

Getting Arrested What to do!



An Educational Resource For
People With Cognitive Or Learning Disabilities



- Getting arrested can happen to anyone
- It can be scary
- This story is about getting arrested
- It will help you to know what to do if it ever happens to you



- Arrest means you have to go with the police.
- If the police say "You're under arrest."
- Go with the police
- Stay calm
- Don't argue or fight
- Don't run away



- At the police station
- You will have to take everything out of your pockets
- Don't worry- the police will put your things in a bag
- You will get everything back
- The police might search you- by feeling over your clothes
- Don't get angry- it's a rule and it's for your safety



Your rights:

- The police will tell you that you don't have to say or do anything while you're at the police station
- This means you don't have to answer any questions or say anything about what happened



- A police officer will ask you some questions about yourself questions like what is your name and address.
- Do you need any medication?
- You should tell the police these things
- It's a good idea to tell the police officer that you have a disability.
- It makes a difference
- If you have a disability, you can get a support person to come and help you at the police station

Ask the police to call a support person to come to the police station to help you.

The support person can be a family member, a friend or you can ask the police to call CJSN - 1300 665 908 to find a support person for you.

It's important to get a support person...it's your right.

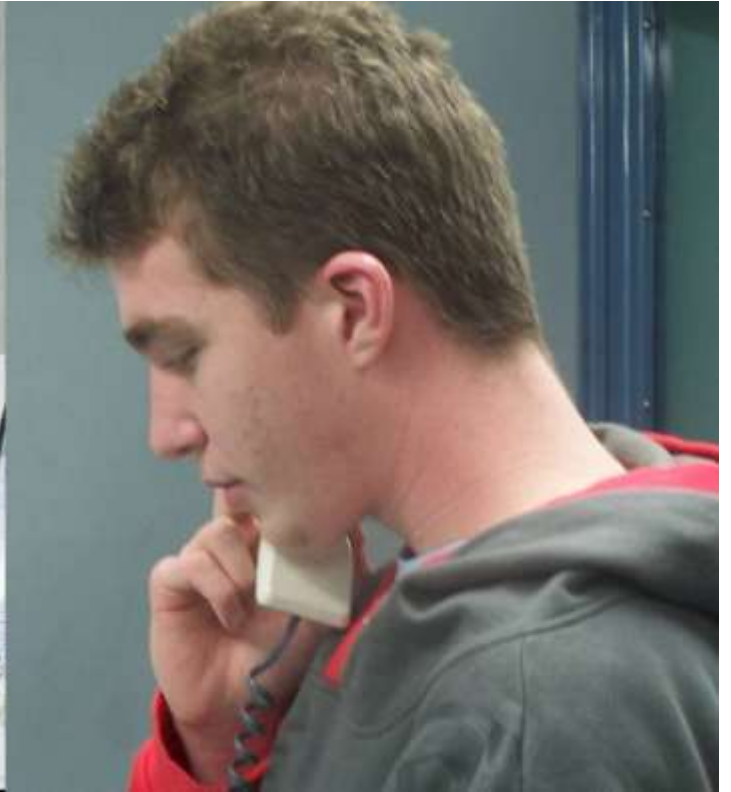
CJSN - is the Criminal Justice Support Network.
You can ask the police to ring CJSN if you get arrested.



- A support person can stay with you at the police station
- Help you to keep calm
- Help you to understand your rights
- Help you to understand what the police say and what
- you have to do



- You will have to wait in a small room with windows
- The police might lock the door
- You might feel scared or sad.
- Try to stay calm



- You have the right to talk to a lawyer
- The lawyer understands all about the law
- A lawyer can tell you what you should do
- It's a good idea to speak to a lawyer
- Ask the police to ring a lawyer for you
- The police can ring CJSN on 1300 665 908 to get a lawyer



- The lawyer might say
"I don't think you should answer any questions"
- Why?
- Because it's easy to get confused with the questions.
- You might say some thing you don't mean and you can't change



- You need to tell the police
- "I don't want to answer any questions"
- Or you could say
- "The lawyer said not to answer any questions"
- It's okay. Remember what the police said before??
- "You don't have to say anything"



The Police will decide if you will get bail.

Bail means you can go home

BUT

The police might write down some "bail conditions" you have to stick to

Bail conditions are some things you promise to do and some things you promise not to do.

You have to stick to bail conditions or the Police will arrest you again



The police will decide if they are going to charge you.

Charged means you have to go to court.

The police will give you a paper that tells you what day you have to go to court and which court to go to.

The paper is called a Court Attendance Notice.



Before you leave the police station you will get all your things back.

The police will give you some papers don't lose them – keep them safe.

Remember

- You do have to go to court
- Try to see a lawyer before you go to court
- Find some one who can go to court with you

So if you get arrested

- Stay Calm – Don't get angry
- Go with the police
- Tell the police you have a disability
- Ask for a Support Person
- Ask for Legal Advice
- Remember you Don't have to answer any questions
- CJSN can help you. Ask the police to ring



1300 665 908 -CJSN

Notes

EMAIL: cjsn@idrs.org.au

WEBSITE: www.idrs.org.au



CALL FROM POLICE STATION: 1300 665 908 (24/7)

During office hours, please call –

- Sydney and State-wide services : (02) 9318 0144
- Illawarra / Shoalhaven : (02) 4228 4040
- Hunter : (02) 4926 5643
- Central Coast : (02) 4324 2355