



ALS

Aboriginal Legal Service (NSW/ACT) Limited

RIGHTS WHEN BEING ARRESTED

- Legal advice for Aboriginal people being arrested -

REMEMBER, YOU HAVE RIGHTS.

When you are being arrested -

Police will warn you that you do not have to say anything, and if you do say something it will be recorded and may be used as evidence against you in court.

Getting into the Police car -

Before you get in the police car, Police will ask you for your wallet or phone. Police may ask you to remove your belt, earrings or jewellery, and to remove your shoes or shoelaces.

At the Police station -

At the station, they may search you to make sure you don't have anything dangerous with you.

You will be introduced to the Custody Manager. If you have been handcuffed the Custody Manager may remove them.

If you would like someone with you, ask the Custody Manager to call a support person.

If you need to use the toilet, ask the Custody Manager. If you have been arrested for drug offences, Police may search you again before you use the toilet.

Police will want to talk to you -

The Custody Manager will warn you that you do not have to say anything, and if you do say something that it will be recorded and may be used as evidence against you in court.

The Custody Manager will ask questions to make sure you're OK.

The Police will ring the ALS -

The Custody Manager will call Aboriginal Legal Service. A lawyer will answer the phone.

You can speak to the ALS lawyer on the phone -

You can speak to an ALS lawyer about what you should do. The lawyer will give you legal advice. The lawyer will say don't do an interview. They will say don't sign a statement. They will say don't answer any Police questions.

Police will ask you for an interview -

Police will ask you if you would like to do an interview. Say no.

If you are charged this will be done by the Custody Manager. You will be fingerprinted and photographed.

If you are granted bail you will be given a date when you must go to court. Police will give you your things back and you are free to leave.

If you are refused bail you will go to a remand centre, and will be taken to court soon.

Want to know more?

Please contact ALS on

1800 765 767

info@alsnswact.org.au

www.alsnswact.org.au

