

detained in a police station

Information for young people

Warwickshire **YOT** *Youth Offending Team*

WHAT IS THIS LEAFLET FOR?

This leaflet is to help you understand:

- what the rules are when young people are taken to a police station for questioning
- that the police must do certain things which take time
- that you have certain rights which the police will tell you about
- that your behaviour in the police station is important.

WHAT SHOULD HAPPEN WHEN YOU FIRST ARRIVE AT THE POLICE STATION

As soon as you arrive you will be taken to the custody suite. This is where the cells are. The police officer in charge of the custody suite will be the custody sergeant. He or she is there to see that you are treated properly while you are in the police station. The custody sergeant has to make sure that all the important details about you are written down for example:

- time of arrest
- the names of the officers who have brought you to the police station
- your name and address
- the name of your parent or carer and their address and telephone number

After details have been taken you will be searched and placed in a cell until the police are ready to interview you.

WHY DO I HAVE TO HAVE AN ADULT WITH ME?

The law says that anyone under the age of 17 years must have an adult present when they are interviewed by the police. The adult is known as an 'appropriate adult' and again there are rules about who this adult might be.

The first choice should be your parent or the adult who looks after you at home. It could be another relative who is over the age of 18 years or it could be a worker provided by the Youth Offending Team.

WHY DO I NEED A SOLICITOR?

If you ask for a solicitor, he or she will come to the Police Station and help you free of charge while you are there. A solicitor will be able to give you legal advice. This is important, especially if the offence is serious or complicated, or if there is disagreement on what is said to have happened. If you speak to a solicitor before you are interviewed you may still choose to be interviewed without a solicitor there. However, you may still ask for a solicitor later if you feel you want to.

WHAT ARE MY RIGHTS?

The custody sergeant will tell you that it is your right to:

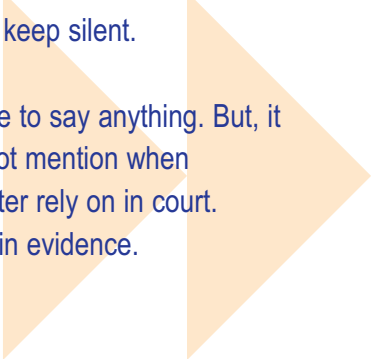
- have someone told that you have been arrested
- have an interpreter with you if you do not understand English or you are deaf. This service will be provided free of charge
- to speak to a solicitor. This may be your own solicitor or the solicitor on duty
- to look at the book which covers police powers and procedures – this is what is known as the Codes of Practice

DURING THE INTERVIEW

The interview is for the Police to gain information. This may help to prove your innocence or find out what part you played in the incident.

There will usually be 2 police officers to ask the questions and everything is tape-recorded. They will explain what they are doing and will include the 'caution' – that is advice about your choice to answer questions or keep silent.

The caution will be: You do not have to say anything. But, 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.



The 'appropriate adult' must be present when you are interviewed. They will not be allowed to discuss the case with you, but they are there to see that you are treated fairly. The solicitor is also there to see that the interview is carried out properly. The 'appropriate adult' or the solicitor may ask for the interview to be stopped.

This may be because

- they are not happy with how questions are being asked
- they feel you need to speak to your solicitor in private

If you do not have a solicitor present and feel that you need one – you may ask for the interview to be stopped so that one may be called to help you. The police must not use threats or bribes to gain information from you. You will be asked to sign a label which is used to seal the box holding one copy of the tape. This is kept safely and securely.

AFTER THE INTERVIEW

The police look at what was said during the interview and the seriousness of the offence and then decide what to do. These are some of the possibilities:

- no further action will be taken
- you may receive a reprimand or warning if you have owned up to the offence, appear to be sorry for your actions and have not been before the court in the past
- you may be bailed to return to the police station at another time. This is to enable the police to make further enquiries. You must return at the time and date given or you may be arrested and held in custody. When you do return the police may have made a decision to take no further action, to recommend you

for a reprimand or warning or to ask for your case to be considered in court. The police may want to interview you again before they decide.

- you may be charged to appear in court and given bail. This means that you are trusted to go to court on the time and date given to you by the custody sergeant. He or she will explain this to you. There may be certain conditions that you have to follow which will be explained to you. If you don't understand ask the custody sergeant to explain again or talk to your solicitor or appropriate adult.

If you are charged or receive a reprimand or warning you will be photographed, and have fingerprints and DNA taken.

There may be certain conditions that you have to follow which will be explained to you. If you don't understand ask the custody sergeant.

WHILE YOU ARE IN THE POLICE STATION

It is important that you remain polite and calm as aggressive behaviour or causing damage to police property may result in you being charged with a criminal offence. For example writing your name on the cell wall is criminal damage.

COMPLAINTS

If you feel that you have been treated badly by the police you should first tell the custody sergeant. If the complaint is about the custody sergeant then you should ask to see the duty inspector.

There is a leaflet called The Independent Police Complaints Authority – A Public Watchdog which should be available at all police stations. This gives details of how to make a complaint and it will tell you how complaints are looked into.



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