



# Criminal Justice (Scotland) Act 2016

## 2016 asp 1

### PART 1

#### ARREST AND CUSTODY

#### CHAPTER 5

#### RIGHTS OF SUSPECTS IN POLICE CUSTODY

##### *Intimation and access to a solicitor*

#### **43 Right to have intimation sent to solicitor**

- (1) A person who is in police custody has the right to have intimation sent to a solicitor of any or all of the following—
  - (a) the fact that the person is in custody,
  - (b) the place where the person is in custody,
  - (c) that the solicitor's professional assistance is required by the person,
  - (d) if the person has been officially accused of an offence—
    - (i) whether the person is to be released from custody, and
    - (ii) where the person is not to be released, the court before which the person is to be brought in accordance with section 21(2) and the date on which the person is to be brought before that court.
- (2) Where the person requests that intimation be sent under subsection (1), the intimation must be sent as soon as reasonably practicable.