerprint you and take a DNA sample without your consent.
- ◆ If you want to see a solicitor, ask for one of the solicitors on this card.
- ◆ **Inform the custody officer at the earliest opportunity if you are on prescribed medication.**
- ◆ **The police may suggest a 'caution'/ 'on the spot' fine (triggering a criminal record) rather than charge. Why? Possible lack of evidence? Justifying arrest? People arrested, then released without charge ... might show as heavy-handed policing.**
- ◆ **If you have been charged, contact 07980 089 859/ 07505 069 044 if you want our support after release.**
- ◆ **We will try and meet you when you are released and help you get home**

"Stop and search"

- ❖ **There is no general right for the police to search you, so ask them to identify the power they are using and remember what is said.**
- ❖ You can be stopped and searched if the police have a 'reasonable suspicion' of:
 1. possession of controlled drugs
 2. possession of offensive weapon or firearms
 3. carrying a sharp article
 4. carrying stolen goods
 5. being in a coach or train, going to, or you have arrived at, a demo
- ❖ **If police are not in uniform ask to see their warrant card.**
- ❖ Ask why you have been stopped and at the end ask for a record of the search.
 - **If the police have taken out a "section 60 notice" (s60)** they can stop and search you, within its area and during its time (up to 48 hours). Then police do not need to have 'reasonable suspicion' of a weapon or committing a crime
 - Any weapons or dangerous instruments may be seized. If other illegal items are found (e.g. drugs) they will use this to arrest you. Any person failing to stop may be arrested.
- Only coats, jackets & gloves need be removed in public. A **s60** search doesn't demand a name/ address, or, itself, allow them to arrest you; you can be detained only so long as the police carry out the search, but not for any other reason.