



LEGAL RIGHTS

BFSS British & Foreign
School Society
Education Opportunities for All

BREAKING THE LAW

How old do you have to be for the police to arrest you?

A: 10 years old – the law states you should know right from wrong from this age.

When under arrest, how old do you have to be to be treated as an adult?

A: 18 years and above.

Having a criminal record can have a big effect in your future when trying to get a job or travel to other countries. True or False?

A: True

What does NFA mean?

A: No further action.

BEING ARRESTED

Why might you be arrested?

Police will always try to avoid arresting a young person whenever they can. Sometimes arrests can't be avoided such as when:

1. You are suspected of a crime
2. An arrest warrant has been issued by the court
3. You fail to give an officer your name and details (if you are suspected of a crime)
4. You are a repeat offender (regularly committing crime)

What powers do the police have to arrest you?

Police officers have the power to arrest you using section 24 of the Police And Criminal Evidence cope of practice (PACE) which means they can arrest anyone who:

1. Is about to commit a crime
2. Is in the act of committing a crime
3. If the officer has reasonable grounds to suspect you are about to, or are committing a crime.

What are your rights if you are being arrested?

1. Police must identify themselves
2. Tell you why you are being arrested
3. Tell you what crime you are suspected of
4. Explain why it is necessary to arrest you
5. Explain that you are not free to leave

Bonus question – who can tell me the formal caution wording an officer MUST say at the time of an arrest?

A: You do not have to say anything. But it may harm your defence, if you do not mention when questioned, something you later rely on in court. Anything you do say may be given in evidence.

What happens at the police station?

1. Your photograph, finger prints and DNA are taken
2. You will be interviewed and the caution will be explained again
3. Your property will be taken and put in a safe place until you are released
4. You may be held for up to 24 hours
5. If you have autism or other learning needs, the police will use specialist support to make sure your rights are explained in ways you can understand

What are your rights at the police station?

1. You have the right to free legal advice
2. You have the right to get medical help if you are feeling unwell
3. You have the right to read the rules the police must follow called the code of practice

The police cannot search, explain your rights or interview you until your AA (appropriate adult) has arrived. This can be a parent, guardian, carer, social worker or friend aged 18+. Just not police staff.

BEING SEARCHED:

Police can stop and search you under PACE (Police and Criminal Evidence Act)

What are the 3 questions police ask you during a stop and search?

A: what are you doing? Why are you in the area? Where are you going?

What are your rights?

You do not have to say anything.

Why might police carry out a stop and search on you?

The police need reasonable ground to suspect you are carrying:

1. Illegal drugs
2. A weapon
3. Stolen property
4. Something that could be used to commit a crime

What can police officers search?

Coat, jacket, or gloves.

What are your rights when being searched?

1. You cannot be searched based on your age, race, or religion.
2. You can ask to be searched by an officer of the same sex
3. Officers must keep the search time to a minimum

What does an officer need to explain before searching you?

1. Explain that you are not under arrest
2. Explain that you are being detained for an arrest
3. Tell you the grounds of the search and the power they are using
4. Tell you their name, police station they are from and show identification
5. Tell you the reason they want to search you and what they expect to find
6. Explain your right to have a record of the search and how you can get a copy later

MAKING A COMPLAINT

If you feel the police officer has been unfair or unprofessional.

The police must:

1. Act honestly and fairly
2. Treat people with respect
3. Not abuse their powers of authority
4. Act in a way that does not portray the service in a negative way

What you need to include when making a complaint

1. What happened
2. When it happened
3. Who was involved
4. What was said or done
5. Any witnesses
6. Any damage or injury
7. Name, DOB, address and contact number.