

# KNOW YOUR RIGHTS

What to do if you are contacted by the security services or police, if you are arrested or your premises are searched under 'anti-terror' or other legislation.

# **WHAT TO DO IF YOU ARE ASKED TO ASSIST ON A VOLUNTARY BASIS**

If you are asked by the police or MI5 to assist with their enquiries on a voluntary basis, you should know the following:

- You are not under arrest
- You have the right to leave at anytime
- You have the right to remain silent
- You have the right to consult a solicitor of your choice for legal advice and representation

# WHAT TO DO IF YOUR PREMISES ARE BEING SEARCHED

If your premises are being searched by a search warrant, you have the following rights:

- The right to remain silent
- The right to consult a solicitor of your choice for legal advice and representation
- The right to a copy of the search warrant
- The right to witness the search or have it witnessed by a friend, neighbour or other person
- The right to object to the seizure of certain confidential material, such as legitimate communication between you and your lawyer(s), personal medical records, journalistic material, etc.

If your consent is sought, you have the right to object to the search.

Note: whether you are asked to assist on a voluntary basis or your premises are being searched, it is a good practice to make an immediate note of the following:

- The officer or officers' name(s) (or warrant or other identification number), police station and telephone number
- The time and place that you were contacted
- Anything that is said to you by the officer(s)

# WHAT TO DO IF YOU ARE ARRESTED

If you are arrested, you have the following rights (which, in our view, it is vital to exercise):

- The right to remain silent
- The right to consult a solicitor of your choice for free legal advice and representation

**Note:** all of the above advice is subject to this caveat: it is a criminal offence to fail to disclose as soon as reasonably practicable information knowing or believing it might be of material assistance in preventing the commission of an act of terrorism or securing the apprehension, prosecution or conviction of another person in the UK for a terrorism offence.

# **KEEP A COPY OF THIS LEAFLET WITH YOU AT ALL TIMES**

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IHRC has prepared this brief guide for people affected by anti-terror laws and policies. It deals with your rights if contacted by MI5, Special Branch or other parts of the security apparatus in the UK or if you are arrested or your premises are searched.

**Please report incidents of harassment to IHRC on 020 8904 4222 or [info@ihrc.org](mailto:info@ihrc.org) or by using our online incident reporting form [www.ihrc.org.uk/contact-us/reportincident](http://www.ihrc.org.uk/contact-us/reportincident)**

If you need any further advice  
and/or assistance, contact:

**Birnberg Peirce & Partners**

[www.birnbergpeirce.co.uk](http://www.birnbergpeirce.co.uk)

Tel: 020 7911 0166

**Bindmans LLP**

[www.bindmans.com](http://www.bindmans.com)

Tel: 020 7833 4433

**ITN Solicitors**

[www.itnsolicitors.com](http://www.itnsolicitors.com)

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