

## LEGAL INFORMATION – Bush Visit 19/11/03

### IF YOU ARE ARRESTED:

- You have the right to know why – so ask
- Shout out a name – so you can be located later
- Note the numbers of the arresting officers

### AT THE POLICE STATION YOU HAVE THE RIGHT:

- To a solicitor of your choice – free of charge
- To let somebody know you have been arrested
- **TO REMAIN SILENT** – There is NO requirement to talk to the police. We strongly advise that you:
  - 1) Say you are making “**NO COMMENT**” to police questions until you have spoken to a solicitor.
  - 2) Don’t write a statement, don’t sign a statement written by the police and don’t sign any police notebook.
  - 3) Don’t accept a caution without first speaking to a solicitor as this is an admission of guilt.

### THE CRIMINAL JUSTICE ACT DID NOT GET RID OF THE RIGHT TO SILENCE

It is in your interest to give the police a name and address. You don’t have to give a date of birth but it may delay your release.

#### The following solicitors can be contacted:

**BINDMAN & PARTNERS: 020 7833 4433**

**IMRAN KHAN & PARTNERS: 020 7636 6314**

**MOSS & CO.: 020 8986 8336**

**BSB SOLICITORS: 020 7837 3456 / 07979 911082**

You can also call the **Legal Monitoring number: 07906 928 752** to let us know of your arrest and release or for information about a friend’s arrest and release.

At the police station you may be searched. You can be held for up to 24 hours without being charged. Once charged, they can use “reasonable force” to take fingerprints and a saliva sample. If you are assaulted by the police ensure your injuries are medically recorded.

**DON’T PANIC – DON’T TALK – YOU’LL SOON BE OUT**

## Information on Police Powers

**Stop & Search – (Section 60)** - When a s60 order is in force the police can stop people and vehicles and search them for weapons or dangerous instruments. No suspicion that the person or vehicle has weapons is required. Any weapons or dangerous instruments may be seized. If other illegal items are found (e.g. drugs) they will use this to arrest you. Any person failing to stop may be arrested.

**Terrorism Act – (Section 44)** - This is very similar to s60 – do not be alarmed by the term “terrorism”. The police are allowed to stop people and vehicles for items of a kind which may be used in connection with terrorism. Both are non-intimate ‘pat down’ searches. **You are not required to give your name or address.** Neither power can be used to keep people confined.

**Demonstrations and Assemblies** - Section 12 Public Order Act 1986 allows the police to impose conditions on public processions if the senior officer believes it will result in public disorder or serious disruption or the purpose is intimidation. Refusal to obey the conditions is an arrestable offence.

Section 14 Public Order Act 1986 allows the police to impose conditions on public assemblies if the senior officer believes it will result in public disorder or serious disruption or the purpose is intimidation. For an assembly there must be 20 or more people.

**(Prevention of) Breach of the Peace** - Breach of the peace is not the catch all offence of popular myth, but it has a specific meaning. It applies where harm is done, or threatened to be done or likely to be done to a person or in his presence to his property.

**Obstruction of a Public Highway** – Section 137 Highways Act 1980. The Highway includes the pavement and private property used as a public thoroughfare. You may be found guilty of obstructing the highway merely by occupying part of it by standing on it. However, the police have to prove wilful obstruction – they will usually ask you to move and only arrest you if you don’t do so to prove it is wilful.

#### MEETING FOR THOSE ARRESTED:

**Sunday 23<sup>rd</sup> November, at 2pm, at LARC, 62 Fieldgate Street (corner of Parfett Street), London, E1. Email: [resistbush@yahoo.co.uk](mailto:resistbush@yahoo.co.uk)**

