

# **Your Rights when you are at the Police Station**

**Easy Read Version**

# Your Rights when you are at the Police Station



Lots of people find it hard to understand what is happening at the police station.










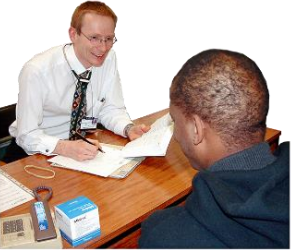

If the police want to ask you questions, it is best to tell them if you need support and if you don't understand.



The police will know that people with communication support needs need a bit more time to read and answer questions.

## Contents

	<p>Being arrested and going to police custody</p>	<p>Page 4</p>
	<p>Answering questions from the police</p>	<p>Pages 5 - 6</p>
	<p>Asking for an Appropriate Adult</p>	<p>Page 7</p>
	<p>Telling a lawyer you are at the police station</p>	<p>Page 8</p>
	<p>Telling someone else you are at the police station</p>	<p>Page 9</p>
	<p>If you are 16 or under 16 years old or if you are a 16 or 17 years old under a compulsory supervision order</p>	<p>Pages 10 -11</p>

	<p>What happens if you are charged or brought into the police station on a warrant?</p>	<p>Pages 12 - 13</p>
	<p>How long can you be kept at the police station?</p>	<p>Page 14</p>
	<p>Seeing a doctor or a nurse</p>	<p>Page 15</p>
	<p>Making a complaint</p>	<p>Page 16</p>



## Being arrested and going to police custody

The police will tell you why you have been arrested.



The police will ask you if you understand.

If you don't understand at any point you should say "no".

Only say "yes" if you understand.

## Answering questions from the police



You have the right to remain silent.

You do **not** have to answer any questions the police ask you. **BUT** you do have to tell them–

**your name**



**where you live**



**when is your birthday**





**where you were born and your nationality**

**If you don't know some of these details you must tell the police.**

**You will not be in trouble with the Police if you do not answer any other questions.**



The police will tell you they will write down everything you say.

If you choose to answer questions, anything you say could be used as evidence if your case goes to court.



## Asking for an Appropriate Adult

If you need support, tell the police “**call for an Appropriate Adult**”.

The Appropriate Adult is someone who can help you understand what the police are saying. This is free.



The Appropriate Adult will help you understand your rights and what is happening.

They will explain the questions the police ask if you don't understand them.

They can also explain what the police are doing not just saying.



The Appropriate Adult cannot give you advice.

The police will call an Appropriate Adult if they think you need one even if you don't ask.



**It is important to say if you do not understand.**



## Telling a lawyer you are at the police station



You have the right to speak to a **lawyer** in private at any time even before you are questioned. This is free.

**A lawyer is someone who protects your rights and can help with your defence.**

The Appropriate Adult cannot be with you when you speak to your lawyer.

If you want to speak to a lawyer, you should say “yes” when the police ask you.



If you have a lawyer you should tell their name to the police. The police will try to call them. This is free.

If you don't have a lawyer you need to tell the police and they will phone one for you.

The police will try to contact your lawyer as soon as possible. This is free.

The lawyer can be in the room with you if the police interview you. This is free.



You might speak to your lawyer by telephone or the lawyer might come to the police station to see you. It is up to them.

You will be asked for a second time if you would like a solicitor present for interview even if you have had a telephone conversation with them.

## Telling someone else you are at the police station



You have the right to have someone told you are at the police station.

The police will ask you who you would like them to call.



This could be someone in your family, your partner, your carer, your friend or another person you know.

You might not be allowed to speak to this person.

**If you are 16 or under 16 years old or if you are a 16 or 17 years old under a compulsory supervision order:**



The police must try to tell your parent or guardian that you are at a police station.



You have the right to be visited by your parent or guardian at the police station.

Only under 18 years old can receive visits.





A lawyer must be with you when the police interview you unless there are **exceptional circumstances**.

For example, if the police think you have important information to stop someone being hurt they might need to ask you questions before your lawyer arrives.

If you are 16 or 17 years old and under a supervision order or interim compulsory order you may NOT refuse to have a solicitor unless it has been agreed with a relevant person.

Even in exceptional circumstances you have the right to remain silent.



## What happens if you are charged or brought into the police station on a warrant?



If you are **charged**, you might be allowed to leave or you might have to stay in a police cell and go to court on the next possible day.



If you are charged the police will want to take:

- **your fingerprints**



- a **DNA sample** (they will gently swab the inside of your mouth with a cotton bud)



- **your picture**



If you have been brought into the police station on a **warrant**, you may have to stay in a police cell and go to court on the next possible day.

## How long can you be kept at the police station?



The police can keep you for **up to 12 hours** without charging you with a crime.



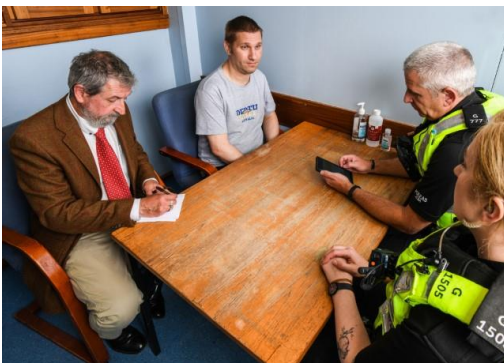
The police will offer you food at meal times if you are kept for more than 4 hours.

If there are any foods you can't eat, tell the police as soon as possible.

If you are thirsty ask the police to give you water.



The police can keep you **up to 24 hours** but **only if a Police Inspector agrees to this** (or a Chief Inspector if you are under 18 years old).



You have the right to have your say about this decision, or you can choose to have your lawyer speak to the police for you.



## Seeing a doctor or a nurse

You have the right to see a **doctor** or a **nurse** if you are ill or injured.

Tell the police if you think you need to see a doctor or a nurse.

It is important you tell the police if you have a medical condition or are on medication.



It is also important to tell the Police if you have any drug or alcohol addiction or if you are thinking of harming yourself.



**This is to help the Police take care of you when you are in police custody.**



## Making a complaint



You have the right to **complain** about the way you have been treated by the police.

If you complain against Police Scotland this will not make your case look bad.

You can make a complaint when you are in custody.

If you want to complain when you are in custody, ask to speak to an inspector or someone of a higher rank.



If you want to complain after you have been released, you can go to any police station.

If you have been hurt or injured by a police officer during your arrest or in police custody you should complain to Police Scotland Professional Standards Department.

To complain call 101 or go to your local police station.

You can also ask someone else to make a complaint for you. It can be a parent, friend, partner or someone you trust.

You need to give them your written permission.



Produced on behalf  
of the SOLD Network  
by  
People First (Scotland)  
77-79 Easter Road,  
Edinburgh,  
EH7 5PW  
0131 478 7707

Company limited by guarantee No.  
173180 and Registered Scottish  
Charity No. SC 026039



**People First  
(Scotland)**



**POLICE  
SCOTLAND**  
Keeping people safe  

---

**POILEAS ALBA**



© Crown copyright 2023

**OGL**

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://nationalarchives.gov.uk/doc/open-government-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at [www.gov.scot](http://www.gov.scot)

Any enquiries regarding this publication should be sent to us at

The Scottish Government  
St Andrew's House  
Edinburgh  
EH1 3DG

ISBN: 978-1-80525-279-5 (web only)

Published by The Scottish Government, April 2023

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA  
PPDAS1159402 (04/23)

W W W . g o v . s c o t