REPRESENTING CARE EXPERIENCED CHILDREN & YOUNG PEOPLE IN POLICE CUSTODY:
A GOOD PRACTICE GUIDE



CHILDREN AND YOUNG PEOPLE - KNOW YOUR RIGHTS IN POLICE CUSTODY

Children aged under 16 and those under supervision have slightly different rights than children who are 16 or 17 years old. This guide gives advice on what your rights are, and what you can ask for and expect to receive when in police custody.

1. YOU HAVE THE RIGHT TO HAVE A SOLICITOR (LAWYER)

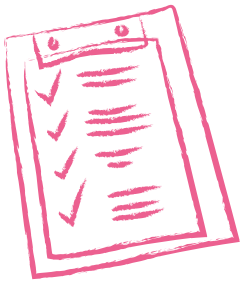
However, you must ask for one - you will not just be given one. Solicitors can help you. They can make sure you get the best care and advice possible. This is free.

2. YOU HAVE THE RIGHT NOT TO HAVE A SOLICITOR

The police cannot interview you if you do not have a solicitor. You have the right to refuse one. If you refuse to have a solicitor, the police cannot interview you.







3. YOU HAVE THE RIGHT TO HAVE A TRUSTED ADULT WITH YOU

During your interview, you have the right to have an adult with you. They can support you. This could be your mum, dad, carer, or social worker.

If you are under 16 or on supervision, your mum, dad or carer will be told you are at the police station. If you are 16 or 17 and not under panel supervision you will be asked who you want to be told that you are at the police station.

4. YOU HAVE A RIGHT TO ASK QUESTIONS

If you do not understand something you can ask your solicitor, the police or trusted adult to explain things in a way that makes sense to you. You have a right to know why you are there.

5. YOU HAVE THE RIGHT TO ASK FOR FOOD AND DRINK

If you are hungry or thirsty, you have the right to ask for food and drink. Don't be shy, it's a legal duty of those looking after you.

6. YOU HAVE THE RIGHT TO USE TOILETS AND WASHING FACILITIES

If you need the toilet, sanitary products and somewhere to wash, just ask. This is your right.

7. YOU HAVE THE RIGHT TO SUITABLE CLOTHING

If you cannot wear your own clothes, you will be given some to wear. You have the right to have clothes that fit you.

8. YOU HAVE THE RIGHT TO HAVE GOOD MEDICAL CARE

If you are feeling unwell or have a medical condition tell the police or your solicitor. The police have a duty to make sure you receive the correct medical care.

9. IF YOU HAVE A SOCIAL WORKER, YOU HAVE A RIGHT TO REGULAR VISITS

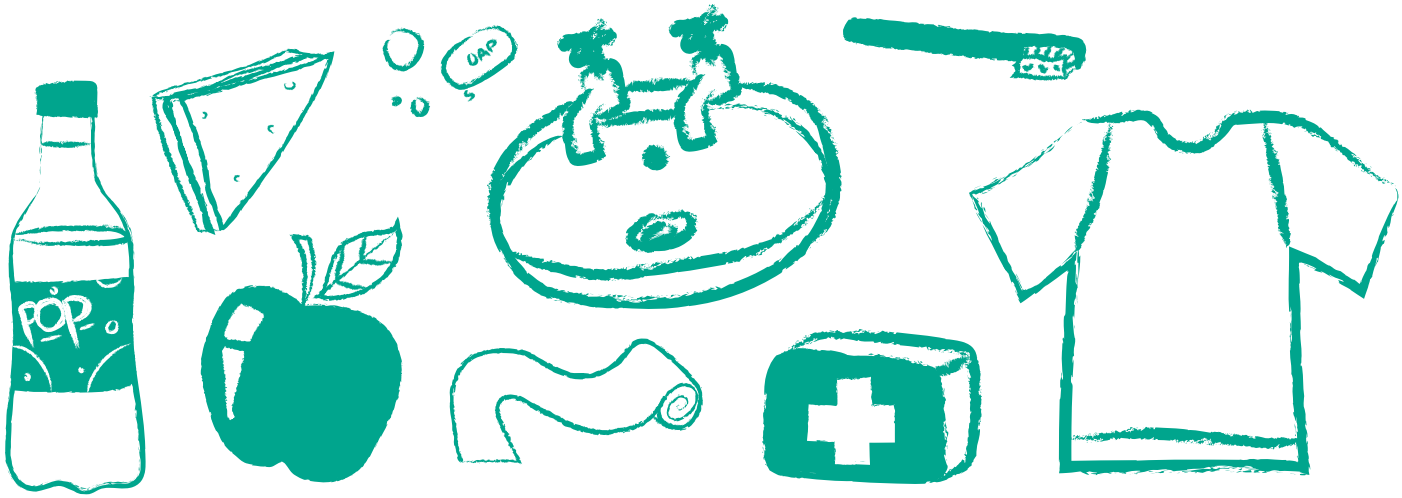
Your social worker should visit you while you are at the police station. You need to tell the police that you have a social worker as they will not know. The police will contact them for you.

10. IF YOU HAVE BEEN IN CARE YOU HAVE A RIGHT TO EXTRA SUPPORT

You need to tell the police if you have ever been in care so they can help you.

11. YOU HAVE THE RIGHT TO COMPLAIN

If you feel any part of your stay in custody was unfair or has breached your rights, you can complain. Tell your solicitor first. Your solicitor will be able to help you.



This guide was co-produced by Beth-Anne Logan (a justice experienced young person) and Fiona Dyer (Director - Interim) at CYCJ. It was reviewed by Irina Beaton, Director, SCLC.

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