

## HAVE YOU BEEN LAWFULLY ARRESTED?

- Have the police told you you're under arrest?
- Have they given you a caution?\*
- Have they told you what you've been arrested for and why?
- If they have not done the above, the arrest may be unlawful.

\*The Caution: "you have the right to be silent, but it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you say may be given in evidence"

There may be valid and important reasons why you should not say anything to the police. Do not be intimidated into answering questions. Do ask for a solicitor to see you at the police station. The solicitor will advise you whether or not you should answer questions. If you think you have done nothing wrong it is even more important that you speak to a solicitor!

## YOUR RIGHTS ON ARREST

- You have the right to remain silent on arrest
- But if you don't give your name and address, police can take you to the police station in order to obtain your identity
- You should not sign anything – especially police notebooks which record what you have allegedly said

## STOP AND SEARCH

- If a police officer has 'reasonable' grounds for suspecting you have committed or will commit an offence you can be stopped and detained in order to conduct a search.
- You should be told why they want to search you and your rights.
- Before the search you they can ask you questions about their suspicion.
- Your answers may be sufficient to satisfy the police you are innocent – if so you are free to leave and you must be told this.
- You must be given a record of the search or told how to obtain one.



Police work hard to collect 'intelligence' on football fans. This information may not be correct about you but if police fear there might be serious violence in a particular area they can stop and search anyone in that area for up to 24 hours.

#### AT THE POLICE STATION

- You have the right to free and independent legal advice.
- Duty solicitors are not paid for by the police and are not connected to the police.
- With the custody sergeant's consent, you have the right to have a person told of your arrest (in addition to a solicitor). This right can be delayed or withheld in rare cases.
- If you are under 17 you cannot be interviewed without an 'appropriate adult' – this may be a family member or friend over 18, a social worker or person from an Appropriate Adult scheme.
- You are entitled to a copy of the Codes of Practice (info about your rights).
- The police can only keep you for a certain period of time - normally a maximum of 24 hours.
- The 24 hour period can be extended in certain circumstances up to 36 hours - it would be very rare to go beyond this time and your solicitor would advise you on this.
- Police will want to take your fingerprints, DNA (painless swab from inner cheek) and photograph.
- These can be taken without your consent using 'reasonable' force. Resistance could result in you being charged with obstruction and it is therefore advisable to co-operate.

The European Court of Human rights has ruled that keeping innocent people's DNA and fingerprints violates Article 8 of the European Human Rights Convention. It is not yet unlawful to keep innocent people's DNA and fingerprints in this country and we await the Government's full response to this ECHR ruling.

(Check out website: <http://www.genewatch.org/>)

Visit [www.fsf.org.uk/fan-in-trouble.php](http://www.fsf.org.uk/fan-in-trouble.php) for further advice

